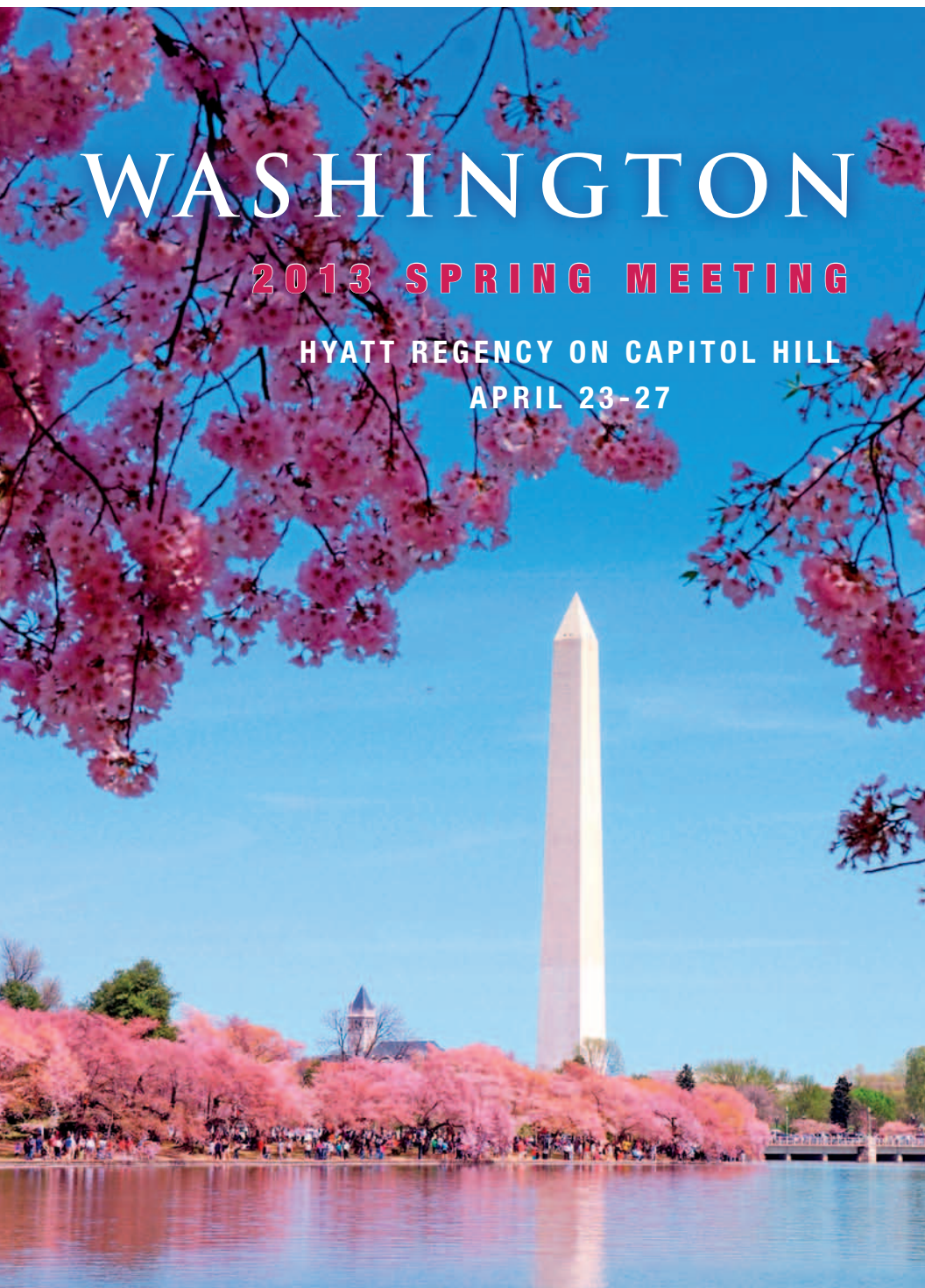


# WASHINGTON

**2013 SPRING MEETING**

**HYATT REGENCY ON CAPITOL HILL  
APRIL 23-27**



# MARK YOUR CALENDAR

## 2013

**February 7**  
**Arab Spring: Doing Business**  
**and the Rule of Law**  
Dallas, Texas



**February 8-10**  
**ABA Midyear Meeting**  
Dallas, Texas

**March 10-16**  
**ILEX Briefing Trip**  
Warsaw, Poland and  
Vienna, Austria



**April 23-27**  
**Section Spring Meeting**  
Washington, DC



**May 26-29**  
**Fourth Annual Joint**  
**Conference with the Israel**  
**Bar Association: Law,**  
**Business and Technology**  
Eilat, Israel



**June 2-3**  
**ABA/DAV Conference,**  
**Successfully Navigating**  
**Hazardous Waters: The Third**  
**Conference on Transatlantic**  
**Deals and Disputes**  
Frankfurt, Germany

**August 9-11**  
**ABA Annual Meeting**  
San Francisco, California



**August 23-24**  
**New Perspectives for**  
**Infrastructure Projects in**  
**South America**  
São Paulo, Brazil



**September 16-17**  
**China – Inside and Out**  
Beijing, China

**September**  
**The 5th Annual Conference**  
**on the Resolution of CIS-**  
**Related Business Dispute**  
Moscow, Russia



**October 15-19**  
**Section Fall Meeting**  
London, United Kingdom



**November 7-9**  
**Second Annual Conference**  
**on Legal Challenges and**  
**Opportunities of Mexico's**  
**Increased Global Integration:**  
**Foreign Investment, Trade,**  
**Real Estate, Hospitality,**  
**and Tourism**  
Los Cabos, Mexico

**November 14**  
**14th Annual Live from**  
**the SEC**



# 2013 SPRING MEETING

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## ABA Section of International Law

*Your Gateway to International Practice*

On behalf of the ABA Section of International Law (ABA International), we are pleased to invite you to a very special 2013 Spring Meeting in Washington, DC, April 23-27, 2013. ABA International's Spring Meeting is one of the world's most important gatherings of international lawyers. Last year's Spring Meeting in New York welcomed over 1,300 attendees from 80 countries.

**US Supreme Court Justice Ruth Bader Ginsberg** has already agreed to address Section members at the Spring Meeting. As of this writing, invitations are pending with other keynote speakers of great stature and insight. Experts in every field of international law and practice will be speakers at this meeting in Washington.

Spring Meeting attendees will include high-level practitioners with the largest and most respected global law firms; lawyers with the most prominent regional and national firms inside and outside the U.S.; U.S.-based small-firm and solo practitioners with significant international practices; corporate and in-house counsel; lawyers serving in government or with non-governmental organizations and inter-governmental organizations; and academics. ABA International is the home within the ABA for the world's leading international practitioners, and the 2013 Spring Meeting is a "Must-Attend" meeting for lawyers with a practice or interest in international legal issues.

### *Please note:*

**Early Bird Registration Deadline is March 4, 2013.** Take advantage of the low registration rates for both individual and group attendees! For more information about group registration rates, please contact Michelle Mattingly at [michelle.mattingly@americanbar.org](mailto:michelle.mattingly@americanbar.org).

**Pre-Registration Final Deadline is April 15, 2013.** You can register after that date, but you will not be able to register online.

**Hotel room block at the Hyatt Regency Washington on Capitol Hill Deadline is March 11, 2013.** We have reserved a special nightly rate of \$279 plus applicable daily tax per room for occupancy. Reservations may be made online at <https://resweb.passkey.com/go/ABAINTL2013>. The number of rooms available at this special rate is limited and subject to selling out, so early booking is recommended.

## WHAT WILL ATTENDANCE AT THE 2013 SPRING MEETING OFFER YOU?

- Over 60 substantive concurrent continuing legal education sessions and showcases with world-class speakers;
- Cutting edge programming on the latest international legal and ethics issues;
- Networking opportunities with counterparts, decision makers and potential clients from around the world who are active in international practice areas;
- An entire year's worth of CLE credits;
- Special programming for young lawyers and law students; and

## OUTSTANDING NETWORKING OPPORTUNITIES!

- Tuesday Reception at Jones Day;
- Wednesday Opening Reception at the Hyatt Regency Washington on Capitol Hill;
- Thursday Reception at the United States Supreme Court, hosted by US Supreme Court Justice Antonin Scalia;
- Friday Chair's Closing Reception at the United States Institute of Peace; and

## LEARN, NETWORK, PARTICIPATE

- Learn the latest from top experts and receive information that is relevant to you in your international law practice area;
- Network with the best and brightest international lawyers throughout the meeting and particularly at our ticketed luncheons, twice daily networking breaks and evening events;
- Participate in specialized meetings with colleagues who share your areas of interest by attending committee working business meetings, division breakfasts and committee dinners; and
- Visit exhibitors of dynamic products and services for the legal profession.

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Korean Bar Association - International Committee  
LAWASIA  
Law Council of Australia - International Law Section  
Law Society of England and Wales - International Division  
Lex Mundi  
Mississippi Bar Association  
Oregon State Bar, International Law Section  
State Bar of California International Law Section  
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I am a regular reader of the Newsletters; they are very relevant and allow me to stay current with global developments, especially the copyright and internet law aspects in different jurisdictions. The quality is high and I appreciate the global reach of the Newsletters.



Kaisa Olkkonen

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### Arbitration

**United Kingdom** - contributed by Herbert Smith LLP

#### Court of Appeal rules on arbitrability of shareholders' claims

The extent to which parties may agree to submit intra-corporate disputes - in particular claims under company legislation - to arbitration has long been uncertain. The Court of Appeal recently ruled in favour of the arbitrability of a shareholder's unfair prejudice claim brought under Section 994 of the Companies Act 2006 and has provided important guidance on the arbitrability of corporate disputes more generally.

Author: Matthew Weiniger

(Read article <http://www.internationalawoffice.com/?i=77TST06>)



Matthew Weiniger

**USA** - contributed by DLA Piper US LLP

#### US court rejects arbitrator bias challenge during enforcement proceedings

The US Court of Appeals for the Second Circuit recently refused to vacate an arbitral award under the US Federal Arbitration Act where a party argued that an arbitrator had failed to disclose prior experience that rendered the arbitrator potentially biased. The decision clarifies the boundaries of arbitrator bias relating to undisclosed prior experience.

Authors: JP Duffy, Kiran N Gore

(Read article <http://www.internationalawoffice.com/?i=77U2U8>)



JP Duffy

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### Recent updates

- Canada Specific performance requirement does not aut
- Germany Court rules on New York Convention's more-favourable right provision
- India Supreme Court rules on dragging non-parties to arbitration
- Spain Arbitration Law is amended: compulsory insurance policy introduced
- Switzerland Parties' right to be heard on costs
- USA US Supreme Court rules that class arbitration waivers are enforceable

### Deals

powered by

#### Colfax Corporation to acquire Charter International plc

Legal Advisors: Shearman & Sterling LLP, Skadden Arps Slate Meagher & Flom LLP, Slaughter and May  
(Read full report <http://www.internationalawoffice.com/?i=77US03P>)

#### Mizuho Corporate Bank Ltd to acquire stake in Bank for Foreign Trade of Vietnam

Legal Advisors: Freshfields Bruckhaus Deringer LLP, Nagashima Ohno & Tsunematsu, Shearman & Sterling LLP, YKVN Lawyers  
(Read full report <http://www.internationalawoffice.com/?i=77V0213>)

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# MEETING AGENDA

**TUESDAY, APRIL 23**

**8:45 am – 5:15 pm**

**ABA-ICSID-LCIA Hosted**

**Symposium: Complex Issues in International Arbitration**



In the long-established LCIA tradition, this symposium will be based around current issues of key interest in the field of international commercial arbitration and ADR, proposed in advance by delegates and hotly debated from the floor under the expert guidance of well-known co-Chairs.

This symposium is designed to be interactive and to provide an opportunity for delegates to share news and views on current developments in the field of international commercial arbitration and ADR under the expert guidance of well-known co-Chairs; there will be no set talks.

*This Symposium is not included in the registration fee for the conference. Additional details are soon to come on the Spring Meeting Website at [ambar.org/ILspring2013](http://ambar.org/ILspring2013).*

**8:00 am – 5:30 pm**

**International Practice Boot Camp, Georgetown University**

The International Practice Boot Camp is a full-day series of programs designed for new and experienced lawyers that practice or have an interest in international law. The International Law Boot Camp is a continuing legal education program which seeks to provide attendees with an introductory look at international aspects of several substantive areas of law and expand their knowledge of the key

legal issues that arise in the context of international practice.

*The International Practice Boot Camp is included in the registration rate for all law student and young lawyer registrants. All other registrants may attend at an additional ticketed fee.*

**7:30 am**

**Registration Opens and Continental Breakfast Served**

**8:00 am – 8:15 am**

**Welcome and Overview of Program, SIL and International Legal Career**

**8:15 am – 9:30 am**

**Pathways to Employment in International Law**

**NON-CLE PRESENTATION**

Join us for this “How to” program for both young lawyers seeking to bring their skills to the global arena and experienced practitioners who wish to expand their practices into international law. Top practitioners speak frankly about their formative experiences and tips they have about developing an international practice.

**Sponsoring Committees:**

*Young Lawyers’ Interest Network (YIN), and Law Student, LL.M. & New Lawyer Outreach Committee*

**Program Chair:**

*Angela Benson, American Bar Association Section of International Law, Washington, DC*

**9:30 am – 10:45 am**

**Restrictions Against Investing Across Borders: A Look Around the World**

Your client has selected a project to invest in and has the money. Great! But, they want to invest where? Can they? Find out about restrictions against investing in Russia, China, Argentina, and other

countries. This interactive discussion will look at restrictions against investing in several large countries, as well as explore the findings of the World Bank's latest survey of more than 90 economies to understand the challenges in investing across borders. Join us for an entertaining and informative discussion to learn some of the best practices in dealing with such critical restrictions against foreign direct investment.

**Sponsoring Committee:**

*Cross-Border Real Estate Practice Committee*

**Program Chair & Moderator:**

**Terry Selzer**, *Stampe Haume & Hasselriis Advokater, Copenhagen, Denmark*

**Speakers:**

**Efraim Chalamish**, *New York University, New York, NY*

**Tania Ghossein**, *World Bank Group, Investing Across Borders Project, Washington, DC*

**Guillermo Malm Green**, *Bruns, Buenos Aires, Argentina*

**Grigory Marinichev**, *Gide Loyrette Nouel, Moscow, Russian Federation*

**Nelson Ogbuanya**, *Nocsconsults, Lagos, Nigeria*

**Ying Zhang**, *Jun He Law Offices, Beijing, China*

**10:45 am – 11:00 am  
Networking Break**

**11:00 am – 12:15 pm  
Harmonization of EU laws: The Rocky Road of Integration on Finance, Privacy and Culture**

The program is aimed at people interested in understanding the European Union harmonization process (who takes the initiative, who is consulted and who actually takes the decision to adopt the Directive or Regulation), how and when EU law is actually binding on member states and by which jurisdictions these rules are enforced. The program looks more specifically into two separate initiatives/

proposals by the European Commission with respect to updating past directive and taking the issues a step further by proposing both a new Directive and Regulation for data protection and market regulation. Additionally, the program will look into the current application of the Artist's resale right Directive.

**Sponsoring Committee:**

*Europe Committee*

**Program Chairs:**

**Alexandra Darraby**, *Art Law, Los Angeles, CA*

**Stéphane de Navacelle**, *Navacelle Avocats, Paris, France*

**Moderators:**

**Sylvain Baumont**, *Fasken Martineau DuMoulin LLP, Paris, France*

**Sandra Tripathi**, *Philip Morris France, Paris, France*

**Speakers:**

**Sylvain Baumont**, *Fasken Martineau DuMoulin LLP, Paris, France*

**Judith Beckhard-Cardoso**, *K&L Gates LLP, Paris, France*

**12:15 pm – 1:15 pm  
Lunch Break**

**1:15 pm – 2:30 pm  
Closing the Cross-Border Real Estate Transaction: Addressing Title Risks and Protecting the Investment**

A securitized loan transaction with mortgages on 1000 properties in 20 countries needs to be closed in 45 days.... An investor establishes a mortgage on a property in Brazil.... A retail company purchases real estate to expand its presence in Europe.... An energy company establishes leases, easements and usufructs for a wind power project in Chile.... An investor group acquires vineyards in Argentina.... Our panelists engage in a roundtable discussion addressing the nuts and bolts of closing and protecting investments in cross border real estate transactions, including: Review of civil/



registrar/notarial law of various Latin American/European civil law jurisdictions; Title risks and title litigation: identifying pitfalls at an early stage; Covenants and restrictions which materially affect client's intended use of the property; Is title insurance necessary in civil law jurisdictions? Can it be utilized to mitigate risks? What about environmental liability? How do you manage the work of foreign counsel? What are the ethical considerations?

**Sponsoring Committees:**

*Cross Border Real Estate Practice Committee, International Investment & Development Committee, Latin American & Caribbean Committee.*

**Program Chair & Moderator:**

**Mariano Conde de Frankenberg**, *Stewart Title Guaranty Company, Austin, TX*

**Speakers:**

**Andre Almeida**, *Almeida Law, São Paulo, Brazil, Brazil*

**Alejandro Ciero**, *Tanoira Cassagne Abogados, Buenos Aires, Argentina*

**Luis Perez-Delgado**, *Goodrich, Riquelme y Asociados, Mexico, DF, Mexico*

**Theresa Garelli**, *Horizon Land Services, New York, NY*

**Terry Selzer**, *Stampe Haume & Hasselriis Advokater, Copenhagen, Denmark*

**Juan E. Zúñiga**, *Cross Border Law Group, P.C., San Diego, CA*

**2:30 pm – 2:45 pm  
Networking Break**

**2:45 pm – 4:00 pm**

**What's in a Name? That Which We Call a Notary, Is It the Same?**

Civil law notaries clearly have responsibilities distinct from those of common law notaries, but even among civil law countries the roles of notaries vary relative to matters such as real property conveyance, establishment of lien priorities, memorialization of matters in contemplation of litigation, privilege

and confidentiality of information, and generation of tax revenues, as well as the allocation of responsibilities among notaries and lawyers. The panel will work through a series of typical transactions in the United States, France, Germany, Italy and Mexico to highlight the distinct contributions of notaries. The transactions, discussed by practicing lawyers and notaries representing these jurisdictions, will highlight the differences between common law and civil law notaries, international conventions governing the use of notaries, practical issues that arise in both inbound and outbound transactions that may involve notarization, and the ethical obligations of lawyers with regard to the use of notaries in international transactions.

**Sponsoring Committees:**

*Europe Committee, Mexico Committee*

**Program Chair & Speaker:**

**Francesca Giannoni-Crystal**, *Crystal & Giannoni-Crystal, LLC, New York, NY*

**Program Chair:**

**Juan Francisco Torres-Landa**, *Barrera, Siqueiros y Torres Landa, S.C., Mexico City, Federal District, Mexico*

**Moderator:**

**Susanna K. Fuchsbrunner**, *Sibeth Partnerschaft, Frankfurt am Main, Germany*

**Speakers:**

**Patrick Del Duca**, *Zuber Lawler & Del Duca, Los Angeles, CA*

**Hans-Michael Giesen**, *Giesen Heidbrink Rechtsanwälte, Berlin, Germany*

**Stéphane de Navacelle**, *Navacelle Avocats, Paris, France*

**Juan Francisco Torres-Landa**, *Barrera, Siqueiros y Torres Landa, S.C., Mexico City, Federal District, Mexico*

**4:00 pm – 4:15 pm  
Networking Break**

**4:15 pm – 5:30 pm**  
**Cross-Border Disputes: Managing Multi-Jurisdictional Cases in an Increasingly Complex World**

As the world economy becomes increasingly integrated and inter-dependent, there are an ever expanding number of significant disputes that spawn litigations/arbitrations in multiple jurisdictions simultaneously. Even where the main dispute is centered in a single jurisdiction, it may be desirable or necessary to pursue ancillary actions, such as interim measures to freeze assets or preserve documents/evidence in other jurisdictions. In all such cases, it is vital to manage such disputes effectively, to maintain a coherent approach to the cases and to ensure that actions taken in one jurisdiction do not adversely affect the conduct of the case in another jurisdiction. In addition, it is important in such cases to manage client expectations effectively, as proceedings in different legal systems can entail vastly differing procedures, time frames and costs. Finally, it is necessary to understand how such cases may trigger related issues under various national laws, such as questions of client confidentiality, regimes of state/trade secret protections, and the differing rules governing the ethical conduct of lawyers in such jurisdictions with respect to questions such as contact with and preparation of witnesses, communications, contact with judicial officials. The aim of this panel discussion will be to provide a forum in which practitioners from varied backgrounds, all experienced with complex cross-border case management, can share their stories and practical advice.

**Sponsoring Committees:**  
*China Committee, International Arbitration Committee*

**Program Chair & Moderator:**  
**Brenda Horrigan**, *Herbert Smith Freehills LLP, Shanghai, China*

**Speakers:**  
**Sabine Konrad**, *K&L Gates LLP, Frankfurt, Germany*

**Caline Mouawad**, *King & Spalding LLP, New York, NY*

**Cristian Conejero Roos**, *Cuatrecasas, Gonçalves Pereira, São Paulo, Brazil*

**1:00 pm – 8:00 pm**  
**Spring Meeting Registration Area, Exhibition Hall and Business Center Open**

**2:20 pm – 3:50 pm**  
**Ethical Red Flags in International Law Practice: Advising Clients and Protecting Your Reputation**

**BOOTCAMP**

How do you know your clients if they are located overseas? What do you do when you depend on your client for fact based submissions? What do you do when conflicts of interest, disagreements with clients, and unforeseen dilemmas arise in international representation? What are counsel's ethical obligations in exercising due diligence? What are the limits and when can counsel withdraw representation? This knowledgeable panel will this timely and challenging topic.

**Sponsoring Committees:**  
*Canada Committee, Mexico Committee, International Family Law Committee, International Employment Law Committee, International Litigation Committee, Immigration and Naturalization Law International Law Practice Management Forum, Canada Committee, Mexico Committee, International Arbitration Committee, Young Lawyers Inters Network (YIN), Seasoned Lawyers Interest Network (SIN)*

**Program Chair:**  
**Cyndee Todgham Cherniak**, *LexSage Professional Corporation, Toronto, Ontario, Canada*

**Program Chair & Moderator:**  
**Sergio Karas**, *Karas & Associates, Toronto, Ontario, Canada*

**Speakers:**

**Marcy Stras,** *Cozen O'Connor,  
Washington, DC*

**Carlos Velazquez de Leon,** *Basham, Ringe  
y Correa, Monterrey, Mexico*

**2:20 pm – 3:50 pm**

**Lawyers in the Legislative Forum: Unique  
Roles to Play and Ethical Pitfalls to Avoid**

**BOOTCAMP**

The legal profession provides essential input into the preparation and negotiation of laws relating to international affairs and multilateral treaties. Lawyers are the catalyst in ensuring that the legal machinery is in place to facilitate agreements between governments and companies and to make sure that they can be applied in the context of international business. Toughness, compromise, ethics, cultural understanding and geopolitics are just some of the elements that come together in this dance of dialectic. Lawyers bring specialized knowledge to the preparation of domestic laws that safeguard and promote the national interest in multilateral negotiations. The legal profession is integral to the development of policy and laws pertaining to these multilateral negotiations. This panel discussion provides an opportunity to discuss the legal community's role in shaping government policy in the complex and high-stakes world of international business as well as the ethics of practicing lawyers serving as legislators.

**Sponsoring Committees:**

*Canada Committee and Europe Committee*

**Program Chair & Moderator:**

**Leonard Gold,** *Burns & Levinson LLP,  
Boston, MA*

**Speakers:**

**James Blanchard,** *DLA Piper LLP,  
Washington, DC*

**Alain Lambert,** *Former Senator in  
the Parliament of France, Paris, France*  
(Invited)

**Pierre Pettigrew,** *Deloitte, Toronto,  
Canada* (Invited)

**Marie Poulin,** *Heenan Blaikie LLP,  
Ottawa, Ontario, Canada*

**2:20 pm – 3:50 pm**

**Section 342 of Dodd-Frank: The  
Business Case for Diversity in Global  
Financial Markets and Beyond?**

**BOOTCAMP**

Section 342 of the Dodd-Frank Act may make the business case for diversity in the legal profession by increasing diversity in law firms serving global financial markets. The U.S. Congress singled out the US financial services industry as being one of the least diverse when it enacted Section 342 of the Dodd-Frank Act. Although not singularly focused on the legal profession, Section 342 requires all U.S. federal financial services regulators, including the SEC, to ensure the fair inclusion of minorities and women in the workforce (including senior management) and all business activities; it also requires such regulators to assess the diversity practices of the entities they regulate such as broker-dealers, investment advisers, investment banks, and commercial banks. Similarly, this lack of diversity is reflected in the legal profession, which serves the financial services industry. Today's global marketplace makes diversity critical to business success in the legal profession. How do you provide services to, for example, India and China, competing against law firms that are native to these countries, without a wide range of insights and experiences? Appealing to a minority demographic requires an understanding and a representation of the nuances of that culture. This program is designed to further the ABA's diversity mandate and to identify diversity as a critical component for success in the legal profession in global financial markets. The panel's discussion will address: (1) the current state of diversity and inclusion in the legal provision; (2) the business case for diversity; (3) effective strategies and best practices for meaningful increases in minorities and women in the legal provision, including senior levels of law firms, such as partners; and (4) the impact

of Section 342 of the Dodd- Frank Act on increased diversity in the law firms serving global financial markets.

**Program Chair & Moderator:**

**Cheryl Nichols**, *Howard University School of Law, Washington, DC*

**Speakers:**

**Joy Casey**, *A Call to Action Canada, Toronto, Ontario, Canada*

**Ronald Crawford**, *Securities and Exchange Commission, Arlington, VA*

**Joseph K. West**, *Minority Corporate Counsel Association, Washington, DC*

**Benjamin F. Wilson**, *Beveridge & Diamond P.C., Washington, DC*

**Sandra Yamate**, *Institute for Inclusion in the Legal Profession, Chicago, IL*

**4:00 pm – 5:30 pm**

**Special Joint Swearing-In Ceremony before the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of International Trade**

717 Madison Place, NW, Washington, DC

Meeting attendees will have the opportunity to be admitted to practice before the Court of International Trade (CIT) and U.S. Court of Appeals for the Federal Circuit. Only Spring Meeting registrants may be sworn in at this ceremony. Fees for admission will be payable by interested registrants to the courts. Attendance is open to registrants' guests. *If you are interested in being admitted to practice before the CIT and the U.S. Court of Appeals for the Federal Circuit, please check the correct box on the Spring Meeting registration form. On-site registration for this ceremony is **not** available.*

**Sponsoring Committee:**

*International Trade Committee*

**Co-Sponsor:**

**ABA Young Lawyers Division**

**Program Chair:**

**Jennifer Haworth McCandless**, *Sidley Austin LLP, Washington, DC*

**4:00 pm – 5:30 pm**

**Global Rush for Agricultural Land: Legal and Development Risks and Rewards**

**BOOTCAMP; ENVIRONMENT AND TECHNOLOGY**

Governments and private parties are acquiring agricultural lands (and water) across borders to secure domestic food supply and for commercial purposes. These land acquisitions have been characterized by some observers as 'land grabs'. The United Nations, policy advocates and other interested parties have called for the regulation of cross-border agricultural land acquisitions. As global demand for food and the means of food production continues to grow, the rush to secure food supplies is unlikely to abate anytime soon. At the same time, cross-border acquisitions of agricultural land by governments and private parties present legal risk and uncertainty. This program will explore trends in cross-border agricultural land acquisitions and discuss the legal and other risks they present and proposals for their regulation.

**Sponsoring Committee:**

*Islamic Finance Committee*

**Program Chair & Speaker:**

**Hdeel Abdelhady**, *MassPoint Legal and Strategy, Washington, DC*

**Speakers:**

**Lester Brown**, *Earth Policy Institute, Washington, DC*

**Julian Lampietti**, *World Bank, Washington, DC*

**4:00 pm – 5:30 pm**

**The Future of the Profession: How Lawyers are Helping Young Lawyers Around the World**

**BOOTCAMP**

The future of the profession depends on successful training and mentoring for young lawyers. Around the globe, budget cuts have impacted formal, bar training and young lawyers are having greater difficulty finding work and the on-the-job training such opportunities present. Firms hire and train fewer graduates. Experts

from Europe, South America, Asia and the U.S. will discuss efforts within the profession to address this challenge and protect our clients and the future of our profession. Topics will include:

- training (in general);
- training by JFBA, ABA, and local bar associations;
- training in cooperation with law schools;
- training by law firms;
- training of attorneys to respond to globalization; and
- support for employment.

*Presented in conjunction with the Japanese Federation of Bar Associations (JFBA).*

**Program Chair:**

**Kimitoshi Yabuki**, *Japanese Federation of Bar Associations, Tokyo, Japan*

**Moderator:**

**Sara Sandford**, *Garvey Schubert Barer, Seattle, WA*

**Speakers:**

**Thierry Aballéa**, *President of AIJA & Partner, Artus Wise, Paris, France*

**Lucy Scott-Moncrieff**, *President, Law Society of England & Wales, London, United Kingdom*

**4:00 pm – 5:30 pm**

## **Your Place or Mine? Comparing Practical Differences in Mediation Venues**

### **BOOTCAMP; DISPUTE RESOLUTION**

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Choosing where to mediate can be as important as the decision whether to mediate at all. The cultural and legal backgrounds of mediators and counsel can affect how the mediation is approached and conducted, and confound parties' expectations of the process. Mediators and experienced commercial mediation counsel will debate the pros and cons of their home jurisdictions as venues for mediation, from a legal as well as a practical perspective.

Learn how recent adoptions of the UNCITRAL Model Law on International Commercial Conciliation are establishing advantages for less prominent jurisdictions and placing new ethical demands on mediators, and gain tips on why you may want to hold your next mediation somewhere other than you and your client were planning.

**Sponsoring Committee:**

*International Mediation Committee*

**Program Chair & Moderator:**

**Kirstin Dodge**, *Homburger AG, Zurich, Zurich, Switzerland*

**Program Chair & Speaker:**

**Douglas Harrison**, *Stikeman Elliott LLP, Toronto, Ontario, Canada*

**Speakers:**

**Michelangelo Cicogna**, *De Berti Jacchia Franchini Forlani, Milan, Italy*

**Maria Cibeale Crepaldi Affonso dos Santos**, *Siqueira Castro Advogados, São Paulo, Brazil*

**Kate Matthews**, *Stevens & Bolton LLP, Guildford, Surrey, United Kingdom*

**Donald Parsons**, *Delaware Court of Chancery, Wilmington, DE*

**5:40 pm – 6:30 pm**

## **Speed Networking – An Opportunity to Meet ABA International Leadership and Other International Lawyers**

Start the Spring Meeting by meeting ABA International Leadership and other international lawyers. Bring your business cards! Participants will have the opportunity to engage in a number of speed networking rounds to learn about other members and create future business opportunities. With this program, there is no need to break the ice – it's already done for you. Just take a seat and start talking! By the time the session is over you'll be well on your way to collecting a fist-full of business cards from the Spring Meeting and building a new network in ABA International.



**6:30 pm – 8:00 pm**  
**WIN / SIN / GIN / YIN / Outreach**  
**Welcome Reception at Jones Day**

300 New Jersey Ave NW

*With Thanks to Our Sponsor:*



The 2013 Spring Meeting's first social event will be an excellent opportunity to reconnect with friends from prior meetings and make new ones. Join the great people you just met at the Speed Networking session—which feeds directly into this reception—and bring along any first time attendees you noticed at registration! This reception will be the perfect place to begin developing new or continuing to build existing professional relationships in an informal setting.

*One ticket per person is included as part of your Spring Meeting registration fee; this reception is free for meeting attendees who have registered for the entire conference.*

**WEDNESDAY, APRIL 24**

**7:00 am – 7:00 pm**  
**Registration Area, Exhibit Hall**  
**and Business Center Open**

**7:45 am – 9:00 am**  
**Continental Breakfast &**  
**Committee Breakfast Meetings**

**8:00 am – 8:50 am**  
**The Feds vs. Net Bandits and**  
**Global Cyber-Rogues: An Interview**  
**of America's IP – Trade Czar**

**ENVIRONMENT AND TECHNOLOGY**

Lev Kubiak is America's newly appointed Director of the National Intellectual Property Rights Coordination Center, which is a task force of representatives from 21 separate US and Foreign Government agencies who coordinate efforts internationally to enhance global law enforcement efforts to address international criminal piracy and counterfeiting. The Center's combined efforts address counterfeiting throughout the international supply chain and also focus efforts on the continually emerging threat posed by criminal organizations using the internet to further their criminal operations.

**Sponsoring Committee:**  
*International Intellectual*  
*Property Committee*

**Program Chair:**  
**Susan Brushaber**, *Brushaber Law,*  
*Denver, CO*

**Program Chair & Moderator:**  
**Alexandra Darraby**, *Art Law,*  
*Los Angeles, CA*

**Speaker:**  
**Lev Kubiak**, *National Intellectual Property*  
*Rights Coordination Center,*  
*Washington, DC*

9:00 am – 10:30 am

## Criminalizing Women: A Scrutiny of the Effects of Criminal Laws on Reproductive Health Care

HUMAN RIGHTS AND PUBLIC LAW; ENVIRONMENT AND TECHNOLOGY

In the year 2011, UN Special Rapporteur Anand Grover released a report clarifying how the right to health remains hampered by criminalization and other restrictions on matters of sexual and reproductive health and rights, such as restrictions on safe abortion, contraception, the criminalization of women's conduct on the basis that they are pregnant, and restrictions on access to information on sexual and reproductive health. Achieving the highest attainable standard of physical and mental health – including sexual and reproductive health for all persons in all countries is central to meeting the Millennium Development Goals (MDGs). This panel will screen and discuss related film clips by Al Jazeera English and explore the effects that failure to realize reproductive rights is having in Latin America. The group will discuss recent recommendations from the UN Special Rapporteur and UN treaty-monitoring bodies and how they further a rights-based approach to health care and policy.

### Sponsoring Committee:

*Women's Interest Network (WIN)*

### Program Chairs:

**Vanessa Brocato**, *Planned Parenthood Federation of America (PPFA), New York, NY*

**Olufunmi Oluyede**, *TRLPLAW, Lagos, Lagos, Nigeria*

### Moderator:

**Latanya Mapp Frett**, *Global Planned Parenthood Federation of America, New York, NY*

### Speakers:

**Mónica Arango Olaya**, *United States Center for Reproductive Rights, New York, NY*

**Regina Tames Noriega**, *Grupo de Información en Reproducción Elegida (GIRE), Mexico, Mexico, Mexico*

9:00 am – 10:30 am

## Cross Cultural Mediation in Action: Exploring The Challenges of Using ADR in International Arbitration

DISPUTE RESOLUTION

*With Thanks to Our Track Sponsor:*



**Grant Thornton**

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Watch leading mediators of international disputes in action in a mock cross-cultural mediation set in the context of a pending international commercial arbitration. Well-known international arbitration practitioners and experienced in-house corporate counsel from multinational corporations will role-play counsel and clients in the mediation. Commentary and discussion will follow the mock mediation segments. The session will explore how cross-cultural factors in international arbitration impact the prospects for successful resolution through mediation. How should mediators build trusting relationships with the parties? Can a mediator function effectively without necessarily knowing the applicable law? Can a successful mediation be executed where the parties, counsel, and mediator are widely dispersed across the globe?

### Sponsoring Committee:

*International Mediation Committee*

### Program Chair:

**Marc Goldstein**, *Marc J. Goldstein Litigation & Arbitration Chambers, New York, NY*

### Moderator:

**Jack Levin**, *Levin ADR, New York, NY*

### Speakers:

**Dominique Brown-Berset**, *Brown & Page, Geneva, Switzerland*

**Robert Davidson**, *JAMS, New York, NY*

**Sophie Nappert**, *3 Verulam Buildings, Grays Inn, London, United Kingdom*

**Nickolaus Pitkowicz**, *Graf & Pitkowicz, Vienna, Austria*

**9:00 am – 10:30 am****Déjà vu? The Immigration Debate After the U.S. Election: Where Do We Go From Here?****HUMAN RIGHTS AND PUBLIC LAW**

The Elections are over, now what? Will immigration continue to be the elephant in the living room? The one topic everyone pretends not to see and tiptoes around? Immigration, visas and international travel are cornerstones of freedom of movement and ability to conduct business, yet they present challenges and require a balancing act between security issues and facilitation to enter the United States and other countries.

**Sponsoring Committee:**  
*Canada Committee*

**Program Chair & Moderator:**  
**Marcy Stras**, *Cozen O'Connor*,  
*Washington, DC*

**Speakers:**  
**Ana Avendano**, *AFL-CIO*,  
*Washington, DC*

**Randel Johnson**, *US Chamber of Commerce*, *Washington, DC*

**Sergio Karas**, *Karas & Associates*,  
*Toronto, Ontario, Canada*

**David Shahoulian**, *Subcommittee on Immigration Policy & Enforcement*,  
*Washington, DC*

**9:00 am – 10:30 am****From Corruption to Clarity, Scandals to Solutions: Using Law and PR to Solve Your Client's Corruption Crisis****FINANCE, FINANCIAL CRISIS AND CORRUPTION**

*With Thanks to Our Track Sponsor:*



Learn from the trenches – current trends and lessons learned regarding corruption allegations and crisis management from U.S., Latin America, Russia and Eastern European jurisdictions. Practical tips and ethical dilemmas will be shared and discussed in this interactive workshop atmosphere. Specialists will walk you

through the minefield of client crises and how to best avoid or mitigate them. Hear how companies are working within the conditions of the FCPA and similar regulations, including the more recently introduced UK Bribery Act. Participants will have the opportunity to work through real life scenarios and be critiqued regarding how to advise clients in the most appropriate and ethical way, while achieving cost effective results of the firm. Understand the expectations and responsibilities clients have of their General Counsel and those they have of outside law firms, steps that need to be taken and approaches for dealing with the media in crisis situations.

**Sponsoring Committee:**  
*International Anti-Corruption Committee*

**Program Chair:**  
**Janis Nordstrom**, *Foley & Lardner*,  
*Miami, FL*

**Moderator:**  
**Bettina Knoetzel**, *Wolf Theiss*, *Vienna*,  
*Vienna, Austria*

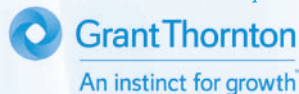
**Speakers:**  
**Thomas Firestone**, *Baker & McKenzie – CIS, Limited*, *Moscow, Moscow*,  
*Russian Federation*

**Janet Levine**, *Crowell & Moring LLP*,  
*Los Angeles, CA*

**Richard Levick**, *Levick Communications*,  
*Washington, DC*

**9:00 am – 10:30 am****Staying Onside While Litigating Offshore: The Hidden Challenges of Fighting Cases in Financial Havens****DISPUTE RESOLUTION**

*With Thanks to Our Track Sponsor:*



An offshore financial system is only as strong as the legal system within which it operates. Individuals conducting business offshore benefit from financial incentives, but face specific legal risks and obligations if a legal dispute arises. Bringing or

defending a case in an offshore jurisdiction can be challenging for individuals who are not used to legal systems that may not be as sophisticated or dependable as those in the individual's home country, or that have banking secrecy laws and blocking statutes that can significantly hinder forensic investigations. This panel will highlight some of the unique features of engaging in litigation in such jurisdictions. Hear the firsthand experiences of lawyers who have been there: how to avoid criminal charges in Switzerland if you are conducting a forensic investigation and need to 'follow the money'; how the establishment of the Commercial Court in the BVI has changed the legal landscape in the Caribbean; and how the globalization of finance is affecting the practice of law.

