



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



NEW YORK STATE BAR ASSOCIATION  
**INTERNATIONAL SECTION**



## **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 42<sup>nd</sup> 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 13<sup>th</sup> 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 13<sup>th</sup>, 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, LL.M., 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 régimes 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 Colt & 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. – 2:10 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 with U.S. income and assets, international employment law matters, and the Uniform Act on the Recognition of Community Property.

*Speakers:*

**Allen E. Kaye**, Law Offices of Allen E. Kaye, P.C., New York, New 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

practice. 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:*

**Celmira Jamett**, Bradshaw Lotspeich, P.A., Miami, Florida

*Moderator and Program Chair:*

**Russell W. Dombrow**, