



NYSBACLE

Thursday, April 30, 2009
New York City

The Yale Club of New York City
50 Vanderbilt Avenue
New York, New York



INCLUDES
1.5 ethics credits
See inside for
more details.

First Annual
**Fundamentals of
International Practice**

**Organized by the International Section
and the Committee on
Continuing Legal Education of the
New York State Bar Association**

Register Now!
Save Money, and Guarantee
Your Seat at the Program!!!



Program Description

Fundamentals of International Practice is a full-day continuing legal education program dedicated to providing attorneys with an overview of international law and common issues encountered in cross-border legal practice. General topics include the framework of international legal practice and the differences in various sovereign legal systems, as well as the international aspects of a broad range of topics such as contract drafting, litigation and arbitration, regulatory issues, taxation, treaties, immigration, ethics and human rights, among others.

The program is designed for (1) attorneys who are starting their legal careers and have an interest in practicing internationally and (2) more-seasoned attorneys who are finding themselves increasingly involved in international practice or who would simply like to develop a broader understanding of the area.

Attorneys attending the Fundamentals of International Practice will:

- Develop a broad understanding of the legal and ethical challenges faced by foreign and multinational clients doing business in the United States and internationally.
- Gain a high-level understanding of the role of treaties, conventions, and other forms of international regulation.
- Learn about the differences between common law, civil law, and other legal systems.
- Become familiar with issues that commonly arise in the context of cross-border contracts and cross-border litigation and dispute resolution.
- Be able to spot legal issues affecting the movement of people and property across borders.
- Learn about the tax implications of international activity with respect to individuals and corporate entities.

Agenda

8:00 – 8:30 a.m. REGISTRATION (in Grand Ballroom)

8:30 – 8:45
Introduction

Speakers: **Christopher J. Kula, Esq.**
Shannon P. McNulty, Esq.

8:45 – 9:35

The Framework of International Legal Practice

- Relationship Between Private International Law and Public International Law
- The Role of Treaties in International Practice
- Navigating the Differences Between Common Law, Civil Law and Other Legal Systems
- Selection and Use of Foreign Legal Counsel

Speakers: **Michael W. Galligan, Esq.**
James R. Silkenat, Esq.

9:35 – 10:25

International Regulatory Regimes

- The European Union and Other Multilateral Institutions
- International Regulation of Trade
- International Regulation of the Environment

Speakers: **James R. Silkenat, Esq.**
Robert J. Leo, Esq.
Mark F. Rosenberg, Esq.

10:25 – 10:40 REFRESHMENT BREAK

10:40 – 11:55

Drafting an International Contract

- Choice of Law Provision
- Opt Out of International Sales Convention
- Cross-Border Securities Issues
- Intellectual Property Protection:
The Berne and Madrid Conventions
- Jurisdiction Provision
- Arbitration Clause

Speakers: **Jerry M. Nunes, Esq.**
L. Donald Prutzman, Esq.
Susan F. Pollack, Esq.

11:55 – 12:45 p.m.

Cross-Border Litigation and Dispute Resolution

- Hague Convention on Service of Process Abroad
- Hague Convention on Taking Evidence Abroad
- New York Convention on Enforcing Arbitral Awards
- European Conventions on Jurisdiction and Enforcement of Judgments

Speakers: **Birgit Kurtz, Esq.**
Thomas N. Pieper, Esq.

12:45 – 1:45 LUNCH (served)

1:45 – 2:40

Basics of International Taxation

- Cross-Border Tax Issues for Individuals
- Residence Tests, Avoiding Double Taxation, and Equalization Treaties
- Cross-Border Tax Issues for Corporate Entities
- Anti-Avoidance Regimes
- Transfer Pricing

Speakers: **Edward A. Vergara, Esq.**
Jeffrey M. Trinklein, Esq.

2:40 – 3:55

Spotting Legal Issues When Persons Move Across Borders

- Immigration and Bilateral Investment Treaties
- The Uniform Act on the Recognition of Community Property
- The Hague Conventions on Inter-County Adoption and Protection of Children
- International Conventions on Wills and Trusts
- Employment Issues for Multinational Employers

Speakers: **Allen E. Kaye, Esq.**
Rita Wasserstein Warner, Esq.
Dina Kapur Sanna, Esq.
Aaron J. Schindel, Esq.

3:55 – 4:10 REFRESHMENT BREAK

4:10 – 5:25

The Ethics of International Practice

- Avoiding Foreign Corrupt Practices
- Protecting Attorney-Client Confidentiality Across Borders
- “Know Your Client” Due Diligence
- Human Rights Considerations

Speakers: **Professor Carole L. Basri**
Steven C. Krane, Esq.
Michael Posner, Esq.

5:25 p.m. ADJOURNMENT

Program Faculty

International Section Chair

Michael W. Galligan, Esq.
Phillips Nizer LLP

Program Co-Chairs

Christopher J. Kula, Esq.
Phillips Nizer LLP

Shannon P. McNulty, Esq.
Curtis, Mallet-Prevost,
Colt & Mosle LLP

Panelists (in alphabetical order)

Carole L. Basri, University of Pennsylvania Law School * Michael W. Galligan, Esq., Phillips Nizer LLP * Dina Kapur Sanna, Esq., Day Pitney LLP * Allen E. Kaye, Esq., Law Offices of Allen E. Kaye, PC * Steven C. Krane, Esq., Proskauer Rose LLP * Birgit Kurtz, Esq., Crowell & Moring LLP * Robert J. Leo, Esq., Meeks, Sheppard, Leo & Pillsbury * Jerry M. Nunes, Esq., Baker & McKenzie LLP * Thomas N. Pieper, Esq., Chadbourne & Parke LLP * Susan F. Pollack, Esq., Curtis, Mallet-Prevost, Colt & Mosle LLP * Michael Posner, Human Rights First * L. Donald Prutzman, Esq., Tannenbaum Helpert Syracuse & Hirschtritt LLP * Mark F. Rosenberg, Esq., Sullivan & Cromwell LLP * Aaron J. Schindel, Esq., Proskauer Rose LLP * James R. Silkenat, Esq., Arent Fox LLP * Jeffrey M. Trinklein, Esq., Gibson Dunn & Crutcher LLP * Edward A. Vergara, Esq., Withers Bergman LLP * Rita Wasserstein Warner, Esq., Warner Partners, PC

8.5 TOTAL CREDITS

7.0 credit hours of practice management and/or professional practice; 1.5 credit hours in ethics

This **basic-level** course may be used for New York MCLE credit by all attorneys, **including** those who are newly admitted (less than 24 months).

This program has been approved for MCLE credit by the **State Bar of California** in the amount of **7.0** hours and by the **Pennsylvania Continuing Legal Education Board** for **7.0** credit hours of substantive law. All inquiries regarding MCLE credits may be directed to **(518) 487-5586**.

The **New York State Bar Association's Committee on Continuing Legal Education** has been certified by the **New York State Continuing Legal Education Board** as an **accredited provider of continuing legal education in the State of New York**.

IMPORTANT NOTICE: PROGRAM SEGMENT CREDIT ALLOWED ONLY WHEN PRESENT FOR ENTIRE SEGMENT. Under the New York State Continuing Legal Education Board Regulations and Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

We gratefully acknowledge the support and participation of the Young Lawyers Section in connection with this program.

Information and Policies

Pre-registration Strongly Advised: You can save money and guarantee your seat and course materials by registering early. Registrations received or postmarked within 10 days of the event, or at the door, are subject to a higher registration fee. Seating is limited in all locations and registrations are taken on a first-come, first-served basis. If you plan to pre-register within 10 days of the program or to register at the door, please call the CLE Registrar's Office at **(800) 582-2452** to verify that the program is not sold out or that the date or location has not been changed. Pre-registrants are guaranteed a seat and set of course materials, and will automatically be notified if there are any such changes in the date or location of the program.