*Presented in Conjunction with*



#### **Program Chairs:**

**Benjamin Borsodi**, *Schellenberg Wittmer, Geneva, Switzerland*

**Nikiforos Iatrou**, *WeirFoulds LLP, Toronto, Ontario, Canada*

#### **Moderator & Speaker:**

**Ilya Nikiforov**, *Egorov Puginsky Afanasiev & Partners, St Petersburg, Russian Federation*

#### **Speakers:**

**Mark Beardsworth**, *Brown Rudnick LLP, London, England, United Kingdom*

**John Fellas**, *Hughes Hubbard & Reed LLP, New York, NY*

**Paola Fudakowska**, *Withers Worldwide, London, United Kingdom*

**Frank Walwyn**, *WeirFoulds LLP, Toronto, Ontario, Canada*

#### **9:00 am – 10:30 am**

**The Roadmap to China – Navigating, Protecting, and Enforcing your IPR in U.S. and China**

#### **CHINA AND ASIA**

Workshop designed to illustrate how to protect IPR rights in the United States

and China concurrently. Unbeknownst to many in the legal field, all is NOT lost if someone violates your IPR in China. There are precautionary, preventative, and punitive actions that can be taken for your clients to protect their IPR in China. United States and Chinese customs and trademark attorneys will walk you through the process.

#### **Sponsoring Committees:**

*China Committee, International Trade Committee, Customs Law Committee, Young Lawyers Interests Network (YIN)*

#### **Program Chair & Moderator:**

**Jennifer Diaz**, *Becker & Poliakoff, P.A., Coral Gables, FL*

#### **Speakers:**

**Dr. Fuli Chen**, *Economic and Commercial Counselor's Office of the Embassy of the People's Republic of China, Washington, DC*

**Paul Pizzeck**, *U.S. Customs and Border Protection, Washington, DC*

**Wang Rui**, *King & Wood Mallesons, Beijing, Chaoyang District, China*

**Qian Wen**, *Wen & Associates, Coral Gables, FL*

#### **10:30 am – 11:00 am**

**Networking Break**

#### **10:30 am – 11:00 am**

**"How To" Series**

The Section's "How To" Series continues with a focus on "Developing Programs with the Section," "Section Publishing – How to Get Your Name in Print" and "Policy and the Section." Each session will enable meeting attendees to learn more about the Section.

#### **11:00 am – 12:30 pm**

**Cross Border Mergers and Acquisitions: Regulatory Compliance Opportunities, Pitfalls, and Recent Trends**

#### **CORPORATE TRANSACTIONS**

This lively panel will provide insight into the 'tail that wags the dog' – regulatory compliance in cross-border transactions.

Experienced practitioners from industry, government, and private practice will discuss recent trends, share lessons learned from their collective experiences, and equip attendees to recognize red flags that will allow them to provide guidance to the parties based on a solid assessment of the potential regulatory risks. Topics to be discussed include anti-corruption, export controls, economic sanctions, anti-money laundering, and CFIUS considerations.

**Sponsoring Committee:**

*Export Controls and Economic Sanctions Committee*

**Program Chair & Speaker:**

**Meredith Rathbone**, *Steptoe & Johnson LLP, Washington, DC*

**Program Chair & Moderator:**

**Randall Hanson**, *Womble Carlyle Sandridge & Rice, LLP, Greensboro, NC*

**Speakers:**

**Katy Choo**, *Chief Investigative & Anti-Corruption Counsel General Electric Company, New York, NY*

**Aimen Mir**, *Office of Investment Security US Department of the Treasury, Washington, DC (Invited)*

**Richard Small**, *Senior Vice President, Enterprise Anti-Money Laundering, Anti-Corruption & Intl American Express, New York, NY*

**11:00 am – 12:30 pm**

**International Protection of Trademarks: Not Just for IP Lawyers**

**ENVIRONMENT AND TECHNOLOGY**

Madrid Protocol II enables trademarks to be registered using a new system administered by WIPO, asserting initial unitary filing is cost efficient and less cumbersome. What happens to domestic marks when foreign based companies oppose USPTO registrations for marks, relying upon Madrid, which does not require the same scrutiny or thresholds as USPTO? What are the navigation strategies for U.S. companies, and foreign based ones, to utilize Madrid and WIPO to foster global distribution and protection of marks? The transactional and litigation

focus of this panel, in matters currently before the Trial and Trademark Appeal Board, including famous international luxury brands, illuminate how lawyers have to craft their client's goals.

**Sponsoring Committee:**

*Europe Committee*

**Program Chair & Speaker:**

**Bruce Alexander McDonald**, *Buchanan Ingersoll & Rooney PC, Washington, DC*

**Moderator:**

**Susan Brushaber**, *Brushaber Law, Denver, CO*

**Speakers:**

**Alan Datri**, *WIPO, Senior Counselor, Office of the Deputy Director General, Brands and Designs Sector, Geneva, Switzerland*

**Julia Anne Matheson**, *Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, New York, NY*

**Albert Tramposh**, *Deputy Executive Director for International and Regulatory Affairs, AIPLA, Washington, DC*

**11:00 am – 12:30 pm**

**Renewable Energy Around the World: An Entrepreneur's Windfall or Big Solar Flare?**

**ENVIRONMENT AND TECHNOLOGY**

Growth in the renewable energy sector has skyrocketed over the past decade. Factors propelling this growth include rapid expansion of energy consumption; concerns about climate change and fuel security; record oil prices; favorable policy environments, including subsidies; easy access to finance and dramatic cost reductions driven by technology, economies of scale and lower manufacturing costs. Renewables, however, could have a rocky road ahead. The financial crisis and reduced energy demand have impacted both access to finance and the willingness and ability of governments to support renewable technologies. Further, unconventional natural gas has lowered gas prices and abated fuel security concerns. These barriers to growth may be temporary. Sector growth may be spurred



by improved storage technologies and by decreased reliance on nuclear energy. This program will explore the opportunities and challenges facing the sector through the eyes of an entrepreneur sizing up the climate for new projects around the world.

#### **Sponsoring Committees:**

*International Energy and Natural Resources Committee, Committee on Renewable, Alternative and Distributive Energy Resources (RADER) of the ABA Section of Environment, Energy and Resources*

#### **Program Chairs:**

**Caryl Ben Basat**, *BenBasat Law Group, P.A., Weston, FL*

**Renee Dopplick**, *ACM, Washington, DC*

#### **Moderator:**

**Roger D. Stark**, *Ballard Spahr LLP, Washington, DC*

#### **Speakers:**

**Mariana Ardizzone**, *Maciel, Norman & Asociados, Buenos Aires, Argentina*

**Keith Casto**, *Cooper, White & Cooper LLP, San Francisco, CA*

**Chris Flynn**, *Gilbert + Tobin Lawyers, Sydney, Australia*

**Alex McLean**, *Arthur Cox, Dublin, Ireland*

#### **11:00 am – 12:30 pm**

### **Responsibility to Protect, from Diplomacy to Action**

#### **HUMAN RIGHTS AND PUBLIC LAW**

Government repression of citizens in the Middle East and elsewhere have garnered different international responses. The Arab Spring was supported forcefully in Libya by NATO, whereas violence against civilian protesters in Syria has erupted into widespread conflict, without foreign intervention. What conditions must be present before the international community embarks upon military intervention into internal conflicts within sovereign states? A high-level panel will discuss the applicability of the Responsibility to Protect (R2P) doctrine around the world.

#### **Sponsoring Committee:**

*National Security Committee*

#### **Program Chair & Moderator:**

**John Harrington**, *Law Office of John Harrington, LLC, New York, NY*

#### **Speakers:**

**James H. Bergeron**, *Striking Force NATO, Lisbon, Portugal*

**Patricia O'Brien**, *United Nations, New York, NY (Invited)*

#### **11:00 am – 12:30 pm**

### **The Aftermath of the Global Financial Crisis – Key U.S. and EU Developments**

#### **FINANCE, FINANCIAL CRISIS AND CORRUPTION**

*With Thanks to Our Track Sponsor:*



In the aftermath of the global financial crisis, the financial regulatory system has undergone extensive change in the U.S., EU and globally. This expert panel will discuss the consequences of various rulemaking under the Dodd-Frank Act as well as the JOBS Act. It will also consider the role of the global Financial Stability Board (FSB) as well as the U.S. Financial Stability Oversight Council (FSOC), and recent initiatives of the SEC and CFTC. The panel will also debate the current state of the European sovereign debt crisis as well as its impact on European rules, the involvement of the European Central Bank, the quest for a European banking regulator as well as the inter-play with global financial regulation.

#### **Sponsoring Committee:**

*International Securities and Capital Markets Committee*

#### **Program Chairs:**

**Meyer Eisenberg**, *Columbia Law School, Willamette University, College of Law, Salem, OR*

**Dorothee Fischer-Appelt**, *Sidley Austin LLP, London, United Kingdom*

#### **Speakers:**

**Sheila Bair**, *Pew Charitable Trusts, Washington, WA*

**Harvey Goldschmid**, *Columbia Law School, New York, NY*

**Michael Greenberger**, *University of Maryland, Baltimore, MD*

**John D. Hawke, Jr.**, *Arnold & Porter LLP, Washington, DC*

### 11:00 am – 12:30 pm Unraveling the Myths of Arbitration in Asia

CHINA AND ASIA; DISPUTE RESOLUTION

*With Thanks to Our Track Sponsor:*



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Arbitration is being embraced throughout the world, and the Asian region is no exception. In jurisdictions such as China, Hong Kong, Singapore, and India, arbitration is still developing and, for those not familiar with practice in the region, shrouded in mystery. To unravel the myths that surround arbitration in these countries, experienced arbitrators and counsel from the region will come together to provide insight from the front lines about the true state of arbitration, arbitration law and arbitration practice in the region. The program will cover the enforceability of arbitral awards, courts' willingness to interfere in or support arbitration proceedings, and the resources and arbitral institutions in these jurisdictions.

#### Sponsoring Committees:

*International Arbitration Committee, China Committee*

#### Program Chairs & Moderators:

**José Astigarraga**, *Astigarraga Davis, Miami, FL*

**Eun Young Park**, *Kim & Chang, Seoul, Korea*

#### Speakers:

**Justin D'Agostino**, *Herbert Smith Freehills, Hong Kong, Hong Kong*

**Zia Mody**, *AZB & Partners, Mumbai, India*

**Ariel Ye**, *King & Wood Mallesons (PRC), Beijing, China*

12:45 pm – 2:15 pm

*Ticketed Event*

### Luncheon with KEYNOTE SPEAKER

2:30 pm – 4:00 pm

### Budgeting and Managing An International Arbitration: How To Keep Arbitration Cost-Efficient and Effective

DISPUTE RESOLUTION

*With Thanks to Our Track Sponsor:*



**Grant Thornton**

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Practical suggestions from, and a frank discussion between, in-house and outside counsel about the challenges of predicting and managing international arbitration expenses. This program will address fee arrangements and how to negotiate the uncertain waters of international arbitration costs.

#### Program Chair & Moderator:

**Giugi Carminati**, *Weil, Gotshal & Manges LLP, Houston, TX*

#### Speakers:

**Erica Franzetti**, *Weil, Gotshal & Manges LLP, Washington, DC*

**Michael Martinez**, *Marriott International, Inc., Bethesda, MD*

**Boaz Weinstein**, *Blackrobe Capital, New York, NY*

2:30 pm – 4:00 pm

### Cambodia and Myanmar: The Next Asian Cub Tigers?

CHINA AND ASIA

Major political and economic changes are occurring in Southeast Asia, which is fast becoming an investment hotspot. Thus, its time is NOW, as economists and investors alike are pointing to this market with equal enthusiasm. Competition for deals and funding, however, is increasing and investors can no longer rely on general market growth trends to make their investments successful. This program will highlight the legislative and practice

changes, sanctions which limit the freedom to invest, local labor, environmental, energy, corruption, and fundraising concerns, and how these can be overcome; operational strategies and value creation; the legal frameworks and the key role of the state in incentivising investment. This session will raise participants' awareness of the investment options available to large companies and SME's. It will further provide a platform for representatives of SME's and entrepreneurs to discuss opportunities for investors beyond any specific country throughout the ASEAN countries.

#### **Sponsoring Committees:**

*Asia/Pacific Committee, International M&A and Joint Venture Committee, International Financial Products & Services Committee, International Securities and Capital Markets Committee, International Trade Committee*

#### **Program Chair:**

**Mohammad Ali Syed**, *Syed Law Firm, Nashville, TN*

#### **Program Chair & Speaker:**

**Eric Rose**, *Herzfeld & Rubin PC, New York, NY*

#### **Program Chair & Moderator:**

**Brenda A. Jacobs**, *Sidley Austin LLP, Washington, DC*

#### **Speakers:**

**Dr. Andrew Salai Ngun Cung Lian**, *Myanmar Development Resource Institute, Yangon, Myanmar*

**Heather Rogers**, *U.S. State Dept. Burma Desk, Washington, DC*

**David I. Steinberg**, *Georgetown University, Washington, DC*

**2:30 pm – 4:00 pm**

### **Fracking – An Alternative to Alternatives?**

#### **ENVIRONMENT AND TECHNOLOGY**

New technological advancements in hydraulic fracture drilling and horizontal drilling have led to rapid growth in unconventional energy production. By injecting highly pressurized fluids into the ground to fracture rock formations, companies are tapping previously

unavailable sources of natural gas and oil. In some markets, fracking is raising hopes of a new economic boom and major turnaround in domestic energy production. Yet, concerns related to possible seismic impacts, contamination of ground water, and health effects from air and ground pollutants have resulted in greater regulatory scrutiny, with some countries suspending and even banning the practice. With supplies of easily accessible fossil fuels dwindling, and renewable energies challenged by viability and scalability, can fracking provide an alternative energy revolution to meet current and predicted global energy demands? This panel will explore how fracking fits within the energy industry, international trade, and international environmental law.

#### **Sponsoring Committees:**

*International Energy & Natural Resources Committee, International Investment and Development Committee, International Environmental Law Committee, Canada Committee, Europe Committee*

#### **Program Chairs:**

**Sacha Kathuria**, *Babst, Calland, Clements and Zomnir, P.C., Pittsburgh, PA*

**Renee Dopplick**, *ACM, Washington, DC*

#### **Moderator:**

**Kenneth Komoroski**, *Fulbright & Jaworski L.L.P., Canonsburg, PA*

#### **Speakers:**

**Wojciech Baginski**, *Siemiatkowski & Davies, Warsaw, Poland*

**Alex MacWilliam**, *Fraser Milner Casgrain LLP, Calgary, Alberta, Canada*

**Lizel Oberholzer**, *Bowman Gilfillan, Capetown, South Africa*

**Irina Paliashvili**, *RULG-Ukrainian Legal Group, PA, Kiev, Ukraine*

**2:30 pm – 4:00 pm****Lost in the Clouds: How Do You Control the Export of Data to Anywhere When It's Stored Everywhere?****ENVIRONMENT AND TECHNOLOGY**

The greatest threat to export compliance that businesses face today is the inadvertent export of controlled information. With the free flow of data across borders come significant compliance challenges related to U.S. export controls (EAR or ITAR) and sanctions laws.

Yet modern businesses increasingly rely on the cloud for storage, even for sensitive, proprietary information. Data in the cloud moves instantly to any number of servers in any number of locations. Businesses face the real and increasing risk that the cloud servers they contract to use are located in unknown foreign countries and/or serviced by unknown foreign nationals. How do businesses address this new and emerging threat? This panel will try to answer that question and provide insight into how to comply with U.S. export controls and sanctions laws while computing in the cloud.

**Sponsoring Committees:**

*Export Controls and Economic Sanctions Committee and Privacy, E-Commerce and Data Security Committee*

**Program Chair:**

**Cheryl Palmeri**, *Sheppard, Mullin, Richter & Hampton, Washington, DC*

**Moderator:**

**Thaddeus McBride**, *Sheppard, Mullin, Richter & Hampton, Washington, DC*

**Speakers:**

**Emily Cromwell**, *Deloitte LLP, London, United Kingdom*

**Scott Jackson**, *Pratt & Whitney, East Hartford, CT*

**Lillian Norwood**, *IBM, Washington, DC*

**Sara Satten**, *Wells Fargo Bank, San Francisco, CA*

**2:30 pm – 4:00 pm****Social Media in the Workplace: Employer Interests vs Employee Rights****ENVIRONMENT AND TECHNOLOGY**

A firestorm is brewing, as employers deepen their use of social media for business purposes, and then come into conflict with employees. How far may employers go in order to protect customer relationships? Can they require de-friending or de-linking? And what may employers do when they suspect employee misconduct through business uses of their social media accounts? Privacy concerns have already prompted laws to protect the privacy of employee Facebook and other accounts. It's a new frontier in the workplace, and a time of rapidly evolving law. Our panel will provide a global perspective, focused on practical workplace issues and privacy protections.

**Sponsoring Committee:**

*International Employment Law Committee*

**Program Chair & Moderator:**

**Mark Poerio**, *Paul Hastings LLP, Washington, DC*

**Speakers:**

**Anna Birtwistle**, *CM Murray LLP, London, United Kingdom*

**Rebecca Clar**, *AOL, Vienna, VA*

**Demetrios Eleftheriou**, *EMC, Boston, MA*

**Courtney Kamlet**, *Arbitron, Columbia, MD*

**2:30 pm – 4:00 pm****Enhancing the Rule of Law for All States: The United Nations Initiative****HUMAN RIGHTS AND PUBLIC LAW**

A review and assessment of the results of the United Nations initiative to strengthen the rule of law at the international and national levels through a Summit at the General Assembly of World leaders. See Report of the Secretary General, A/66/749. The initiative focuses on actions that all Member States can take to strengthen the rule of law in their own countries as well as other countries seeking assistance

to enhance the rule of law, including less developed countries and countries transitioning from conflict to peace. The initiative calls for a comprehensive declaration addressing the full range of subject matters that may be said to be covered by the rule of law including, inter alia, war crimes, human rights, development, trade, the environment, health and access to justice by national to their own systems of justice, and establishes mechanisms to monitor the progress of states and continue the dialogue among states and civil society on this important initiative.

**Sponsoring Committee:**

*UNIC and International Judicial Affairs Committee*

**Program Chair:**

**Bruce Rashkow**, *USUN/Retired, New York, NY*

**Moderator:**

**Patricia O'Brien**, *United Nations, New York, NY*

**Speakers:**

**Ambassador de Alba**, *Permanent Representative of Mexico to the United Nations, United Nations, New York, NY*

**Hernando de Soto**, *President of the Institute for Liberty and Democracy, Lima, Peru* (Invited)

**Jan Eliasson**, *Deputy Secretary General, United Nations, New York, NY* (Invited)

**Bart Legum**, *Salans, Paris, France*

**Anne-Marie Leroy**, *Senior Vice President and World Bank Group General Counsel, Washington, DC* (Invited)

**Christopher Stone**, *President, Open Society Foundations, New York, NY* (Invited)

**4:00 pm – 4:30 pm  
Networking Break**

**4:00 pm – 4:30 pm  
“How To” Series**

The Section’s “How To” Series continues with a focus on “Developing Programs with the Section,” “Section Publishing

– How to Get Your Name in Print” and “Policy and the Section.” Each session will enable meeting attendees to learn more about the Section

**4:30 pm – 6:00 pm**

**Debarment Proceedings in the United States and a Comparative Analysis with the World Bank, Canadian and European Union Debarment Regimes**

**CORPORATE TRANSACTIONS**

Debarment is one of the most serious remedies a government can impose on a contractor. A debarred individual or company is often listed on the government’s Excluded Parties List making it ineligible to receive federal contracts, federally-approved subcontracts, or certain types of federal financial and non-financial assistance and benefits. Debarment is not supposed to be a punishment but rather is limited to a determination of non-responsibility and thus a finding that the contractor is not an appropriate entity with which the government should contract. And yet debarments may last for several years after an investigation suggests wrongdoing and will carry adverse consequences for the reputation of the company involved. A debarment from one agency has ‘government-wide’ adverse effects precluding the debarred entity from participating in subsequent procurements and other arrangements. In some cases, debarred contractors may find themselves in a situation where existing contracts cannot continue. Possible reasons for debarment include the commission of a criminal offense, violation of antitrust laws, bribery, the making of false statements, tax evasion and any conduct indicating a lack of business integrity or business honesty that seriously and directly affects the responsibility of the government contractor. This panel will examine the issues surrounding the imposition and effect of debarment in different jurisdictions including possible measures to restore the reputation and status of a debarred contractor and mechanisms



to be implemented to avoid debarment investigations and negative findings.

