FUNDAMENTALS OF INTERNATIONAL PRACTICE

Featured at the International Law Boot Camp of the
ABA Section of International Law 2010 Spring Meeting

Co-Presented by:

New York State Bar Association International Section

and

American Bar Association Section of International Law

Tuesday • April 13, 2010

Grand Hyatt New York
109 East 42nd Street | New York, NY 10017-5698

MCLE Credits – 8.0 MCLE Credits, including 1.5 Ethics Credits
(Qualifies for New York Transitional CLE Credit)
Overview

The ABA Section of International Law 2010 Spring Meeting (“Spring Meeting”) is being held in New York City from April 13-17, 2010. The Spring Meeting has emerged as one of the world’s most important gatherings of international lawyers. The Spring Meeting begins on Tuesday, April 13th with the International Law Boot Camp (“ILBC”) featuring the “Fundamentals of International Practice.” The ILBC is a full day of CLE and non-CLE programming which provides attendees with an introductory look at international aspects of several substantive areas of law, expanding attendees’ knowledge of the key legal issues that arise in the context of international practice, as well as providing networking, special-interest topics, and social opportunities. The “First Annual Fundamentals of International Practice” (“Fundamentals”) was organized last year by the New York State Bar Association International Section (“NYSBA International”) in conjunction with the NYSBA CLE Department. The 2010 edition of Fundamentals is being co-sponsored by NYSBA International in connection with the 2010 Spring Meeting.

Attendance for the Fundamentals programming is limited to those who register for the ILBC. The Fundamentals features a total of 8.0 MCLE credits, including 1.5 ethics credits (please read the “CLE Information” section below). Please also note that certain non-Fundamentals ILBC programs will be occurring in parallel with the Fundamentals programming throughout the day, as well as following the Fundamentals. All ILBC participants are encouraged to attend the non-Fundamentals ILBC programming immediately following the Fundamentals programs. Note: ILBC registration does NOT include attendance at non-Fundamentals programs running concurrently to Fundamentals programs (i.e., before 5:00 p.m.), unless accompanied by registration for the Spring Meeting. ILBC attendees who have also registered for the entire Spring Meeting are welcome to attend non-Fundamentals programs beginning before 5:00 p.m. on April 13th, but by doing so, are not permitted to request CLE credit for Fundamentals programs not attended. All Fundamentals programs are designated by “ILBC/FUNDAMENTALS.” Other ILBC programs are designated “ILBC.”

Please visit the Spring Meeting website at http://www.abanet.org/intlaw/spring2010/ to register and for more information on programming and ticketed events (such as dinners, luncheons or receptions) held as part of the International Law Boot Camp portion of the Spring Meeting (Tuesday, April 13, 2010) and on the other days of the Spring Meeting. You can register for the ILBC featuring the Fundamentals of International Practice as a stand-alone program or in combination with the entire Spring Meeting. When registering, please remember to indicate whether you will be attending any of the ticketed events (there are separate fees for most ticketed events). Pre-registration closes on March 31, 2010.

Program Schedule

7:30 a.m. – 8:30 a.m.
International Law Boot Camp Registration

8:30 a.m. – 9:00 p.m.
INTERNATIONAL LAW BOOT CAMP (ILBC) FEATURING THE “FUNDAMENTALS OF INTERNATIONAL PRACTICE”

Young Lawyers; Business/Transactional; Corporate Counsel; Dispute Resolution/Litigation; International Trade/Customs; Law Practice; Public International Law/Rule of Law; Regulatory

Sponsoring Committees:

Law Student, L.J., and New Lawyer Outreach Committee, Young Lawyers’ Interest Network (YIN)

FUNDAMENTALS OF INTERNATIONAL PRACTICE

Co-Presented by:
New York State Bar Association International Section

Moderators and Program Chairs:
Russell W. Dombrow, Syracuse, New York
Christopher J. Kula, Phillips Nizer LLP, New York, New York
Shannon P. McNulty, New York University School of Law, New York, New York

8:30 a.m. – 8:45 a.m.
ILBC/FUNDAMENTALS:
Introduction

8:45 a.m. – 10:00 a.m.
ILBC/FUNDAMENTALS:
The Framework of International Legal Practice

Have you wondered what the difference is between private international law and public international law? What role do treaties play in international practice? Is it possible to navigate the differences between the common law, civil law, and other legal systems? What international regulatory regimes must be taken into account in an increasingly globalized world, and what role do multilateral institutions such as the European Union, play in regulating international transactions and disputes? Our panelists will begin the Fundamentals program with a discussion of the most basic, but also some of the most essential, considerations for an attorney whose practice in some way touches on international law. They will also discuss the role that international regulation plays in international practice, specifically the role that multinational organizations and regulations play in such areas as trade and the environment.