Cancellations are easy – full refunds are given: Your full registration fee will be refunded if you give us notice no later than the close of business (4:45 p.m. EST) on the day prior to the date of the program for which you registered. To cancel, write the CLE Registrar's Office at One Elk Street, Albany, New York 12207; or fax **(518) 487-5618**; or call **(800) 582-2452**. If you do not cancel and do not attend the program, a complete set of materials will be forwarded to you in consideration of the registration fee. Non-registrants may purchase program materials after the final program date.


MCLE Credit: This program is acceptable for MCLE credit in New York and many other MCLE jurisdictions. Please see inside of this brochure for details.

Discounts and Scholarships: NYSBA members may apply for a discount or scholarship to attend this program, based on financial hardship. Under that policy, any member of our Association who has a genuine financial hardship may apply in writing, not later than two working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive a discount or scholarship, depending on the circumstances. For more details, please contact our CLE Registrar's Office at **(800) 582-2452**.

Non Members - Join the NYSBA and enjoy great discounts on CLE seminars, products, and other valuable NYSBA services. NYSBA members can save 30 percent or more over non-members on CLE seminars alone. Join now and take advantage of NYSBA membership discounts throughout the year.

If you wish to join, please contact NYSBA Membership Services at **(518) 487-5577** and an application will be sent to you.

Tape Recording of NYSBA Seminars is not permitted.

 **Accommodations for Persons with Disabilities:** We will make every reasonable effort to ensure that our programs are held in locations with barrier-free access for persons with mobility impairments. If you are planning to attend one of our programs and need assistance relating to some other type of disability, please contact us sufficiently in advance and let us know so that we can be prepared to make reasonable accommodations.

REGISTRATION FORM

Name _____

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Address _____

Business Phone (_____) _____

City _____ State _____ Zip _____

Email _____

Please enroll me in "First Annual Fundamentals of International Practice"

New York City, Thursday, April 30, 2009 (09824)

PROGRAM FEES

Early registrations (received or postmarked at least 10 days prior to the date of the registered session):

NYSBA members—\$200 non-members—\$240 NYSBA student members—\$45

Late registrations (received or postmarked thereafter, and on-site registrations):

NYSBA members—\$215 non-members—\$255 NYSBA student members—\$60

Check or money order enclosed in the amount of \$ _____

(Please make checks payable to the New York State Bar Association.)

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4 EASY WAYS TO REGISTER

 **Online** at www.nysba.org/cle

 **Call** us at **1.800.582.2452** (U.S. and Canada) or **518.463.3724** in the Albany & surrounding area

 **Mail** to: Registrar's Office
New York State Bar Association
One Elk Street, Albany, NY 12207

 **Fax** the order form to **518.487.5618**

For more information on our CLE Coupon Plan offering substantial savings on full-day, live programs, please contact the Registrar's Office at **1.800.582.2452**.


Source Code: CL3210

Program Location

Important Note: If you plan to pre-register within 10 days of the program or register at the door, please call us at **(800) 582-2452** or in Albany and surrounding area, dial **(518) 463-3724**, to verify that the program is not sold out or that the date or location has not been changed. Those who pre-register at least 10 days in advance of the program will automatically be notified of any such changes and will receive a full refund up to the day prior to the program, if they cannot attend and notify us of their cancellation. Please pre-register as early as possible.

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New York

The Yale Club of New York City
50 Vanderbilt Avenue
(Between East 44th and 45th Street, just west of Grand Central Terminal)
New York, New York 10017
Tel. (212) 716-2100

 See our Spring 2009 schedule online at www.nysba.org/cle

REGISTER EARLY, SAVE MONEY, AND GUARANTEE YOUR SEAT AT THE PROGRAM!!!

NYSBA CLE and NYSBA INTERNATIONAL SECTION *presents*

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Telephone (_____) _____

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