**Sponsoring Committee:**

*International Procurement Committee*

**Program Chair:**

**Jerry Alfonso Miles**, *Shulman Rogers Gandal Pordy & Ecker, Potomac, MD*

**Program Chair & Moderator:**

**Brenda Swick**, *McCarthy Tétrault LLP, Toronto, Ontario, Canada*

**Speakers:**

**Pascale Dubois**, *The World Bank Group, Washington, DC*

**Johannes Schnitzer**, *Wolf Theiss, Vienna, Austria*

**David Sims**, *Department of the Interior, Washington, DC*

**Stanley Stocker**, *U.S. Department of the Interior Office of Inspector General, Washington, DC*

**4:30 pm – 6:00 pm**

**How Arbitral Institutions Decide Challenges to Arbitrators: A Behind-the-Scenes Look**

**DISPUTE RESOLUTION**

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This panel gives participants a behind-the-scenes look at how arbitral institutions decide challenges to arbitrators.

Specifically, the panel will reveal how institutions evaluate the ethical issues that underlie challenges, as well as the realpolitik considerations that often drive institutional decisions in this area. Most obviously, these considerations include the phase of the arbitration at the time the challenge is made, as well as an assessment of the likelihood that the award would be set aside if the arbitrator were allowed to remain in the case. The panel will also explore why institutions rarely (if ever) give reasons for the decisions they make on challenges.

**Sponsoring Committee:**

*International Arbitration Committee*

**Program Chair & Moderator:**

**Jennifer Kirby**, *KIRBY, Paris, France*

**Speakers:**

**Jose Feris**, *ICC International Court of Arbitration, Paris, France*

**Annette Magnusson**, *Arbitration Institute of the Stockholm Chamber of Commerce, Stockholm, Sweden*

**Richard Naimark**, *International Centre for Dispute Resolution, New York, NY*

**Adrian Winstanley**, *LCIA, London, United Kingdom*

**4:30 pm – 6:00 pm**

**Is It Still Leaking? Global Legal Impacts of Deepwater Horizon**

**ENVIRONMENT AND TECHNOLOGY**

There was little doubt that following the massive BP Deepwater Horizon oil spill and accompanying media storm there would be an overhaul of environmental regulation, with potential for long-term impacts on offshore oil development and other natural resource extraction. While the biggest immediate shockwaves were felt in the U.S., the ripple effects of government and public scrutiny of offshore development practices spread far beyond to other jurisdictions. Our panel explores the lessons to be learned from Deepwater Horizon, focusing not only on the consequent major restructuring of offshore drilling regulations, but also on broader themes of dealing with risk of disaster, weathering the fallout when it strikes, and methods to manage public safety and environmental risks inherent across the oil and gas industry.

**Sponsoring Committees:**

*International Environmental Law Committee, International Energy and Natural Resources Committee, Asia and Pacific Committee and Africa Committee*

**Program Chairs:**

**Cameron Prell**, *McGuire Woods LLP, Washington, DC*



**Kim Smaczniak**, *United States Department of Justice, Washington, DC*

**Moderator:**

**Michael Bromwich**, *Goodwin Procter and former chief spokesman for Obama Administration reforms of offshore drilling, Washington, DC*

**Speakers:**

**Matt Ash**, *Norton Rose, Capetown, South Africa* (Invited)

**Arnold Johnson**, *Senior Vice President, General Counsel & Secretary, Noble Energy, Houston, TX* (Invited)

**Marcelo Oliveira Mello**, *MMALawyers, Rio De Janeiro, Brazil* (Invited)

**David Wochner**, *Sutherland Energy & Environmental Group, Washington, DC* (Invited)

**4:30 pm – 6:00 pm**

## **Latest Developments in International Rule of Law Collaboration: Law, Justice and Development**

### **HUMAN RIGHTS AND PUBLIC LAW**

This past year has seen ground-breaking initiatives focused on the rule of law and development at the international level, including the launch of the World Bank's Global Forum on Law Justice and Development (the Global Forum). The ABA Section of International Law is a Founding and Intellectual Partner of this dynamic initiative. Global Forum partners, including countries, think tanks, regional and international organizations, international financial institutions and civil society organizations aim to facilitate the identification, discussion and production and/or sharing of customized legal and institutional tools to address global, regional or national development challenges. The Section provides in-kind contributions coordinated through five thematic working groups: (i) justice reform/rule of law reform; (ii) law and the economy (private sector development and finance); (iii) environmental and natural resources law; (iv) governance and anti-corruption; and (v) empowerment and equity for diverse communities. Attendees

will hear updates on the Global Forum, particularly on how ABA members work on the topics of environment and natural resources, gender, Islamic finance, insolvency and sovereign debt, intellectual property, justice and rule of law reform, persons with disability and public-private partnerships. Collaborations with the World Bank Group's International Finance Corporation (IFC) will also be highlighted. Within the IFC, the Section has worked with the Doing Business Group and the Alternative Dispute Resolution program. A briefing on the Section's other rule of law projects, such as the ABA-UNDP International Legal Resource Center, International Models Project on Women's Rights (IMPOWR), Task Force on Legal Empowerment of the Poor, and the Task Force on Financial Engineering for Economic Development (FEED) will encourage further involvement. This program offers participants a unique opportunity to engage with development experts and Section leaders, fostering innovative legal solutions to address some of the world's greatest challenges.

**Sponsoring Committees:**

*Islamic Finance Committee, International Anti-Corruption Committee, International Environmental Law Committee, International Energy & Natural Resources Committee, International Human Rights Committee, Magna Carta Task Force, and Task Force on Financial Engineering for Economic Development*

**Program Chair:**

**Jacqueline Gichinga**, *American Bar Association Section of International Law, Washington, DC*

**Program Chair & Moderator:**

**Dr. Isabella D. Bunn**, *Regent's Park College, University of Oxford, United Kingdom*

**Speakers:**

**Hassane Cisse**, *Deputy General Counsel, World Bank, Legal Vice Presidency, Washington, DC* (Invited)

**Anne-Marie Leroy**, *Senior Vice President and General Counsel, World Bank, Washington, DC* (Invited)

**Geraldine Fraser-Moleketi**, *Practice Director of Democratic Governance Group, United Nations Development Programme, New York, NY* (Invited)

**Melissa Johns**, *Advisor for Global Indicators and Analysis, International Finance Corporation, Washington, DC* (Invited)

**Mahesh Uttamchandani**, *Debt Resolution and Business Exit Global Product Leader, International Finance Corporation, Washington, DC* (Invited)

#### **4:30 pm – 6:00 pm** **Licensing and Branding Guidelines 2.0: Social Media Marketing and its Role and Effects in Relation to Cross-Border License Agreements**

##### **CORPORATE TRANSACTIONS; ENVIRONMENT AND TECHNOLOGY**

The development of social media and Web 2.0 has led to new marketing opportunities; however, brand owners now face the difficulty of monitoring the use of their marks in the Web 2.0 space. Brand owners need to be proactive in order to protect trademarks from misuse on social media sites. Misuse or non-authorized use of trademarks online can result in negative consequences such as brand tarnishment, blurring, confusion, and cybersquatting. To ensure trademarks are not misused online, brand owners need to contemplate licensees' use of trademark terms or devices on social media. Due to the vast reach of the Internet, cross-border license agreements need to be crafted to address acceptable social media use by international licensees. This program focuses on protecting brand owners intellectual property on popular social media sites and how to draft cross-border license agreements to ensure trademarks are not misused online.

**Sponsoring Committee:**  
*International Intellectual Property Committee*

**Program Chair & Moderator:**  
**Matthew Asbell**, *Ladas & Parry LLP, New York, NY*

**Speakers:**  
**Stephen Coates**, *Amazon.com, Seattle, WA*  
**Len Glickman**, *Cassels Brock, Toronto, Ontario, Canada*

**Christopher Lick**, *Scholastic Inc., New York, NY* (Invited)

**Rita Odin**, *Estee Lauder Companies Inc., New York, NY* (Invited)

**Christina Scelsi**, *Bohemia Interactive Solutions, Orlando, FL*

#### **4:30 pm – 6:00 pm** **Still Lost in the Clouds: Controlling Company Data on Employees' Personal Devices in the Age of Readily Available Cloud storage**

##### **ENVIRONMENT AND TECHNOLOGY**

The panel will address cloud computing compliance issues companies face as a result of recent and proposed international legislation (IndiaEU) and discuss the problems associated with permitting the use of employees' personal devices for work purposes (BYOD = 'bring-your-own-device' policies). Since cloud storage/backup has become the norm for the private user and is no longer restricted to big company data, companies need to monitor the flow of data even more carefully or face the risk of losing confidential information to an employee's private cloud. The panel will explore cloud computing best practices and the delicate balance a company needs to strike between protecting its proprietary interests and complying with the constantly evolving requirements imposed by employment and data privacy laws.

**Sponsoring Committee:**  
*International Employment Law Committee*

**Program Chairs & Moderators:**  
**Christina Hultsch**, *Porter Wright Morris & Arthur, LLP, Columbus, OH*  
**Anders Etgen Reitz**, *IUNO, Copenhagen, Denmark*

#### Speakers:

**Jonathan Armstrong**, *Duane Morris LLP, London, United Kingdom*

**Anand Desai**, *DSK Legal, Mumbai, India*

**Harriet Pearson**, *Chief Privacy Officer IBM, Washington, DC*

**6:30 pm – 9:00 pm**

#### **Opening Reception at the Hyatt Regency Washington on Capitol Hill**

400 New Jersey Avenue Northwest, Washington, DC

#### **9:00 pm – 11:00 pm Committee Dinners**

Take advantage of free time this evening to enjoy one of the many fine restaurants that Washington, DC has to offer. This is a great opportunity to continue to network within your practice area with others at the meeting who share your same interests and have casual discussions; many of which will lead to new initiatives and committee programs developing for months to come after you return home. If you have any questions about planning for this event at the Spring Meeting, please contact Jonathan Lewis at [jonathan.lewis@americanbar.org](mailto:jonathan.lewis@americanbar.org).

## **THURSDAY, APRIL 25**

**7:00 am – 7:00 pm**

#### **Registration Area, Exhibit Hall and Business Center Open**

**7:45 am – 9:00 am**

#### **Continental Breakfast & Committee Breakfast Meetings**

**8:00 am – 8:50 am**

#### **Advancing the Rule of Law and Development Abroad Through Next Generation Reform: Best (and Worst) Practices and Foreign Policy Implications**

Billions of dollars over decades have been spent on the assumption that good governance is essential for the welfare of nations, and that rule of law is essential for good governance. Although lawyers play an important role in promoting the rule of law, they must adequately understand the institutional landscape of the countries where they work in order to promote the right things and do so effectively. This panel will explore the role of lawyers in changing the institutions that produce poverty into those that produce prosperity by promoting rule of law to advance human development, including best practices, challenges, and unintended consequences.

#### **Sponsoring Committees:**

*Africa Committee and International Corporate Counsel Committee*

#### **Program Chair & Speaker:**

**Wade Channell**, *Senior Legal Reform Advisor in Economic Growth Office at US Agency for International Development, Washington, DC*

#### **Program Chair & Moderator:**

**Norman L. Greene**, *Schoeman Updike & Kaufman, LLP, New York, NY*

#### **Speakers:**

**Shelley Inglis**, *Policy Advisor/Team Leader, Rule of Law: Access to Justice and Security, Bureau for Development Policy, United*

*Nations Development Programme,  
New York, NY*

**Rachel Kleinfeld**, *Author of Advancing the Rule of Law Abroad: Next Generation Reform (2012), and founder of the Truman National Security Project, Washington, DC*

**9:00 am – 10:30 am**

### **Designed and Made in China: Practical IP Advice for Transactions in China**

CHINA AND ASIA; ENVIRONMENT AND TECHNOLOGY

Ten years ago China ignored intellectual property rights (IPR) and simply sought to be a low cost supplier to the global marketplace. Today, through government subsidies, tax incentives, and legislative changes, China's new state-planned emphasis on innovation, and accompanying IPR strategies, have posed an unexpected new challenge to the global business community. What does the international transactional lawyer need to know to avoid being blind-sided by the swift footed Chinese dragon? Does the emerging Chinese innovation and IPR 'stimulus package' have something to teach Western economic planners, and offer opportunities for foreign enterprises to exploit as well? An experienced panel will present a snap-shot of the quickly shifting landscape for structuring and drafting China-related business ventures, including M&A, joint ventures, outsourcing, and distribution transactions, and the current challenges in protecting and enforcing IPR rights thereunder.

#### **Sponsoring Committees:**

*International Commercial Transactions, Franchising*

#### **Program Chair & Moderator:**

**Daniel McGlynn**, *Emcore Corporation, Albuquerque, NM*

#### **Speakers:**

**Benjamin Bai**, *Allen & Overy LLP, Shanghai, China*

**Sharon Barner**, *Cummins, Inc., Indianapolis, IN*

**Mark Cohen**, *Fordham University Law School, New York, NY*

**Ryan Ong**, *U.S. China Business Council, Washington, DC*

**9:00 am – 10:30 am**

### **Governments Cutting Spending: Effects on Customs and Trade Programs**

CUSTOMS AND TRADE

*With Thanks to Our Track Sponsor:*

**THOMPSON  
HINE**

Everyone is cutting back on spending – including governments. It is time to talk about the government spending cuts. What changes to trade and customs programs have been announced, what changes have been implemented, what changes are pending and what changes are on the horizon? What are the effects of the spending cuts and structural and financial reform on the delivery of government services and programs? The U.S. budget cuts refocus USCBP on security while trade facilitation has been put on the back-burner. The US has opened the Trade Office. Canada is merging its antidumping/countervailing duty regime in the Canadian International Trade Tribunal and Canada has eliminated customs duties on most manufacturing inputs and equipment. Many countries are negotiating bilateral and multilateral free trade agreements. This panel will discuss some of the changes that are being implemented to reduce government costs and the effects on customs and trade programs – good and bad. Please join what will be a lively discussion – it is an important discussion because budget issues are not going away any time soon.

#### **Sponsoring Committee:**

*Customs Law Committee*

#### **Program Chair & Moderator:**

**Geoffrey Goodale**, *Cooley LLP, Washington, DC*

#### **Program Chair & Speaker:**

**Cyndee Todgham Cherniak**, *LexSage Professional Corporation, Toronto, Ontario, Canada*

**9:00 am – 10:30 am**

## **Legal Limitations on the Use of Proxy Forces in Modern International Conflict**

### **HUMAN RIGHTS AND PUBLIC LAW**

Although the International Court of Justice laid down guidelines in the Nicaragua case for state liability in the use of proxy forces, the wide scale and diversity of 'proxy-like' situations in recent years has blurred understanding of the law in this area, as well as appreciation of the risks inherent in the use of such tactics. In order to limit the spread of violent conflict across the globe it is necessary to address the phenomena of both the planning and utilization of asymmetric warfare by proxy of both state and non-state actors, which include but are not limited to increasing covert activity, aimed at destabilizing peripheral regimes in both crisis areas and areas of primary strategic importance. The proxy phenomenon has been visible in Pakistan and Afghanistan, Yemen, Gaza, Sudan, and elsewhere around the world. Recent popular uprisings in Libya and Syria also raise the proxy issue in terms of the limits of support that liberal governments might provide to militarized freedom movements who share similar goals. This program will focus on the creation of legal institutions, legislation and strategy required to manage the proliferation of proxy military actors in today's international conflicts and to consider rules to minimize the proxy option among international actors. This panel will further engage ensuing questions arising therefrom, such as questions of state responsibility, as well as questions of attribution under both domestic and international law, while considering increasing attempts by sponsoring states at avoiding direct attribution and thereby incurring direct responsibility, for acts in violation of art. 2.4 of the U.N. charter.

#### **Sponsoring Committees:**

*Export Controls and Economic Sanctions Committee, International Trade Committee, International Transportation Committee, Young Lawyers Interests Network (YIN), Aerospace & Defense Industries Committee*

#### **Program Chair & Speaker:**

**James H. Bergeron**, *Striking Force NATO, Lisbon, Portugal*

#### **Program Chair & Moderator:**

**Jonathan Michael Meyer**, *Attorney at Law, New York, NY*

#### **Speakers:**

**Stewart A. Baker**, *Steptoe & Johnson LLP, Former First Assistant Secretary for Policy, Department of Homeland Security, and former General Counsel, National Security Agency, Washington, DC*

**The Honorable John B. Bellinger III**, *Arnold & Porter LLP and former Legal Advisor, Department of State, 2005-2009, Washington, DC*

**Major General Charles J Dunlap, Jr.**, *USAF (Ret.), Center on Law, Ethics and National Security, and Duke Law School, Durham, NC*

**Ruth Wedgwood**, *Johns Hopkins University and former member of the Pentagon Defense Policy Board, Washington, DC*

**9:00 am – 10:30 am**

## **Nationalism and International Commitment: The Case of Argentina**

### **CORPORATE TRANSACTIONS; CUSTOMS AND TRADE**

*With Thanks to Our Track Sponsor:*

**THOMPSON  
HINE**

The panel will feature an interactive roundtable with speakers from different jurisdictions covering the recent trade and investment policies of Argentina, their spillovers and context within the region. It will also cover the effects on Argentina's domestic law, within Mercosur and at the WTO, and in the realm of international investment law, including the hotly debated renationalization of YPF and whether this reflects a broader trend in the region. Trade, ICSID (Investment arbitrations against Latin-American countries), and compliance with treaty organizations will be included in the topic.



**Sponsoring Committee:**  
*International Trade Committee*

**Program Chair & Speaker:**  
**Carla Junqueira**, *Barretto Ferreira, Kujawski e Brancher Sociedade de Advogados, São Paulo, Brazil*

**Moderator:**  
**Neil Ellis**, *Sidley Austin LLP, Washington, DC*

**Speakers:**  
**Roberto Bauzá**, *Rattagan, Macchiavello, Arocena & Pená Robirosa, Buenos Aires, Argentina*

**Paulo Brancher**, *Barretto Ferreira, Kujawski e Brancher Sociedade de Advogados, São Paulo, Brazil*

**Fiamma Rizzo Fuentes**, *Aguilar, Loera, Cortina & Martinez, Mexico City, Mexico*

**Irene Moreno-Tapia**, *Cuatrecasas, Gonçalves Pereira, Barcelona, Spain*

**9:00 am – 10:30 am**  
**The Optional Rules for Arbitration of Disputes Relating to Outer Space Activities: Does Newspace Want to Arbitrate?**

DISPUTE RESOLUTION; ENVIRONMENT AND TECHNOLOGY

*With Thanks to Our Track Sponsor:*



**Grant Thornton**  
 An instinct for growth™

A discussion by members of the drafting committee for the brand new arbitral rules governing resolution of outer space disputes. With the ever-increasing progress of commercial space and the increase in private space endeavors, outer space disputes involving only private parties—as opposed to governments—will also increase. The ICC Permanent Court of Arbitration released the Optional Rules in December 2011. This is a first-of-its-kind conversation about the impetus behind the rules.

**Program Chair & Speaker:**  
**Giugi Carminati**, *Weil, Gotshal & Manges LLP, Houston, TX*

**Moderator & Speaker:**  
**Frans von der Dunk**, *Leiden University/ University of Nebraska Lincoln, Lincoln, NE*

**Speakers:**  
**Dennis Burnett**, *EADS North America, Herndon, VA*

**Mark Sundahl**, *Cleveland-Marshall College of Law, Cleveland, OH*

**9:00 am – 10:30 am**  
**Trade and Environment Returns: Managing a New Generation of Disputes & Their Implication**

ENVIRONMENT AND TECHNOLOGY; CUSTOMS AND TRADE

*With Thanks to Our Track Sponsor:*

**THOMPSON  
 HINE**

The interaction between international trade law and measures to protect the environment have been the focus of scrutiny since at least the early 1990s, with concerns voiced that international trade agreements may restrain environmental regulation on one hand, and that environmental measures may work as veiled protectionism on the other. The debate surrounding the trade-environment link has shaped the development of trade agreements for the following two decades, including, for example, the proliferation of language to effect environmental cooperation and separate environmental side agreements. Now with the return of the ‘Tuna-Dolphin’ case again finding that U.S. measures restricting labeling of dolphin-safe tuna violate international trade agreements, the heating-up of a dispute between the U.S. and China related to solar panels, and the likelihood that the E.U. and U.S. will come to loggerheads over requirements that airlines pay carbon fees – is the time to reevaluate that linkage. As the strain on global natural resources intensifies, reliance on trade measures for environmental protection will continue. Discussants will highlight recent developments in trade disputes involving environmental



regulation and the continued development and reliance upon trade measures in areas such as fishery protection, with an eye toward how the outcomes of these disputes may again impact international trade law.