Speakers:
Michael W. Galligan, Phillips Nizer LLP, New York, New York
Robert J. Leo, Meeks Shepard Leo & Pillsbury, New York, New York
Mark F. Rosenberg, Sullivan & Cromwell LLP, New York, New York

10:00 a.m. – 10:15 a.m.
NETWORKING BREAK

10:15 a.m. – 11:30 a.m.
ILBC/FUNDAMENTALS:
Drafting an International Contract

Failing to address, or inadequately addressing, certain key aspects of international contracts can have a devastating effect for your client, particularly if a dispute subsequently arises. For example, if standard provisions, such as jurisdiction, choice of law, and arbitration clauses, are absent or not well drafted, your client may incur additional legal expenses in resolving those issues or suffer an adverse legal ruling if a dispute arises between the parties to the contract. Our panelists will discuss the most important aspects of drafting an international contract, focusing on cross-border mergers and acquisitions and international financing agreements. The panel will also discuss protecting intellectual property rights in contracts through the use of the Berne and Madrid Conventions.

Speakers:
Nancy A. Matos, Baker & McKenzie LLP, Amsterdam, The Netherlands
Susan F. Pollack, Curtis Mallet-Prevost Colte & Mosle LLP, New York, New York
L. Donald Prutzman, Tannenbaum Helpren Syracuse Hirschtritt LLP, New York, New York
11:30 a.m. – 12:20 a.m.
ILBC/FUNDAMENTALS:
Cross-Border Litigation and Dispute Resolution
You applied everything you learned from our experts in Drafting an
International Contract, but in spite of all your best efforts to draft a
flawless contract, your client becomes embroiled in a dispute with a
foreign party to the agreement. How do you resolve your client’s
dispute? Our panelists will talk about how to serve process under the
Hague Convention on Service of Process Abroad and how to take
evidence using the Hague Convention on Taking Evidence Abroad.
They will also discuss enforcement of awards under the New York
Convention on Enforcing Arbitral Awards and judgments under the
European Conventions on Jurisdiction and the Enforcement of
Judgments.

Speakers:
Birgit Kurtz, Crowell & Moring LLP, New York, New York
Thomas N. Pieper, Chadbourne & Parke LLP, New York, New York

12:20 p.m. – 1:20 p.m.
LUNCH

1:20 p.m. – 2:30 p.m.
ILBC/FUNDAMENTALS:
Basics of International Taxation
Even if you’re not a tax specialist, you still need to know how taxes
might affect your clients, especially if they engage in international
transactions. The experts from last year’s tremendously popular
program return to address cross-border tax issues for individuals and
business entities. Among the specific topics covered will be the
application of residence tests, how to help your clients avoid double
taxation, and equalization treaties. Our panelists will also discuss
anti-avoidance regimes and transfer pricing.

Speakers:
Jeffrey M. Trinklein, Gibson Dunn & Crutcher LLP, New York,
New York
Edward A. Vergara, Withers Bergman LLP, New Haven,
Connecticut

2:10 p.m. – 3:25 p.m.
ILBC/FUNDAMENTALS:
Spotting Issues When People Move Across Borders
With people moving their residences or assets across borders more
frequently and rapidly than ever, the individual client has become an
increasingly important component of international practice. Our
panelists will cover immigration, family law, estate planning,
employment and property issues individuals face when they move
from one country to another. Specifically, the speakers will address
immigration and bilateral investment treaties, the Hague Conventions
on Children and Co-operation in Respect of Intercountry Adoption
(Hague Adoption Convention), estate planning for non-U.S. persons
on Children and Co-operation in Respect of Intercountry Adoption
and the Uniform Act on the Recognition of Community Property.

Speakers:
York
Dina Kapur Sanna, Day Pitney LLP, New York, New York
Aaron J. Schindel, Proskauer Rose LLP, New York, New York
Rita Wasserstein Warner, Warner Partners, P.C., New York, New
York

3:25 p.m. – 3:40 p.m.
NETWORKING BREAK

3:40 p.m. – 4:55 p.m.
ILBC/FUNDAMENTALS:
The Ethics of International Practice
This session will feature a discussion of how ethics applies to
international practice. Although many rules that apply in the U.S.
may still apply across borders, there are some key differences that are
important to consider when working with a client in international
cpyactice. For example, how do you assist your client in complying
with the Foreign Corrupt Practices Act? What human rights
considerations apply in international practice? How do you protect
the attorney-client privilege across borders? What sort of due
diligence has to be done to show that you “know your client?”