**Sponsoring Committee:**

*International Environmental  
Law Committee*

**Program Chairs:**

**Cameron Prell**, *McGuire Woods LLP,  
District of Columbia, DC*

**Kim Smaczniak**, *U.S. Department of  
Justice, Washington, DC*

**Moderator:**

**Steve Charnovitz**, *George Washington  
University Law School, Washington, DC*

**Speakers:**

**Peter Oppenheimer**, *OGC, NOAA,  
Washington, DC*

**Carol A. ('Annie') Petsonk**,  
*Environmental Defense Fund,  
Washington, DC*

**Andy Shoyer**, *Sidley Austin LLP,  
Washington, DC*

**10:30 am – 11:00 am  
Networking Break**

**10:30 am – 11:00 am  
"How To" Series**

The Section's "How To" Series continues with a focus on "Developing Programs with the Section," "Section Publishing – How to Get Your Name in Print" and "Policy and the Section." Each session will enable meeting attendees to learn more about the Section.

**11:00 am – 12:30 pm**

**Chinese Investments in the United States:  
Regulatory and Policy Challenges**

CHINA AND ASIA; FINANCE, FINANCIAL CRISIS  
AND CORRUPTION

*With Thanks to Our Track Sponsor:*



China has become the manufacturing hub of the new globalized world. The U.S. market was the second largest trade partner of China in 2011. Yet, Chinese accumulation of wealth and the Great Recession have triggered a shift towards Chinese foreign investment abroad. The United States will clearly become one of the winners of this revolution. A spike in Chinese investments in the U.S. economy raises many policy and regulatory challenges which will impact the practice of law in many different areas. The session will overview the new patterns of Asian foreign investment in the Americas. It will discuss the various policy challenges, such as which investments should be screened and what kind of incentives should be provided to Chinese investors in America. The participants will share their experience with Chinese FDI in America in M&A and capital markets transactions. Is there a U.S. industrial policy towards Chinese investments? How can American lawyers bridge the business and culture gap? What Chinese companies need to know about the regulatory environment?

**Sponsoring Committee:**

*International M&A and Joint  
Venture Committee*

**Program Chair & Moderator:**

**Efraim Chalamish**, *Dorsey and Whitney  
LLP, New York, NY*

**Speakers:**

**Keith Barger**, *Grant Thornton LLP,  
Houston, TX*

**Jose Fernandez**, *State Department,  
Washington, DC (Invited)*

**Yi Liu**, *Chinese Embassy, Washington, DC*

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## 11:00 am – 12:30 pm FATCA: Recent Developments and Their Implications for Documentation in International Transactions

FINANCE, FINANCIAL CRISIS AND CORRUPTION

*With Thanks to Our Track Sponsor:*



The U.S. has announced that it is in discussions with over 50 jurisdictions and hopes to finalise inter-governmental agreements with several of those jurisdictions. The Final FATCA Regulations should also be issued. As FATCA increasingly becomes a reality for foreign financial institutions and other affected foreign entities and the jurisdictions in which they operate, the risks which the FATCA compliance and withholding have introduced will increasingly impact parties to international financial transactions and international investment funds and their managers. Allocating these risks will affect transactional documentation of the future. This panel will provide an update as to the status of FATCA implementation globally and will explore the issues which FATCA raises for parties to commercial transactions and for financial institutions involved in financing transactions against several base case examples, discussing proposed clauses which might be inserted into documentation to allocate FATCA risk and provide for compliance.

### **Sponsoring Committees:**

*International Tax Committee, International Mergers & Acquisitions and Joint Ventures Committee, International Commercial Transactions, Franchising, and Distribution Committee, International Securities & Capital Markets Committee, International Corporate Counsel Committee, International Financial Products & Services Committee*

### **Program Chair & Moderator:**

**Elinore Richardson**, *Wolf Theiss, Vienna, Austria*

### **Speakers:**

**Pamela Lawrence Endreny**, *Skadden, Arps, Slate, Meagher & Flom LLP & Affiliates, New York, NY*

**Jonathan Haddon**, *Darby Overseas Investment, Ltd., Washington, DC*

**Matthew Hodkin**, *Norton Rose LLP, London, NA, United Kingdom*

**Danielle Rolfes**, *U.S. Treasury Department, Washington, DC*

**Ana Claudia Akie Utumi**, *Tozzini Freire Advogados, São Paulo, Brazil*

## 11:00 am – 12:30 pm How Discovery Tactics Can Enhance a World-Wide Fraud Recovery

DISPUTE RESOLUTION; FINANCE, FINANCIAL CRISIS  
AND CORRUPTION

*With Thanks to Our Track Sponsors:*



**Grant Thornton**

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When fraud arises, what discovery tactics are available to the victim? With world-wide fraud more commonplace, what discovery is available to the victim in the U.S. and outside the U.S. to uncover the fraud and the assets available for recovery? The objective is to use discovery to your advantage to undermine the fraudster's ability to cause a loss. Obtaining verifiable evidence both pre-action and once litigation begins is key to discovering a fraud and recovering a loss. A successful fraud recovery must include a plan for how to obtain accurate, verifiable and properly-obtained evidence. The development and implementation of that plan requires the knowledge of the laws and processes that any international fraud action faces.

### **Sponsoring Committee:**

*International Arbitration Committee*

### **Program Chair & Moderator:**

**Eric (Rick) Rein**, *Horwood Marcus & Berk Chartered, Chicago, IL*

#### Speakers:

**Eugene S. Becker**, *Becker Law,  
New York, NY*

**Ernest Brod**, *Alvarez & Marsal,  
New York, NY*

**Paul Richard Brown**, *Karr Tuttle  
Campbell, Seattle, WA*

**J. Bradley Sargent**, *The Sargent Consulting  
Group, LLC, Mokena, IL*

**11:00 am – 12:30 pm**

### **Moving a Product from A to B: A Primer on Regulatory Compliance in the Area of Commercial Transport**

FINANCE, FINANCIAL CRISIS AND CORRUPTION

*With Thanks to Our Track Sponsor:*



This is a foundation program that provides the fundamentals of compliance with international transport regulations for the non-specialist lawyer. The session covers U.S. air and maritime transport, as well as European and Canadian regulatory issues. The program is intended to be of particular value to solo practitioners and small firms. Areas considered include safety, security, environmental, tax and other areas of regulatory compliance relating to the transport of commercial goods by land, sea, air and inter-modal forms of transport.

#### Sponsoring Committee:

*International Transportation Committee*

#### Program Chair:

**James H. Bergeron**, *Striking Force NATO,  
Lisbon, Portugal*

#### Moderator:

**Gerald Murphy**, *Crowell & Moring LLP,  
Washington, DC*

#### Speakers:

**Lizabeth Burrell**, *Curtis Mallet-Prevost,  
Colt and Mosle LLP, New York, NY*

**Lorraine Halloway**, *Crowell & Moring  
LLP, Washington, DC*

**Marco G. Remiorz**, *Dabelstein & Passehl,  
Hamburg, Hamburg, Germany*

**Dean Saul**, *Gowlings, Ottawa,  
Ottawa, Canada*

**11:00 am – 12:30 pm**

### **Strategic Alignments and Collaborations in Global Pro Bono Service**

CORPORATE TRANSACTIONS

This interactive dialogue will explore ways to leverage and align global pro bono service with the strategies of various types of entities consistent with attorneys' professional ethics obligations. The panel will encompass perspectives from a large public corporation, a law school, a law firm, a non-profit organization and/or NGO, and a governmental official. Themes may include commercial benefits from corporate social responsibility activities, inculcating and developing a culture of pro bono service by law students and professors, aligning legal volunteerism with corporate philanthropic focus, effective integration of pro bono service in professional development, and mechanisms for embedding good corporate citizenship in the practice of law. An overriding theme relates to strategic collaborations among these groups, and the ethical responsibilities of various roles.

#### Sponsoring Committee:

*International Pro Bono Committee*

#### Program Chair & Moderator:

**Madeleine Schachter**, *Baker & McKenzie  
LLP, New York, NY*

#### Speakers:

**Keith Loken**, *US State Department,  
Washington, DC*

**David Oppenheimer**, *Berkeley School of  
Law, Berkeley, CA*

**Susan Schumacher**, *Deloitte,  
Philadelphia, PA*

**11:00 am – 12:30 pm**

### **The Global Water Shortage: Crisis, Risk, and the Way Forward**

ENVIRONMENT AND TECHNOLOGY

In the weeks leading into the global summit on sustainable development, Rio+20, each and every country reported water as a top environmental issue. CEOs from The Coca-Cola Company, Pepsico, Levi Strauss & Co., Royal Dutch Shell,

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Unilever and 40 other international companies called on governments attending Rio+20 to make global water security a top priority. Why is water receiving so much attention? As the human population hurtles toward 8 and 9 billion, increasing focus is being placed on the vital role water plays in agriculture and energy – 70% of global fresh water resources are currently used to produce food, and 15-20% is used for energy. Without access to adequate water, the economic systems of some countries will collapse and civil unrest will follow as food and water shortages become epidemic. As multinationals operate in countries that are experiencing or are expected to experience water shortages, how do they manage the economic, social and environmental risks? Are there legal avenues available to guide and protect them? This panel will highlight regions that face water risks such as Africa, China, India and the US-Mexico border, will describe how those risks are managed through practice and commercial agreements, and will discuss whether and how the risks are impacted by treaties and customary laws that are in effect.

**Sponsoring Committee:**

*International Environmental Law Committee*

**Program Chairs:**

**Renee Martin-Nagle**, *Environmental Law Institute, Washington, DC*

**Kim Smaczniak**, *Department of Justice, Washington, DC*

**Moderator:**

**Patricia Wouters**, *University of Dundee and Founder of the UNESCO IHP-HELP Centre for Water Law, Policy & Science, Scotland, United Kingdom*

**Speakers:**

**Joseph Dellapenna**, *Villanova University Law School, Villanova, PA*

**Peter Evans**, *General Electric, Atlanta, GA*

**Greg Koch**, *Coca-Cola Company and Managing Director, Global Water Stewardship Office of Sustainability, Atlanta, GA*

**Salman M.A. Salman**, *The World Bank, Washington, DC*

**12:45 pm – 2:15 pm**

*Ticketed Event*

**Luncheon with Keynote Speaker**

**2:30 pm – 4:00 pm**

**Challenges of Structuring Cross-Border Joint Ventures**

FINANCE, FINANCIAL CRISIS AND CORRUPTION

*With Thanks to Our Track Sponsor:*



This interactive session will explore the structuring of cross-border joint ventures and compare the approaches which are best practice in various jurisdictions. First, the panelists will present their view on the issues raised by a specific deal scenario. Particular emphasis will be placed on balancing the wish of the local minority shareholder to have broad management powers and the interest of the foreign majority shareholder to have full control over the joint venture company, if needed. Session participants, working in groups, will then address the issues raised in a case study. The participants will take on the role of counsel to a potential investor in a foreign private company or counsel to the local joint venture partner who is intended to manage the joint venture company. Further, the participants will be encouraged to draw on their own experiences when looking at ways to structure the joint venture and balance the interest of the parties. The session will close with a presentation by the counsel of their respective party's position.

**Sponsoring Committee:**

*International M&A and Joint Venture Committee*

**Program Chair:**

**Marcel Barth**, *PricewaterhouseCoopers Legal AG, Hannover, Germany*

**Moderator:**

**Salli Swartz**, *Artus Wise, Paris, France*

**Speakers:**

**Mattia Colonnelli de Gasperis**, *Colonnelli de Gasperis Studio Legale, Milan, Italy*

**Randall Hanson**, *Womble Carlyle*

*Sandridge & Rice, LLP, Greensboro, NC*

**Carlos Valázquez de León**, *Basham, Ringe y Correa, Monterrey, Mexico*

**2:30 pm – 4:00 pm**

**Hubs and Spokes – Who is Doing What in Free Trade Agreement Negotiations and What Does It All Mean for Global Companies?**

**CUSTOMS AND TRADE**

*With Thanks to Our Track Sponsor:*

**THOMPSON  
HINE**

Numerous countries and regions are either in negotiations for new free trade agreements (FTAs) or have established working groups to assess the feasibility for particular FTAs. Both the European Union and the United States recently completed negotiations and implemented FTAs with Korea, and high level talks are underway for both the Trans-Pacific Partnership and a Trans-Atlantic FTA. This roundtable program will provide an opportunity for trade and customs practitioners in various countries to discuss the status of current FTA negotiations in their respective countries/regions. It also will include a discussion of how U.S. and global companies may take advantage of the FTA framework for market access and tariff preferences. Finally, the practitioners will discuss how other trade policy initiatives in their countries/regions might affect U.S. and global countries in establishing their operations around the world. The program will conclude with a question and answer session that will encourage audience participation.

**Sponsoring Committee:**

*Customs Law Committee*

**Program Chairs & Moderators:**

**Peter Kirby**, *Fasken Martineau DuMoulin LLP, Montreal, Quebec, Canada*

**David Stepp**, *Bryan Cave LLP, Santa Monica, CA*

**Speakers:**

**Elena Belozyorova**, *Goltsblat BLP, Moscow, Russian Federation*

**John Carlin**, *Bell Davies, Kingston upon Thames, United Kingdom*

**Francisco Cortina**, *Chevez, Ruiz, Zamarripa Y Cia., S.C., Mexico City, Mexico*

**Bert Gevers**, *Loyens & Loeff, Brussels, Belgium*

**2:30 pm – 4:00 pm**

**International Mobility: A Challenge for Business and Government in an Interconnected World**

**FINANCE, FINANCIAL CRISIS AND CORRUPTION**

*With Thanks to Our Track Sponsor:*

**BDO** BDO CONSULTING

The globalizing economy requires more employee mobility but immigration remains a function of national law and administration, with the exception of some bilateral and regional agreements. Differing national laws, restrictive and security-oriented policies and cumbersome procedures are a burden to employers and keep lawyers busy. There is no intergovernmental agency in the United Nations or elsewhere that is charged with regulating labor migration. Governments perceive their national interests lie in protecting domestic labor markets and being secure from terrorism. Many enact increasingly more-restrictive legislation, enforce laws more strictly, require more paperwork and more border inspections. Delays due to government inefficiency are common. Migration is a fact and will continue to increase. This panel will examine the challenges faced by lawyers representing businesses, governments and intergovernmental organizations.

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**Sponsoring Committee:***Immigration and Naturalization Law Committee***Program Chair & Speaker:****Ellen Yost**, *Fragomen, Del Rey, Bernsen & Loewy, LLP, New York, NY***Moderator:****Stephen L. Dreyfuss**, *Hellring, Lindeman, Goldstein & Siegel LLP, Newark, NY***Speakers:****Jacqueline R. Bart**, *Jacqueline Bart & Associates and President, UIA Commission on Immigration & Nationality Law, Toronto, Ontario, Canada***Gabrielle M. Buckley**, *Vedder Price P.C., Chicago, IL***Jean-Christophe Dumont**, *Organisation for Economic Co-operation and Development, Paris, France***2:30 pm – 4:00 pm****Long-Awaited DOJ Guidance on the FCPA: What Does the New Compliance Roadmap Look Like?**

FINANCE, FINANCIAL CRISIS AND CORRUPTION

*With Thanks to Our Track Sponsor:*

The U.S. Department of Justice finally released detailed public guidance on the FCPA in November, 2012. Expectations were high that this guidance would provide greater clarity and transparency on such matters as: the intent standard; how the corrupt intent element applies in the context of gifts and entertainment; and the definition of both 'Foreign Official' and 'Instrumentality'. Does the guidance actually deliver on these expectations? Do we now have more predictability? Do we have a new 'roadmap' for FCPA compliance? Is it possible corporate declinations are a source of clarity where FCPA compliance programs are concerned? How does the guidance compare to guidance received on the U.K. Bribery Act? This expert panel will feature both private practice and corporate attorneys as well as key regulators who will discuss the guidance

in detail and share practical advice on best practices for pro-active compliance programs.

**Sponsoring Committee:***International Anti-Corruption Committee***Program Chair & Moderator:****Gwendolyn Hassan**, *Navistar, Inc., Lisle, IL***Speakers:****Lanny Breuer**, *U.S. Department of Justice, Washington, DC***Kara Novaco Brockmeyer**, *U.S. Securities and Exchange Commission, Washington, DC* (Invited)**Thomas R. Fox**, *Fox Law, Houston, TX***Alexandra Wrage**, *TRACE International, Annapolis, MD***2:30 pm – 4:00 pm****Multi-Jurisdictional Issues in Handling White-Collar Criminal and Regulatory Investigations**

DISPUTE RESOLUTION

*With Thanks to Our Track Sponsor:*

With the increasing international cooperation among enforcement officials and regulators in the U.S., Europe and other international jurisdictions, international companies often must navigate multi-jurisdictional issues when facing white-collar criminal or regulatory investigations. This program will seek to explore those issues that frequently arrive and how practitioners may help clients successfully navigate those issues. The panel will be composed of practitioners from several jurisdictions who will address relevant home-country issues as well as how those issues impact cross-border enforcement matters.

**Sponsoring Committee:***International Criminal Law Committee***Program Chair & Moderator:****Ralph Levene**, *Wachtell Lipton Rosen & Katz, New York, NY*



**Speakers:**

**Jonathan Cotton**, *Slaughter and May, London, United Kingdom*

**Eric Dezeuze**, *Bredin Prat Avocats, Paris, France*

**Saverio Lembo**, *Bär & Karrer, Geneva, Switzerland*

**William P. Olsen**, *Grant Thornton LLP, McLean, VA*

**2:30 pm – 4:00 pm**

**Treaties, the Constitution and States' Rights: The Case of the Hague Choice of Courts Convention**

HUMAN RIGHTS AND PUBLIC LAW;  
DISPUTE RESOLUTION

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**Grant Thornton**

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How, consistent with the role of state and federal governments under its Constitution, should the United States implement treaties that address essential state functions such as the jurisdiction of state courts and their enforcement of foreign judgments? What is the proper constitutional balance between the federal government and the states in this context? The U.S. signed the Hague Convention on Choice of Court Agreements in 2009, and since then has engaged in extensive federal/state consultations on implementing the treaty once ratified. The State Department and the Uniform Law Commission have engaged in extensive negotiations on a uniform state law that would implement the Convention in parallel with federal legislation. The long road to consensus has revealed a number of apparent tensions concerning the constitutional treaty-making power, states' rights and the role of state and federal law and courts in implementing the United States' treaty obligations. This panel, composed of speakers who have deeply participated in the consultations on the Hague convention, will explore the fascinating constitutional and practical issues these consultations have revealed.

**Program Chair:**

**Bart Legum**, *Salans LLP, Paris, France*

**Moderator:**

**Louise Ellen Teitz**, *Hague Conference on Private International Law, The Hague, Netherlands*

**Speakers:**

**Rex Blackburn**, *Idaho Power, Boise, ID*

**Glenn Hendrix**, *Arnall Golden Gregory LLP, Atlanta, GA*

**Keith Loken**, *US State Department, Washington, DC*

**Linda Silberman**, *New York University School of Law, New York, NY*

**4:00 pm – 4:30 pm**

**Networking Break**

**4:00 pm – 4:30 pm**

**"How To" Series**

The Section's "How To" Series continues with a focus on "Developing Programs with the Section," "Section Publishing – How to Get Your Name in Print" and "Policy and the Section." Each session will enable meeting attendees to learn more about the Section

**4:30 pm – 6:00 pm**

**More Art than Science:  
Negotiating Global Privacy and  
Data Security Language**

ENVIRONMENT AND TECHNOLOGY

We've gathered two seasoned privacy gurus who have seen more than their fair share of tense privacy and data security negotiations in their combined 20+ years of data protection practice. They will engage in a live and potentially heated negotiation on issues that make senior lawyers sweat: How can you transfer data across borders? What are adequate data security measures? Who is the Data Controller/Data Processor and what does that mean? What is a reportable security breach? What are breach notification requirements? How do you limit liability for breach of data security? Please join us to learn the latest

THURSDAY, APRIL 25

and greatest tricks of the trade, and arm yourself for your future privacy and data security negotiations. Warning: This is a rematch from the RSA Conference so audience intervention may be necessary in the event things get heated.

**Sponsoring Committee:**  
*International Litigation Committee*

**Program Chair & Moderator:**  
**Anjali Garg**, *Citibank, New York, NY*

**Program Chair & Speaker:**  
**Demetrios Eleftheriou**, *EMC, Boston, MA*

**Speaker:**  
**McLean Sieverding**, *Willkie Farr & Gallagher LLP, Washington, DC*

#### **4:30 pm – 6:00 pm** **Opting In? The Global Effect of Class Action Orders and Potential Conflicts of Law**

##### **DISPUTE RESOLUTION**

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While the class action has long been a feature of the American legal system it is only in recent years that it has truly gone global. Whether it be countries with no tradition of collective litigation taking their first steps towards implementing such a system or U.S. litigation impacting other jurisdictions, international lawyers can no longer afford not to be prepared to advise on class actions and their effects. This program will explore the issues confronted by lawyers where a class action is settled or otherwise determined in respect of a worldwide class and the difficulties which may arise in having such orders recognized and enforced, particularly where class actions might not be part of the local procedure. As the Columbia Law Review recently stated (in the context of the *Rubin v Eurofinance* decision), '[a]s technology facilitates cross-border interaction and disputes, courts will increasingly encounter multijurisdictional conflicts that

established rules do not neatly resolve.' We hope to examine some of those conflicts and challenges. We will also seek to give an overview and update as to latest developments in this area.

**Program Chair:**  
**Kieran Cowhey**, *Dillon Eustace, Dublin, Ireland*

**Program Chair & Speaker:**  
**Paul Kennedy**, *Dillon Eustace, Dublin, Ireland*

**Moderator:**  
**Steven Richman**, *Duane Morris LLP, Cherry Hill, NJ*

**Speakers:**  
**Javier Bleichmar**, *Labaton Sucharow LLP, New York, NY*

**Dieter Hoffman**, *Walder Wyss Ltd., Zurich, Switzerland*

**Lisa Parliament**, *McMillan, Toronto, Ontario, Canada*

**Rafael Ribeiro**, *Bilzin Sumberg, Miami, FL*

#### **4:30 pm – 6:00 pm** **Practicing Ethically in Rule of Law-Challenged Countries**

##### **CORPORATE TRANSACTIONS**

An increasing number of international attorneys are working in countries, such as China, which have questionable adherence to the rule of law. One of our speakers, Chen Guangcheng, a human rights attorney in China who is now at NYU Law School, is particularly famous for his activity in China which raise interesting ethics issues (Bob Fu will assist by translating Chen). Tom Spahn, is the author of a two volume set of books of ethics issues, is a former member of the ABA Standing Committee on Ethics and Professional Responsibility and has spoken at over 1000 CLE Programs in the US and in foreign countries. Gene Theroux, retired partner of Baker & McKenzie and a veteran international practitioner involved in establishing his law firm in China and India, will speak of his trials and tribulations in those and other countries.

Bob Lutz, a professor of transborder practice courses, former SIL Chair, and participant in the ABA Commission on Ethics 20/20's efforts to address issues of technology and globalization for the profession, will moderate the panel.

**Sponsoring Committees:**

*Seasoned Lawyers Interest Network (SIN),  
Transnational Legal Practice Committee,  
U.S. Lawyers Practicing Abroad,  
International Human Rights Committee*

**Program Chair:**

**Charles Routh**, *Garvey Schubert Barer, Seattle, WA*

**Program Chair & Moderator:**

**Robert Lutz**, *Southwestern Law School, Los Angeles, CA*

**Speakers:**

**Bob Fu**, *China Aid, Midland, TX*

**Chen Guangcheng**, *New York University School of Law, New York, NY and China*

**Thomas Spahn**, *McGuire Woods LLP, Tysons Corner, VA*

**Eugene Theroux**, *Baker & McKenzie LLP, Washington, DC*

**4:30 pm – 6:00 pm**

**Protecting the Employer in a New Age of Immigration Enforcement: How to Ensure Compliance and Prepare for Government Inspections**

**HUMAN RIGHTS AND PUBLIC LAW**

Attention on work site enforcement has increased exponentially in recent years. In this environment, how can employers ensure preparedness for government audits, inspections, and 'raids'? What role can counsel play in these enforcement activities and how can they best prepare their clients? Representatives from several government agencies will provide insight into enforcement initiatives by their respective agencies and offer suggestions for preparing for a work site enforcement action, and best practices.

**Sponsoring Committees:**

*Immigration and Naturalization Law Committee, International Corporate Counsel*

*Forum, International Employment Law Committee*

**Program Chair:**

**Lisa Ryan**, *Fragomen, Del Rey, Bernsen & Loewy, LLP, Matawan, NJ*

**Moderator:**

**Patrick Shen**, *Fragomen, Del Rey, Bernsen & Loewy, LLP, Washington, DC*

**Speakers:**

**Ronald Atkinson**, *U.S. Citizenship and Immigration Services – Fraud Detection and National Security Directorate (FDNS), Washington, DC*

**Rachel Ross**, *U.S. Immigration and Customs Enforcement, Washington, DC*

**Jennifer Sultan**, *U.S. Department of Justice – Office of Special Counsel, Washington, DC*

**4:30 pm – 6:00 pm**

**Reconciling the TPP's Progress with Doha's Failure: Does the TPP Provide Lessons for Future WTO Rounds?**

**CUSTOMS AND TRADE**

*With Thanks to Our Track Sponsor:*

**THOMPSON  
HINE**

The rise of multiparty, comprehensive free trade agreement (FTA) negotiations, coupled with the breakdown of the Doha Development Agenda (DDA), calls into question the viability and, perhaps, necessity of World Trade Organization (WTO) negotiating rounds. 'Super FTA' negotiations such as the Trans Pacific Partnership (TPP) may set a new bar for trade liberalization (at least among the parties), but will they serve as incubators that enable WTO members more easily to agree to tighter rules? Are they an alternative to the WTO or only a supplement and perhaps an aid? Do the negotiating processes applied in the TPP provide lessons that can be applied to fix the broken WTO negotiating process? Lawyers involved on behalf of governments and private interests in the TPP, the Uruguay and Doha Rounds and other negotiations will discuss the potential

impact on the WTO process of the TPP and other negotiations that are progressing even as Doha fails.

**Sponsoring Committee:**  
*International Trade Committee*

**Program Chair:**  
**Matthew Nicely**, *Thompson Hine LLP, Washington, DC*

**Program Chair & Moderator:**  
**David Christy**, *Thompson Hine LLP, Washington, DC*

**Speakers:**  
**Aluisio G. De Lima-Campos**, *Embassy of Brazil, Washington, DC*

**Crawford Falconer**, *OECD (Formerly NZ Ministry of Trade and Foreign Affairs/ WTO), Washington, DC*

**Kirsten Hillman**, *Government of Canada, Ottawa, Ontario, Canada*

**Mark Linnscott**, *USTR, Washington, DC*

#### **4:30 pm – 6:00 pm** **Year of the Snake: China's New Copyright & Patent Reforms**

CHINA AND ASIA; ENVIRONMENT AND TECHNOLOGY

China proposed a new copyright law in 2012, and was deluged with more than 1500 worldwide comments, including ABA SIL. No revision of China's copyright law had occurred since the 1990s, yet in the last 20 years China joined the world's great copyright conventions, including WIPO and Berne. Join WIPO, the USCO, and the ABA Comment Drafters to understand how the new law impacts technology, business and trade, media, licensing and franchising in the New China.

**Sponsoring Committee:**  
*International Intellectual Property Committee*

**Program Chairs & Moderators:**  
**Alexandra Darraby**, *Art Law, Los Angeles, CA*

**Fred Koenig**, *Volpe & Koenig, Philadelphia, PA*

**Speakers:**  
**Maria Strong**, *US Copyright Office, Washington, DC*

**Steven Tepp**, *Director International, US Chamber of Commerce, Washington, DC*

**Michele Woods**, *World Intellectual Property Organization, Geneva, Switzerland*

#### **6:30 pm – 9:00 pm** **Reception at the United States Supreme Court**

1 First St. NE, Washington, DC

## FRIDAY, APRIL 26

**7:00 am – 7:00 pm**  
**Registration Area, Exhibit Hall**  
**and Business Center Open**

**7:45 am – 9:00 am**  
**Continental Breakfast**

**9:00 am – 9:50 am**  
**Committee Business Meetings**

This time is reserved for all divisions and committees to conduct their Division and Committee Business Meeting with their Division Chair, other committees within their division, and members of their own committee. This time provides all meeting attendees a full opportunity to become engaged in the work of one or more committees, without having to miss any CLE programming.

**9:30 am – 11:00 am**  
**Book Board Meeting**

**10:00 am – 10:50 am**  
**Disaster Response: Lessons from**  
**the Frontline – A Conversation**  
**with David Meltzer, General**  
**Counsel, American Red Cross**

### NON-CLE PRESENTATION

In this new world of severe hurricanes, tornadoes and tsunamis, the role of the American Red Cross on the front line of the disasters is more important than ever. Come meet David Meltzer, the General Counsel of the American Red Cross, who will discuss the increasingly crucial role of the organization. The American Red Cross shelters, feeds and provides emotional support to victims of disasters; supplies about 40 percent of the nation's blood; teaches skills that save lives; and provides international humanitarian aid. As the new General Counsel, David is now assuming

responsibility for the Red Cross' Office of Investigations, Compliance, and Ethics. In addition, David continues to lead the International Services Department as the Chief International Officer, a role he has had since 2005, where he oversees all international activities of the organization, including health programs focused on disease prevention, the American Red Cross Haiti Assistance Program, and disaster preparedness and response activities throughout the world. Come bring your questions and find out how you can make a difference.

**11:00 am – 5:00 pm**  
**Disaster Response: Lessons from**  
**the Frontline – A Conversation**  
**with David Meltzer, General**  
**Counsel, American Red Cross**

After the conclusion of the panel with David Meltzer, General Counsel of the American Red Cross, we will be hosting a blood drive with the American Red Cross on-site at the Hyatt Regency from 11 AM – 5 PM. The eligibility requirements for giving blood are listed on the American Red Cross website (<http://www.redcrossblood.org/donating-blood/eligibility-requirements>). There are some limitations based on certain international travel to giving blood, but if you are able to, we encourage all to stop by quickly to donate to this great cause. No pre-forms or pre-registration are required and more specific information, including the room number at the Hyatt Regency, will follow in emails to registrants. If you have any questions, please contact [Curry.Wilson@americanbar.org](mailto:Curry.Wilson@americanbar.org).

**10:30 am – 11:00 am**  
**Networking Break**



**10:30 am – 11:00 am****“How To” Series**

The Section’s “How To” Series continues with a focus on “Developing Programs with the Section,” “Section Publishing – How to Get Your Name in Print” and “Policy and the Section.” Each session will enable meeting attendees to learn more about the Section.

**11:00 am – 12:30 pm**
**An Inconsistent Justice: The  
Crossroads of Law, Religion and  
Women’s Human Rights**
**HUMAN RIGHTS AND PUBLIC LAW**

Culture and religion are undeniable forces in the fight for women’s human rights worldwide. Critical areas such as marriage, violence against women, and property rights are just a few examples of areas where culture and religious doctrine are inherently tied to the rights afforded and restrictions imposed on women. Depending on the country, its religious majority, and cultural norms, protecting women and their rights is a fluid and often complicated issue to understand and is always inconsistently and unsuccessfully effectuated. Are religious doctrines and cultural norms more powerful than the rule of law? Should the international community speak up or step back from cultural and religious doctrines that inhibit the pursuit of women’s rights in certain countries? A perpetually timely and relevant theme, this program will discuss the intersection of law, religion and cultural realities that affect women’s human rights globally, and how these key challenges can be successfully tackled.

**Sponsoring Committee:**

*International Human Rights Committee*

**Program Chairs:**

**Ani Ajemian**, *Sherin & Lodgen LLP,*  
*Boston, MA*

**Eileen Meier**, *Attorney At Law,*  
*Washington, DC*

**Olufunmi Oluyede**, *TRLPLAW, Lagos,*  
*Lagos, Nigeria*

**Moderator:**

**Nina Shea**, *Center for Religious Freedom  
& Senior Fellow, Hudson Institute,*  
*Washington, DC*

**Speakers:**

**Shaheen Sadar Ali**, *University of Warwick,*  
*Coventry, Coventry, United Kingdom*  
(Invited)

**Kelly Clark**, *Attorney, O’Donnell Clark &  
Crew LLP, Portland, OR* (Invited)

**Shirin Ebadi**, *Defenders of Human Rights  
Center, Iran* (Invited)

**Imam Talal Y. Eid**, *Islamic Institute of  
Boston, Boston, MA* (Invited)

**11:00 am – 12:30 pm**
**Commandments From On High: Guidance  
and Opinions on Anti-corruption Laws**
**FINANCE, FINANCIAL CRISIS AND CORRUPTION**

*With Thanks to Our Track Sponsor:*

**BDO CONSULTING**

Guidance publications on anti-corruption laws by regulators in many countries are eagerly awaited prior to their issuance. The U.S. DOJ’s highly anticipated Guidance on the FCPA has been issued. The U.K. Bribery Act Guidance will soon be a year old, but so few cases have been brought, it remains to be seen how useful the Guidance is. When it comes to any country or international institution providing written guidance on anti-corruption laws or conventions, legal practitioners, compliance officers and bloggers tend to hang on their every utterance and public comment is demanded prior to the issuances, but what do they really do for us once they are published? What motivations and considerations do regulatory bodies work under when drafting detail or specificity in their guidance? Are these documents similar to The Ten Commandments we treat them as or are they closer in efficacy to reading tea leaves? This program compares and contrasts the guidance publications issued by the U.K., China, the OECD, the World Bank, the Wolfsberg Group and the newly released



FCPA Guidance, and asks our audience of international practitioners how useful these publications are when it comes to practical application. What is consistent across most of these documents and where do they vary? We ask the question, should regulators specifically undertake to harmonize their issuances with those of other countries or international conventions? How do those who seek answers from such guidances grapple in real world situations with the variance in definitions, approaches and identified risks that these publications can create when they are laid out side by side?

**Sponsoring Committee:**

*International Anti-Corruption Committee*

**Program Chair & Moderator:**

**Mikhail Reider-Gordon**, *Navigant, Los Angeles, CA*

**Speakers:**

**Nicola Bonucci**, *Organization for Economic Co-operation and Development, Washington, DC*

**George Kell**, *Head of the U.N. Global Compact, New York, NY*

**Mark Pieth**, *University of Basel & Wolfsberg Group, Basle, Switzerland*

**Monte Raphael**, *Peters & Peters, London, United Kingdom*

**11:00 am – 12:30 pm**

**Destination Africa: New York Convention Roadshow and Investment Arbitration**

DISPUTE RESOLUTION; CORPORATE TRANSACTIONS

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The robust growth rates of African economies (averaging 5% for over a decade) and the positive political developments have made Africa increasingly attractive to international investors. Ernst & Young forecast foreign direct investments to reach an expected US\$ 150b by 2015. With increased investments come increased potential for disputes. Effectively resolving these challenges often involves use of

international arbitration. Understanding how important African countries approach international arbitration and apply the New York Convention in recognizing and enforcing international arbitral awards becomes paramount. This panel seeks to shed light on how important countries on the continent (ex. Nigeria, Ghana, Algeria, South Africa, Angola, Tanzania, Mauritius and Kenya) engage international arbitration and highlight similarities and differences amongst these States. The panel will discuss the applicable domestic arbitration laws and include exploration of notable cases that underscore the treatment of international arbitral disputes in Africa. The panel would seek to inform international investors, academics and interested parties regarding the international arbitration landscape in Africa, compare and contrast the legal regimes in these jurisdictions and offer practical suggestions on how best to navigate investment disputes on the continent.

**Sponsoring Committees:**

*Africa Committee and International Arbitration Committee*

**Program Chair & Moderator:**

**Kel Jack**, *Solid Rock Solutions Group LLC, Stamford, CT*

**Speakers:**

**Lise Bosman**, *Permanent Court of Arbitration, Hague, Netherlands*

**Karel Daele**, *Mishcon de Reya, London, United Kingdom*

**Marielle Koppénol-Laforce**, *Houthoff Buruma, Rotterdam, Netherlands*

**Dorothy Ufot**, *Dorothy Ufot & Co, Lagos, Nigeria*

FRIDAY, APRIL 26

**11:00 am – 12:30 pm**  
**EU Money Laundering Disclosure**  
**Obligations: What Non-EU Lawyers**  
**Need to Know in Joint Representations**

FINANCE, FINANCIAL CRISIS AND CORRUPTION

*With Thanks to Our Track Sponsor:*



Among the issues that confound attorneys practicing outside of the EU are the money laundering disclosure obligations imposed on attorneys practicing in the EU. What triggers them? Are they confined to issues associated with the payment of legal fees or designing avoidance schemes? Or, are other factors involved? What is the role of the attorney-client privilege in determining whether disclosure is required? How do the disclosure obligations in the EU differ from disclosure obligations of U.S., Canadian, or Latin American attorneys? These and a host of related questions will be addressed by a panel of experts in a format designed to elicit timely and useful answers and insights. Samples of other questions to be addressed include:

- What if a U.S., Canadian, or Latin American attorney is representing a client where money laundering concerns exist, does seeking advice from EU counsel associated with that client trigger disclosure obligations in the EU?
- What about a proposed transaction where an EU counsel's involvement is required and money laundering issues are raised in the course of discussions between EU counsel and counsel for the U.S., Canadian, or Latin American company?
- What about a merger with an EU company and a U.S., Canadian, or Latin American company where the EU counsel becomes aware of money laundering concerns raised by the compliance officials associated with the U.S., Canadian, or Latin American company?

**Sponsoring Committee:**  
*International Anti-Money*  
*Laundering Committee*

**Program Chair:**  
**Danielle Lindholm**, *BAE Systems,*  
*Washington, DC*

**Program Chair & Moderator:**  
**Stuart H. Deming**, *Deming PLLC,*  
*Washington, DC*

**Speakers:**  
**Alex Blumrosen**, *Bernard-Hertz-Béjot,*  
*Paris, France*

**Truman Butler**, *Wells Fargo,*  
*Charlotte, NC*

**Vivian Robinson QC**, *McGuireWoods*  
*London LLP, London, United Kingdom*

**Blaise Stucki**, *Schellenberg Wittmer,*  
*Geneva, Switzerland*

**11:00 am – 12:30 pm**  
**Lessons to Be Learned from Heightened**  
**Enforcement Actions Relating to Export**  
**Control and Economic Sanctions Violations**

CUSTOMS AND TRADE

*With Thanks to Our Track Sponsor:*



In recent years, the U.S. Government has significantly bolstered its enforcement of export control and economic sanctions laws and regulations and has issued staggering fines for such violations, such as the \$619 million penalty that was imposed on ING Bank NV in 2012. Moreover, the U.S. Department of Justice (DOJ) has launched hundreds of criminal investigations relating to such suspected violations during the past few years and has urged that the U.S. Sentencing Commission endorse mandatory minimum sentences for certain kinds of export control violations. During this program, a panel of seasoned U.S. and Canadian attorneys, including Government officials who have been on the front lines of these efforts, will discuss the enforcement initiatives that have been undertaken, the

results to date, and recommendations for best practices that can be implemented to comply with the applicable laws and regulations and avoid becoming the target of an enforcement action.

**Sponsoring Committees:**

*Export Controls & Economic Sanctions Committee, International Trade Committee, Aerospace and Defense Industries Committee, International Corporate Counsel Committee, and National Security Committee*

**Program Chairs & Moderators:**

**Geoffrey Goodale**, *Cooley LLP, Washington, DC*

**David Laufman**, *Law Offices of David H. Laufman, PLLC, Washington, DC*

**Speakers:**

**Chester Paul Beach, Jr.**, *United Technologies Corporation, Hartford, CT*

**Alison Cooper**, *PayPal (and former OFAC Enforcement Section Chief), Washington, DC*

**Lisa Monaco**, *U.S. Department of Justice, Washington, DC*

**Glenn Smith**, *U.S. Department of State, Washington, DC*

**11:00 am – 12:30 pm**

**The False Claims Act and International Trade Rules: A New Compliance Challenge**

**CUSTOMS AND TRADE**

*With Thanks to Our Track Sponsor:*

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Qui tam lawsuits under the False Claims Act, which provides for treble damages and a civil penalty of between \$5,500 and \$11,000 per transaction, are increasingly based on allegations of violations of international trade rules. Competitors and employees have an incentive to bring such claims because they stand to recover up to thirty percent of the judgment or settlement. FCA claims significantly raise the stakes for incorrect country of origin determinations, erroneous tariff classifications and even export control violations. Some companies have used the

FCA to their competitive advantage, and employees are alert to the opportunity to earn millions by filing lawsuits based on their employers' mistakes. This program will explore how companies can defend themselves from FCA claims stemming from compliance lapses or offensive uses of the FCA by competitors.