Speakers:
Carole L. Basri, Corporate Lawyering Group, LLC and Corporate
Lawyering Association, New York, New York
Robert S. Fink, Kostelanetz & Fink LLP, New York, New York
David Lewis, Proskauer Rose LLP, New York, New York

5:00 p.m. – 6:30 p.m.
ILBC:
Social Networking for Lawyers: How Lawyers Can Use it to
Enhance Their Marketing Success (Non-CLE)
Law Practice; Young Lawyers; Business/Transactional

This program will teach specific strategies for using and maximizing
the success of LinkedIn, Facebook, Twitter, blogging and other social
networking options, all as a complement to traditional networking
and business development.

Sponsoring Committee:
International Law Practice Management Forum

Moderator and Program Chair:
Janet Moore, Global Rainmaking Strategist, Houston, Texas

Speakers:
Dan Harris, Harris Moure, Seattle, Washington
Silvia Hodges, Emerson College, Boston, Massachusetts
Frank Sommerfield, Sommerfield Communications, New York,
New York

5:00 – 6:30 p.m.
ILBC:
Pathways to Employment in International Law (Non-CLE)
Young Lawyers

“How to” for law students looking to launch their careers in
international law, young lawyers seeking to transition their skills into
the global arena, or experienced practitioners who wish to expand
their practices into international law. Top practitioners speak frankly
about their formative experiences and tips they have about getting
one’s foot in the door- from transferable job skills, law school
courses to take (or miss!), to interview tips and where to spend those
critical summer breaks.

Sponsoring Committees:
Law Student, LL.M., and New Lawyer Outreach Committee, Young Lawyers
Interest Network (YIN)

Program Chair:
Celmina Jamett, Bradshaw Lotspeich, P.A., Miami, Florida

Moderator and Program Chair:
Russell W. Dombrow, Syracuse, New York

Speakers:
Madeleine Gianatti Çag, Gregory P. Joseph Law Offices LLC,
New York, New York
Richard Charlton, Federal Reserve Bank of New York, New York,
New York
David McLaughlin, Extramary Chambers in the Court of
Cambodia, Phnom Penh, Cambodia
James Ross, Human Rights Watch, New York, New York
6:30 p.m. – 7:30 p.m.
ILBC:
Speed Networking (Non-CLE)
Law Practice; Business/Transactional; Corporate Counsel; Dispute Resolution/Litigation; International Trade/Customs; Public International Law/Rule of Law; Regulatory; Young Lawyers

Back by popular demand! We had so much fun, we are doing it again. Start the Spring Meeting by meeting ABA and Section 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 each other or create 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!

Moderators and Program Chairs:
Cyndee Todgham Cherniak, Lang Michener LLP, Toronto, Ontario, Canada
Janet Moore, Global Rainmaking Strategist, Houston, Texas

7:30 p.m. – 9:00 p.m.
WIN/SIN/GIN/YIN/Outreach Reception at the Grand Hyatt New York
Ticketed Event (Free For All ILBC Attendees)

With thanks to our sponsor the New York State Bar Association

Sponsoring Committees:
Women’s Interest Network (WIN), Seasoned Lawyers Interest Network (SIN), Sexual Orientation and Gender Identity Issues Network (GIN), Young Lawyers’ Interest Network (YIN), Law Student, L.L.M., and New Lawyer Outreach Committee

Program Faculty

Program Co-Chairs (in alphabetical order)
Russell W. Dombrow, Syracuse, New York * Christopher J. Kula, Esq., Phillips Nizer LLP, New York, New York *
Shannon P. McNulty, Esq., New York University School of Law, New York, New York

Speakers (in alphabetical order)

Information and Policies
Online registration is strongly encouraged – please visit the Spring Meeting website at: http://www.abanet.org/intlaw/spring2010/ to register. If you require a printed copy of the 2010 Spring Meeting Registration Form (the “Registration Form”), please contact Jessica Smith at: smithj@staff.abanet.org.

Note that you will be required to fill in your State License Number on the MCLE/CLE sign in sheet at the 2010 Spring Meeting, so please come to the meeting with your license number(s) for the state or states from which you intend to seek MCLE/CLE credit. This program is acceptable for MCLE credit in New York and many other MCLE jurisdictions (including those New York attorneys who have been admitted for less than 24 months). Please see the “CLE” section of the Spring Meeting website at http://www.abanet.org/cle/mandatory.html for further CLE information and check with your own states’ respective CLE rules, regulations and requirements. Also note there will be a CLE Information Booth at the Spring Meeting for questions regarding MCLE/CLE and CPD hours.