**Sponsoring Committees:**

*Customs Law Committee, International Trade Committee, International Procurement Committee, Export Controls and Economic Sanctions Committee, Aerospace and Defense Committee*

**Program Chair & Moderator:**

**Lisa Crosby**, *Sidley Austin LLP, Washington, DC*

**Speakers:**

**Mary Andruess**, *Arent Fox LLP, Los Angeles, CA*

**Toni Dembski-Brandl**, *Target, Minneapolis, MN*

**John Dickson**, *Nation Ford Chemical Company, Fort Mill, SC*

**12:45 pm – 2:15 pm***Ticketed Event***Luncheon with Supreme Court Justice Ruth Bader Ginsburg**

Ruth Bader Ginsburg, Associate Justice, was born in Brooklyn, New York, March 15, 1933. She married Martin D. Ginsburg in 1954, and has a daughter, Jane, and a son, James. She received her B.A. from Cornell University, attended Harvard Law School, and received her LL.B. from Columbia Law School. She served as a law clerk to the Honorable Edmund L. Palmieri, Judge of the United States District Court for the Southern District of New York, from 1959–1961. From 1961–1963, she was a Research Associate and then Associate Director of the Columbia Law School Project on International Procedure. She was a Professor of Law at Rutgers University School of Law from 1963–1972, and Columbia Law School from 1972–1980, and a Fellow at the Center for Advanced Study in the Behavioral Sciences in Stanford, California from 1977–1978. In 1971, she was instrumental in launching the Women's Rights Project of the American Civil Liberties Union, and served as the ACLU's General Counsel from 1973–1980, and on the National Board of Directors from 1974–1980. She was appointed a Judge of the United States Court of Appeals for the District of Columbia Circuit in 1980. President Clinton nominated her as an Associate Justice of the Supreme Court, and she took her seat August 10, 1993.

**2:30 pm – 4:00 pm****European Law On Cross-Border Lending, As Navigated In Its Emerging Market Jurisdictions**

FINANCE, FINANCIAL CRISIS AND CORRUPTION

*With Thanks to Our Track Sponsor:*

Finance to meet the corporate and infrastructure developmental needs of Europe's emerging economies navigates a complex mix of national and European Union norms. In these turbulent economic times, what kinds of lenders are meeting these needs? What legal risks do they face? What are the relative contributions of national and European law? To what extent do lenders 'shop for law' by pushing parts of the transactions 'off-shore', within or outside the European Union? What difference does the borrower's jurisdiction of organization make? What alternatives exist to private and multilateral lending institutions? What happens if an investment goes bad? In the format of a roundtable interview, a global investor, an in-house financial institution counsel, practitioners of financial law, and a banker will debate answers to these and other questions arising when lending and borrowing in Europe's emerging markets

**Sponsoring Committee:***Europe Committee***Program Chair:****Patrick Del Duca**, *Zuber Lawler & Del Duca, Los Angeles, CA***Program Chair & Speaker:****Georgi Gouginski**, *Djingov, Gouginski, Kytchukov & Velichkov, Sofia, Bulgaria***Moderator:****Margaret Bae**, *ContourGlobal, New York, NY***Speakers:****Anton Janes**, *Erste Group Bank AG, Vienna, Vienna, Austria***Buse Pnar Kaçar**, *ING Bireysel Emeklilik, Istanbul, Turkey***Louis Milicich**, *SNR Denton US LLP, Chicago, IL*

**2:30 pm – 4:00 pm**  
**Hearing of Witnesses in Various Countries of the World**

**DISPUTE RESOLUTION**

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How to do you get the right answers in a witness hearing if the hearing is abroad and follows other rules? This challenge will be presented in the form of a mock witness hearing (one witness, a US lawyer asking questions and assisted by one European lawyer, a European judge and for the witness a European lawyer). Overall comments from a UK lawyer, as the 'third' system, will complete the picture. Issues that will be brought up are to what extent the US style of questioning can be introduced in the European courts. What rules of local law remain applicable nonetheless? How to deal with privilege issues. Which law will be applied thereto? A US lawyer will explain the use of those foreign witness hearings in the U.S. courts and the influence thereof on those conducting the hearings in a foreign court to secure that you get what you want from the hearing. Everything will circle around the different ways witnesses are interrogated around the world, need it be done through the court, how their statements are recorded, if recorded at all, how you can use the transcripts and the many surprises that lawyers will face abroad, whether going through the Hague Evidence Convention or in a different way.

**Sponsoring Committees:**

*Europe Committee and International Litigation Committee*

**Program Chairs & Speakers:**

**Mark C. Hilgard**, *Mayer Brown LLP, Frankfurt am Main, Germany*

**Marielle Koppenol-Laforce**, *Houthoff Buruma, Rotterdam, Netherlands*

**Moderator:**

**Glenn Hendrix**, *Arnall Golden Gregory LLP, Atlanta, GA*

**Speaker:**

**Steven Loble**, *Sherrards Solicitors, London, United Kingdom*

**2:30 pm – 4:00 pm**

**Hot Topics in International Trade Policy: Recent Accomplishments and Setbacks and Plans for Moving Forward on Key Initiatives**

**CUSTOMS AND TRADE**

*With Thanks to Our Track Sponsor:*



Many important international trade issues were considered in 2012, including the Trans-Pacific Partnership Agreement, Russia's accession to the World Trade Organization (WTO) and Permanent Normal Trade Relations (PNTR) with the United States, the Obama Administration's export control reform initiative, and proposed legislation to facilitate U.S. Customs modernization and augment the jurisdiction of the U.S. Court of International Trade (CIT). In addition, several important decisions were rendered by the WTO's Dispute Settlement Body, and the U.S. Trade Representative (USTR) worked diligently to pursue U.S. trade interests in a number of high profile matters. During this program, key Congressional staff members, USTR officials, and private practitioners will discuss accomplishments and setbacks in these areas and plans for moving forward on those matters that still remain to be resolved and for pursuing other global trade priorities.

**Sponsoring Committees:**

*International Trade Committee, Export Controls & Economic Sanctions Committee, International Environmental Law Committee, Young Lawyers Interests Network (YIN)*

**Program Chair & Moderator:**

**Geoffrey Goodale**, *Cooley LLP, Washington, DC*

**FRIDAY, APRIL 26**



**Speakers:**

**Amber Cottle**, *Chief International Trade Counsel, Senate Finance Committee, Washington, DC*

**Angela Ellard**, *Chief Trade Counsel, House Ways and Means Committee, Washington, DC*

**Matthew Nicely**, *Thompson Hine LLP, Washington, DC*

**Kevin J. Wolf**, *Assistant Secretary of Commerce for Export Administration, U.S. Department of Commerce, Washington, DC*

## 2:30 pm – 4:00 pm Rwandan Refugees – Is it Safe to Come Home?

### HUMAN RIGHTS AND PUBLIC LAW

As UNHCR recommends all States to invoke the Cessation Clause for Rwandan refugees by 30 June 2013, for those who escaped events that occurred between 1956 and 1998, Rwandan refugees worldwide have launched a campaign urging the legal community to question whether Rwanda is a 'safe' country under the 1951 Geneva Convention. Through the presentation of testimonies of Rwandans who fled before 1998 but have had to flee again because of a well-founded fear of persecution, this program raises the question: Can UNHCR continue to justify the invocation of the Cessation Clause given evidence that many who fled before 1998 and repatriated have again faced persecution and have had to escape Rwanda once more? Will Rwandans everywhere, but particularly in Africa, face the same crises as have many Angolans and Liberians in June 2012 – resisting forced repatriation with no alternative statuses provided in their host countries?

**Sponsoring Committees:**

*International Refugee Law Committee, Africa Committee*

**Program Chair:**

**Galya Ruffer**, *Northwestern University, Evanston, IL*

**Moderator:**

**Deirdre Clancey**, *International Refugee Rights Initiative, Kampala, Uganda*

**Speakers:**

**Alice Edwards**, *United Nations High Commissioner for Refugees (UNHCR), Geneva, Switzerland*

**Barbara Harrell-Bond**, *Director, Fahamu Refugee Programme, Oxford, United Kingdom*

**Manzi Mutuyimana**, *Independent Journalist, Kampala, Uganda*

**Filip Reyntjens**, *Institute of Development Policy and Management, University of Antwerp, Antwerp, Belgium*

## 2:30 pm – 4:00 pm To Bribe or Not to Bribe, That is the Question: The Answer? A Resounding NO. The Advice: Who, What, Where and Why?

### FINANCE, FINANCIAL CRISIS AND CORRUPTION

*With Thanks to Our Track Sponsor:*



Multinationals and SMEs alike are increasingly conducting business in high-risk jurisdictions. Faced with unfamiliar local business customs and uncoordinated HR and compliance functions, a company may find itself falling afoul of both local and overseas anti-corruption legislation for conduct that could have been mitigated with stronger employment and compliance controls. This international panel will focus on proactive measures that HR can take to strengthen compliance regimes, including the implementation of anti-corruption, whistleblowing and hospitality policies; HR due diligence in M&A transactions and of other relevant third parties; undertaking effective internal investigations (including consideration of data privacy concerns); and minimizing the risk of claims by, or unsuccessful dismissals of, wrongdoers. Speakers will also address: WHOse actions companies can be liable for; WHAT constitutes a bribe under different laws; determination of applicable law(s) depending WHERE the act occurs; and the relevance of the wrongdoer's intention -WHY the 'bribe' was given or received.



#### **Sponsoring Committees:**

*International Employment Law Committee,  
International Anti-Corruption Committee,  
China Committee, India Committee*

#### **Program Chairs:**

**Anna Birtwistle**, *CM Murray LLP,  
London, United Kingdom*

**Lesli Ligorner**, *Simmons & Simmons LLP,  
Shanghai, China*

#### **Speakers:**

**Carson Burnham**, *Ogletree Deakins,  
Boston, MA*

**Jan Rudolph**, *Noerr LLP, Munich,  
Germany*

**Pei-Li Wong**, *BDO Consulting,  
New York, NY*

**Fadila Yusuf**, *In-house Counsel Peugeot,  
Abuja, Nigeria*

**2:30 pm – 4:00 pm**

### **When is a Parent or a Shareholder Liable? The Shifting Sands of Limited Liability Across the Globe**

DISPUTE RESOLUTION; CORPORATE TRANSACTIONS

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**Grant Thornton**

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Once called ‘the greatest single discovery of modern times’, the doctrine of limited liability faces nearly daily attacks on its application, creating risk and uncertainty in corporate structures that previously admitted of neither. Recent judicial decisions in the US, the EU and elsewhere, as well as the actions of market regulators across the globe, have both called into question the extent to which courts will presume the existence of limited liability and redefined who must bear the burden of proof where one company is sought to be held liable for the conduct of another. This panel will explore the state of limited liability law in major jurisdictions, including the U.S., the E.U., Canada and Brazil, with particular focus on parental and shareholder liability. In particular, the panel will examine the implications of the recent Mabey & Johnson Ltd.

case from the UK (shareholder liability), the European Commission’s twin decisions in du Pont and Dow Chemical (shareholder liability for conduct of a joint venture), the European Court’s decisions in Elf Aquitaine and Air Liquide and the European Commission’s decision in Akzo Nobel (parent liability for subsidiary conduct). The panel will also explore the intellectual basis for the limited liability doctrine, offer practical advice for corporate counsel regarding the liability of related entities within their organization, explore how eroding standards for vicarious theories of liability have exposed parents and shareholders to liability in private lawsuits and regulatory investigations, as well discuss strategies for structuring transactions to minimize liability concerns in mergers and acquisitions. In the dawn of a new age of cross-border regulation, this panel is essential viewing for both outside and corporate counsel alike, as they seek to protect their clients in the shifting sands of liability law.

#### **Sponsoring Committee:**

*International Antitrust Law Committee*

#### **Program Chair & Moderator:**

**Ethan Litwin**, *Hughes Hubbard & Reed  
LLP, New York, NY*

#### **Speakers:**

**Susana Cabrera**, *J&A Garrigues, S.L.P.,  
Madrid, Spain*

**Ana Paula Martinez**, *Levy & Salomão  
Advogados, São Paulo, Brazil*

**Martin Masse**, *McMillan LLP, Ottawa,  
Ontario, Canada*

**Stephen Mavroghenis**, *Shearman &  
Sterling LLP, Brussels, Belgium*

**4:00 pm – 4:30 pm**  
**Networking Break**

**4:00 pm – 4:30 pm**  
**“How To” Series**

The Section’s “How To” Series continues with a focus on “Developing Programs with the Section,” “Section Publishing

– How to Get Your Name in Print” and “Policy and the Section.” Each session will enable meeting attendees to learn more about the Section.

**4:30 pm – 6:00 pm**

**A Close Look at the U.S. Court of Appeals for the Federal Circuit (CAFC) and the U.S. Court of International Trade (CIT): Recent Developments, Trends, and Keys to Effective Advocacy**

**CUSTOMS AND TRADE**

*With Thanks to Our Track Sponsor:*

**THOMPSON  
HINE**

The vast majority of legal challenges pertaining to trade-related determinations issued by various U.S. Government agencies are initially filed with the U.S. Court of International Trade (CIT), and virtually all appeals of CIT decisions are filed with the U.S. Court of Appeals for the Federal Circuit (CAFC). In the past year, the CIT and the CAFC have issued a number of seminal decisions. During this program, judges from the CIT and the CAFC, and private practitioners with considerable experience before those courts, will discuss some of these important decisions, recent trends in cases, and tips for effective advocacy before both courts.

**Sponsoring Committees:**

*Customs Law Committee, International Trade Committee, International Corporate Counsel Committee, International Litigation Committee, Young Lawyers Interests Network (YIN)*

**Program Chair & Moderator:**

**Geoffrey Goodale**, *Cooley LLP, Washington, DC*

**Moderator:**

**The Honorable Tina Kimble**, *U.S. Court of International Trade, New York, NY*

**Speakers:**

**Nancy Noonan**, *Arent Fox LLP, Washington, DC*

**Richard Belanger**, *Sidley Austin LLP, Washington, DC*

**The Honorable Jane Restani**, *U.S. Court of International Trade, New York, NY*

**The Honorable Evan Wallach**, *U.S. Court of Appeals for the Federal Circuit, Washington, DC*

**4:30 pm – 6:00 pm**

**At the Gates of the BRIC Countries: Regulatory Barriers to Private Equity Acquisitions**

**CHINA AND ASIA**

The BRIC countries are the new frontier for the private equity (PE) industry and numerous global and sovereign investment funds have sought to set up local operations and acquire stakes in major companies. This panel of experienced antitrust, capital markets, and transactional lawyers will discuss the regulatory landscapes for PE acquisitions. Speakers representing PE firms, corporate counsel, and outside counsel, will present several examples of specific regulatory barriers and offer insights on requirements to close deals. Topics also include complying with strict requirements for transparency and liquidity, industries considered strategic in those jurisdictions and open for investment only in special cases, and antitrust issues arising from acquisitions of partial ownership interests in two or more competitors.

**Sponsoring Committees:**

*International Antitrust Law Committee, International Financial Products & Services Committee, International Securities and Capital Markets Committee, Russia/Eurasia Committee, India Committee, China Committee*

**Program Chairs & Moderators:**

**Bruno L. Peixoto**, *Araújo e PolICASTRO Advogados, São Paulo, Brazil*

**Walter Stuber**, *Walter Stuber Consultoria Jurídica, São Paulo, Brazil*

**Speakers:**

**Paul Edelberg**, *Fox Rothschild LLP, Stamford, CT*

**Robert Langer**, *K&L Gates LLP, Moscow, Russian Federation*

**Eduardo Marini**, *General Atlantic, São Paulo, Brazil*

**Pitri Suri**, *PSA Legal Counsellors, New Delhi, India*

**4:30 pm – 6:00 pm**

### **Frodo v. Mordor: Developments in Foreign Sovereign Immunity and Alien Tort Claims**

#### **DISPUTE RESOLUTION**

*With Thanks to Our Track Sponsor:*



**Grant Thornton**

*An instinct for growth™*

Sovereign immunity, alien tort claims and individual versus national liability continue to be at the forefront of international jurisprudence. Utilizing a fanciful set of facts gleaned from the classic Lord of the Rings trilogy, this program explores recent Supreme Court precedent governing civil suits against foreign nations and individual rulers in American courts, focusing on the Tort Claims Act and the Foreign Sovereign Immunities Act, as well as choice of law issues and possibly applicable Human Rights treaties. The program will take form of an oral argument, with interactive audience participation on the issues. With lawyers from EU and Latin American jurisdictions, the program will also explore the implications of treaties and non-U.S. law in resolving these issues.

#### **Sponsoring Committee:**

*International Litigation Committee*

#### **Program Chair & Moderator:**

**Steven Richman**, *Duane Morris LLP, Cherry Hill, NJ*

#### **Speakers:**

**Kieran Cowhey**, *Dillon Eustace, Dublin, Ireland*

**Merril A. Keane**, *Miller Nash LLP, Portland, OR*

**Marilyn Kaman**, *Minnesota State Judge, Minneapolis, MN*

**Fernando Jamarne**, *Alessandri & Compania, Santiago, Chile*

**Meredith Parenti**, *Weil, Gotshal & Manges LLP, Houston, TX*

**4:30 pm – 6:00 pm**

### **Help! We're on the Market: Exploring Director and Manager Duties in Corporate Sale Transactions**

#### **CORPORATE TRANSACTIONS**

This panel will be based on a cross-border transaction fact-pattern, and will explore jurisdictional differences in directors' duties as they arise in the context of the sale of a company. Specifically, we will discuss: (i) do directors have the duty to maximize value in a sale, and if so, to whom is that duty owed; is there ever a duty to auction the company?; (ii) how is value determined; (iii) how are directors permitted to respond to hostile transactions, including non-frustration rules and their impact; (iv) what types of deal protection devices are permissible and how are they reviewed? In addition, we will discuss the differing processes by which deals can be challenged by regulators or by private actions in various jurisdictions, and rights that dissenting shareholders may have.

#### **Program Chair & Moderator:**

**Elena Norman**, *Young Conaway Stargatt & Taylor, LLP, Wilmington, DE*

#### **Speakers:**

**Vanesa Balda**, *Vitale, Manoff & Feilbogen, Buenos Aires, Argentina*

**Jeff Kerbel**, *Bennett Jones LLP, Toronto, Ontario, Canada*

**The Honorable Abigail M. LeGrow**, *Master, Delaware Court of Chancery, Dover, DE*

**Maura McLaughlin**, *Arthur Cox, Dublin, Ireland*

**William D. Savitt**, *Wachtell, Lipton, Rosen & Katz, New York, NY*

**FRIDAY, APRIL 26**

**4:30 pm – 6:00 pm****Silk Road Pharma: Staying at the Head of the Caravan in the Fast Growing Pharmaceutical Markets of Ukraine, Russia and Other CIS Countries****CHINA AND ASIA**

What does it take for your life sciences clients to gain a firm foothold – and then stay on track – in the fast growing \$30 billion emerging pharmaceutical markets of the Commonwealth of Independent States ('CIS')? Our panel will present an overview and comparison of nascent and more mature country markets. Panelists will share their experiences in dealing with a wide array of legal issues: country constitutions mandating health care and services; bioethical and regulatory aspects for clinical trials; medicines and price registration; procurement; customs; importation, IP – litigation practices and data exclusivity. New government interventions will be reviewed: on import substitution programs and insurance system integration – in Ukraine, Russia, Kazakhstan and Belarus – and the resulting opportunities for mergers and acquisitions. The panel will also discuss the Pharmaceutical Inspection Cooperation Scheme – PIC – which is an informal arrangement of some 37 members worldwide. The PIC scheme runs in parallel with the Convention for the Mutual Recognition of Inspection in respect of the Manufacture of Pharmaceutical Products (Pharmaceuticals Inspection Convention) which came into effect in 1972. Panelists will discuss Ukraine efforts to harmonize its pharmaceutical legislation with requirements of the European Union. Significant regulatory restrictions in the area of medicinal products advertisement and promotion, as well as in the area of interaction with the healthcare professions, which have been recently introduced in the region along with the respective enforcement practices will be discussed. Finally the panelists will discuss the enforcement practices of the local antitrust

authorities, which have been quite active in the sector investigations recently.

**Sponsoring Committee:**

*International Life Sciences and Health Law Committee*

**Program Chair:**

**William Lane Porter**, *Porter International Health Law Consulting, Washington, DC*

**Moderator:**

**Timur Bondaryev**, *Arzinger, Kyiv, Ukraine*

**Speakers:**

**Nina Belozertseva**, *Goltsblat BLP, Moscow, Russia*

**Natalia Gulyayeva**, *Hogan Lovells, Moscow, Russia*

**Polina Presnyakova**, *MSD Pharmaceuticals, Moscow, Russia*

**Yeugen Zaika**, *Nycomed/Takeda Ukraine, Kyiv, Ukraine*

**4:30 pm – 6:00 pm****Tinker, Tailor, Soldier . . . Compliance Officer: The Changing Landscape of International Defense Sector Compliance****CUSTOMS AND TRADE**

*With Thanks to Our Track Sponsor:*

**THOMPSON  
HINE**

In trying global economic times, defense sector firms increasingly look abroad to enhance their revenue potential. However, looking abroad for additional business presents not only opportunities but also substantial compliance risks. Different nations' diverse and ever-expanding regulatory regimes, industrial policy measures and national security approaches all play a role in making the legal framework facing defense firms more complicated and challenging than ever.

**Sponsoring Committees:**

*Aerospace and Defense Industries Committee, International Procurement Committee*

**Program Chair & Moderator:**

**W. Hartmann Young**, *Perkins Coie LLP, Washington, DC*

**Program Chair & Speaker:**

**Mark Nackman**, *General Dynamics,  
Washington, DC*

**Speakers:**

**Poorvi Chothani**, *LawQuest, Mumbai,  
Mumbai, India*

**Paul Lalonde**, *Heenan Blaikie LLP,  
Toronto, Ontario, Canada*

**Kimberly Strosnider**, *Covington &  
Burling, LLP, Washington, DC*

**7:00 pm – 10:00 pm**

**Chair's Closing Reception at the  
United States Institute of Peace**

2301 Constitution Avenue Northwest,  
Washington, DC

One ticket per person is included  
as part of your Spring Meeting  
registration fee; this reception is free for  
meeting attendees who have registered  
for the entire conference.

**10:30 pm – 1:00 am**

**After-Hours Reception**

*(Location TBD)*

One ticket per person is included  
as part of your Spring Meeting  
registration fee; this reception is free for  
meeting attendees who have registered  
for the entire conference.

**SATURDAY, APRIL 27**

**7:30 am – 9:30 am**

**Council Continental Breakfast**

**9:00 am – 12:30 pm**

**Council Meeting**

**1:00 pm – 3:00 pm**

*Ticketed Event*

**Young Lawyers' Brunch at the W Hotel**

W Hotel

515 15th St NW, Washington, DC 20004

*With Thanks to our Sponsor:*



*Presented in Conjunction with*



**SATURDAY, APRIL 27**

# 2013 SPRING MEETING

## GENERAL INFORMATION

### REGISTRATIONS/EARLY BIRD DISCOUNTS

Registrations must be postmarked no later than **March 4, 2013**, to receive the early bird discount. Registrations must be received by the Section office by **April 15, 2013**, for registrants to be included in the List of Attendees on the meeting website.

### REFUND POLICY

- Cancellations must be made in writing and received by the Section office by **April 15, 2013**, for a full refund of fees, less a \$100.00 administrative fee. No refund of registration or fee for a ticketed event will be granted after that date *except in the case of medical emergency or extenuating circumstances approved by the Section in its sole discretion.*
- When a completed registration form and payment have been submitted to the Section office either by mail, fax, e-mail or through our online registration system, the registration is considered to be a firm commitment and you will be expected to pay the registration and any ticketed event fees, unless a written cancellation is received as set forth above.
- Individuals may re-sell their purchased lunch & guest tickets to other meeting attendees unless the ticket is indicated to be “non-transferable.”
- Any refunds issued will be processed to the credit card on file for individuals who made fee payment via credit card.

### EVENT TICKETS

All evening receptions are included with your registration fee. Tickets for guests/spouses and luncheons may be purchased in advance on the registration form or on-site up until **the day before the event is scheduled to take place**. We regret that because we must guarantee our final numbers with the hotel and venues in advance of the event, we can not sell same-day tickets. However, there will be a board in the Registration Area and Exhibition Hall where meeting attendees may exchange and gift tickets.

### HOTEL ACCOMMODATIONS

The host hotel for the 2013 Spring Meeting is the Hyatt Regency Washington on Capitol Hill. The Hyatt Regency Washington on Capitol Hill has reserved a limited block of rooms for the group until **March 11, 2013** at the special nightly rate of **\$279** plus applicable daily tax per room for single/double occupancy. Reservations may be made online at <https://resweb.passkey.com/go/ABAINTL2013>. The number of rooms available at this special rate is limited, so early booking is recommended.



## TRAVEL INFORMATION

You are encouraged to make your airline reservations online via the American Bar Association (ABA) travel site where you automatically receive specially negotiated ABA airfare and car rental discounts from a variety of carriers. Simply visit [http://www.americanbar.org/membership/benefits\\_of\\_membership/travel\\_services.html](http://www.americanbar.org/membership/benefits_of_membership/travel_services.html) to make your travel arrangements. If you have not used this site before, it only takes a few moments to establish a username and password allowing you to immediately book your reservations.

## DRESS CODE

For the 2013 Spring Meeting, business attire is appropriate for programs and meetings as well as the planned social networking events.

## MANDATORY CONTINUING LEGAL EDUCATION CREDIT (MCLE)

Accreditation has been requested for the 2013 Spring Meeting programs by the ABA MCLE Division from most states with general mandatory continuing legal education requirements for all lawyers admitted in that state. All appropriate paperwork will be available at the CLE Counter next to the Registration counter.

ABA programs ordinarily receive CLE credit in AK, AL, AR, AZ, CA, CO, DE, FL, GA, GU, HI, IA, ID, IL, IN, KS, KY, LA, ME, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, RI, SC, TN, TX, UT, VT, VA, VI, WA, WI, WV, and WY. These states sometimes do not approve a program for credit before the program occurs. For more information about CLE accreditation in your state, visit <http://www.americanbar.org/groups/cle.html>.

## EXHIBITION AREA

The Exhibitors and Sponsors exhibition area will be open from Wednesday, April 24 through Friday, April 26 at Hyatt Regency Washington on Capitol Hill. Representatives from a variety of service providers catering to the legal community will showcase their latest products and services to aid you in your practice. All meeting attendees are encouraged to visit the displays of the Section's partners throughout the meeting and in particular during the twice daily networking breaks.

If you are interested in partnering with the Section to be an exhibitor or sponsor, please contact Audrey Lamb at [audrey.lamb@americanbar.org](mailto:audrey.lamb@americanbar.org) or at + 1-202-662-1663 for additional details and information.

## 15% MEETING DISCOUNT ON SECTION PUBLICATIONS

Stop by the Section Membership and Publications Booth to preview the most popular Section titles and receive a 15% discount on all publication orders.



**ABA Section of  
International Law**  
*Your Gateway to International Practice*

# RULE OF LAW ACTIVITIES

“To advance the rule of law worldwide”

## What We Do:

- **INTERNATIONAL LEGAL RESOURCE CENTER:** provides technical legal assistance to the United Nations Development Programme (UNDP) and its 170 country offices worldwide
- **INTERNATIONAL MODELS PROJECT ON WOMEN'S RIGHTS (IMPOWR):** a web-based collaborative database to empower the global community on effective reform and enforcement efforts on laws affecting women's right
- **IPR ADVISORY PROGRAM:** provides a free, one hour consultation to American small and medium-sized businesses regarding the protection of its intellectual property rights in a number of countries
- **RULE OF LAW LETTERS:** letters issued by the ABA President to national governments to express the Association's concerns about alleged intimidation, harassment or abuse of lawyers, judges and human rights advocates

To learn more about our international rule of law activities, please visit: <http://ambar.org/introl> or contact Christina Heid, International Projects Director, at +1-202-662-1034 or [christina.heid@americanbar.org](mailto:christina.heid@americanbar.org).

**Make a gift of support.** With your help, the ABA Section of International Law can continue its rule of law work.\*

– Write a Check –

Make payable to Fund for Justice and Education  
(designate ABA Section of International Law on memo line)  
mail to: ABA Section of International Law  
740 15th Street NW, Washington, DC 20005

– Donate Online –

<https://donate.americanbar.org/international>

*\*Your contribution is tax-deductible.*



**ABA Section of  
International Law**  
*Your Gateway to International Practice*

## INTERNATIONAL LEGAL RESOURCE CENTER

The International Legal Resource Center (ILRC) is a project that represents the common commitment of UNDP and the American Bar Association Section of International Law to advocate for the rule of law and good governance on a global scale. The ILRC identifies legal experts for short- and long-term to support UNDP programs designed to address a host of substantive legal issues. Services also include conducting legal research and analysis and coordinating legislative assessments.

**Learn more about the ILRC** by visiting our table at the Spring Meeting or visiting us online at <http://ambar.org/ilrc>.

The ILRC is continually searching to grow and diversify its pool of legal experts for UNDP in-country assignments. If you wish to register to become a legal expert with the ABA-UNDP ILRC, please complete the registration form at: <http://ambar.org/ilrc>.

If you have any questions, please contact: Jacqueline Gichinga, the ILRC Program Associate, at +1-202-662-1662 or [jacqueline.gichinga@americanbar.org](mailto:jacqueline.gichinga@americanbar.org).

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### UNDP/Maldives- Capacity Needs Assessment of Justice Institutions

"It was particularly pleasing to note that there is a high desire amongst the people to engage with the reform process. It was a privilege and a delight to have been given the opportunity to undertake this evaluation mission."

Sam Makkan; United Kingdom

"While in the Maldives, I was fortunate to have had the opportunity to meet with nearly 100 individuals including judges, present and former government officials, judicial staff, and other national stakeholders. I was even more fortunate to have worked with this judiciary that is in the midst of dynamic democratic reforms that are both exciting and challenging."

Judge Thomas A. Wallitsch (ret.); Allentown, Pennsylvania





# ABA Section of International Law

*Your Gateway to International Practice*

Membership in the ABA Section of International Law for Corporate Counsel attorneys will give you access to a network of 24,000+ legal professionals in over 90 countries.

## Member Benefits include:

- Seasonal Meetings around the globe. Upcoming events include the 2013 Spring Meeting in Washington D.C., April 23-27; and the 2013 Fall Meeting in London, England, October 15 - 19.
- Cutting-edge, expert CLE programming
- Free subscriptions to *The International Lawyer*, and the *International Law News*
- Access to more than 60+ special interest & regional committees including the International Corporate Counsel Committee.
- Discounts on Section Books
- Opportunities in Section leadership and advocacy

Join Today at [www.americanbar.org/intlaw](http://www.americanbar.org/intlaw)



**Online registration is strongly encouraged. Pre-registration closes on April 15, 2013.**

**All registrations received after April 15<sup>th</sup> (including on-site registrations) will be subject to a 15% increase in price.**

## I. Registrant Information

ABA ID # (if applicable): \_\_\_\_\_

Name: \_\_\_\_\_

(TYPE or PRINT your name CLEARLY as you wish it to appear on badge.)

Firm/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State/Province/Region: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Country: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

☐ First-time attendee of a Section meeting?

## II. Guest/Spouse Information

Guests may attend **ticketed events ONLY** but must purchase a ticket for entry. (see section IV, ticketed event fees). Guests will NOT be permitted into any CLE programming session unless they register as a conference attendee.

Name of Guest: \_\_\_\_\_

Firm/Organization: \_\_\_\_\_

## III. Program Registration Fees

Fees are **ALL INCLUSIVE**. Admission includes all CLE programs and committee meetings (dinners excluded), and all Networking Breaks & Receptions. *Law students are excluded from all-inclusive pricing & should refer to website for ticket purchases.*

**CHECK ONE OF THE FOLLOWING:**

**International Law Section Member Rates:**

	Early Bird by March 4	Standard March 5-April 15*
<input type="checkbox"/> Full Section Member	\$995	\$1150
<input type="checkbox"/> Full-time Law Student ( <i>not inclusive</i> )	\$75	\$85
<input type="checkbox"/> Young Lawyer ( <i>35 years and under</i> )	\$495	\$595
<input type="checkbox"/> Full-time Gov. / Academics / NGOs	\$195	\$225
<input type="checkbox"/> Corporate Counsel	\$350	\$425
<input type="checkbox"/> Solo / Small Practice / Retired	\$450	\$525
<input type="checkbox"/> Tuesday Afternoon Programming**	\$250	\$295
<input type="checkbox"/> Wed., Thur. <b>OR</b> Fri. Programming** ( <i>Select 1</i> )	\$450	\$525

**Non-Section Member Rates:**

<input type="checkbox"/> Non-Member	\$1195	\$1375
<input type="checkbox"/> Full-time Law Student ( <i>not inclusive</i> )	\$100	\$125
<input type="checkbox"/> Young Lawyer ( <i>35 years and under</i> )	\$595	\$695
<input type="checkbox"/> Full-time Gov. / Academics / NGOs	\$295	\$325
<input type="checkbox"/> Corporate Counsel	\$450	\$525
<input type="checkbox"/> Solo / Small Practice / Retired	\$550	\$625
<input type="checkbox"/> Tuesday Afternoon Programming	\$300	\$350
<input type="checkbox"/> Wed., Thur. <b>OR</b> Fri. Programming ( <i>Select 1</i> )	\$600	\$695
<input type="checkbox"/> <b>SPEAKER DAY ONLY REGISTRATION**</b>	\$350	\$350

☐ **MEMBER OF COOPERATING ORGANIZATIONS** *May register under the member rates outlined above.*

Please Provide the Name of Entity: \_\_\_\_\_

## IV. Ticketed Event Fees

*Tickets are limited and subject to space availability on a first come, first served basis. Onsite ticket sales close 24 hours before the event takes place; note that tickets may not be available onsite. Please be sure to indicate below how many tickets you require for each event (include accompanying guests).*

Event Name	Qty	Total \$
Inclusive Guest Ticket for Evening Receptions <i>(Individual guest tickets are available upon request)</i>	_____ @ \$150	_____
Tues., CIT Joint Swearing-In Ceremony <i>(Note registration for this event closes April 5<sup>th</sup>)</i>	_____	Fees paid separately
Tues., International Practice Boot Camp <i>(Not included in full registration fee, except for law students and young lawyers)</i>	_____ @ \$35	_____
Wed., Luncheon with Keynote Speaker	_____ @ \$75	_____
Thurs., Luncheon with Keynote Speaker	_____ @ \$75	_____
Fri., Luncheon with Supreme Court Justice Ruth Ginsburg	_____ @ \$75	_____

☐ Do you require special dietary needs? If so, please describe.

## V. Make Your Payment

**Refunds will not be issued for cancellations received after April 15, 2013.**

Return this form by mail (740 15<sup>th</sup> Street, NW, Washington, DC 20005), fax (+1.202.662.1669) or email to [Michelle.Mattingly@americanbar.org](mailto:Michelle.Mattingly@americanbar.org).

**PAYING BY CREDIT CARD:**

CREDIT CARD TYPE: ☐ Visa ☐ MasterCard ☐ American Express

Total Payment: \$(USD) \_\_\_\_\_

Card Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

**Data Protection Notice – Please sign below:**

*By submitting this completed 2013 Spring Meeting registration form, you are providing us with personal information. By registering and signing this form below, you consent to our use of that information to complete the registration process and to compile data which the Section may use for Section membership and programming purposes only. Your payment information, including credit card information is used **only** to process payment for your 2013 Spring Meeting registration fees and is not retained for any other purposes whatsoever.*

Your signature: \_\_\_\_\_

Date: \_\_\_\_\_

**PAYING BY WIRE TRANSFER:**

Please include the following information when making payment via wire transfer:

Name of Section: Section of International Law  
Meeting: 2013 Spring Meeting  
Bank Name: JP Morgan Chase Bank  
Bank Address: 2218 Fifth Avenue, New York, NY 10037  
Bank Routing #: 021000021  
Account Name: American Bar Association  
Account Number: 50-03997  
SWIFT Code: CHASUS33

**PAYING BY CHECK:**

Please make check payments payable to the **American Bar Association in USD**. Return this form by mail to the address above.

## VI. Sign Up for International Law Section Membership

Membership dues are **free** for **ABA Members** when registering for the 2013 Spring Meeting as a Non-Member or Member of a Cooperating Organization. Free Section membership only applies to an individual who has **not** been a member of the Section at any time during the past two years.

- ☐ Lawyer Member\*\*\* (a \$55 value)
- ☐ Associate\*\*\* (a \$55 value)
- ☐ Law Student\*\*\*

## VII. Let Us Know If You Require Assistance

Please indicate if, under the Americans with Disabilities Act, you require specific aid or service during your attendance at the 2013 Spring Meeting:

- ☐ Audio
- ☐ Visual
- ☐ Mobile

## VIII. Refund Policy

Cancellations must be made **in writing** and received by the Section office by **April 15, 2013**, for a full refund of fees, less a \$100.00 administration fee. No refund of registration or fee for a ticketed event will be granted after that date *except in the case of medical emergency or extenuating circumstances approved by the Section in its sole discretion.*

When a completed registration form and payment have been submitted to the Section office either by mail, email or fax, the registration is considered to be a firm commitment and you will be expected to pay the registration and any ticketed event fees, unless a written cancellation is received as set forth above. Any refunds issued will be processed to the credit card on file for individuals who made registration payment via credit card.

## IX. Travel Information

The host hotel for the 2013 Spring Meeting is the Hyatt Regency Washington on Capitol Hill. The Hyatt Regency Washington on Capitol Hill has reserved a limited block of rooms for the group **until March 11, 2013** at the special nightly rate of **\$279** plus applicable daily tax per room for single/double occupancy. Reservations may be made online at <https://resweb.passkey.com/go/ABAINTL2013>. The number of rooms available at this special rate is limited, so early booking is recommended.

You are encouraged to make your airline reservations online via the American Bar Association (ABA) travel site where you automatically receive specially negotiated ABA airfare and car rental discounts from a variety of carriers. Simply visit [http://www.americanbar.org/membership/benefits\\_of\\_membership/travel\\_services.html](http://www.americanbar.org/membership/benefits_of_membership/travel_services.html) to make your travel arrangements. If you have not used this site before, it only takes a few moments to establish a username and password allowing you to immediately book your reservations.

## X. MCLE/CLE Credit

### MCLE/CLE CREDIT:

You will be required to fill in your **State License Number** on the MCLE/CLE sign in sheet at the 2013 Spring Meeting. Please come to the meeting with your license number(s) for those states you will be obtaining MCLE/CLE credit.

**MCLE/CLE credit has been requested.** For delegates where MCLE/CLE is mandatory, a Certificate of Attendance will be provided onsite.

*For questions regarding MCLE/CLE credit hours please visit the CLE Information Booth at the Meeting.*

**Online registration is strongly encouraged. Pre-registration closes on April 15, 2013.**

*All registrations received after April 15<sup>th</sup> (including on-site registrations) will be subject to a 15% increase in price.  
Please allow up to one (1) week for processing.*

### Mail to:

**ABA Section of International Law  
2013 Spring Meeting  
Attention: Michelle Mattingly  
740 Fifteenth Street, NW  
Washington, DC 20005 USA  
or fax to +1 202.662.1669**

*If you are completing the hard copy registration form and require a receipt please  
contact the Section office via email at [Michelle.Mattingly@americanbar.org](mailto:Michelle.Mattingly@americanbar.org).*

*Confirmation of registration will not be available until payment is received and processed.*

\* All registrations received after April 15<sup>th</sup> (including on-site registrations) will be subject to a 15% increase in price.

\*\* Includes one (1) evening reception

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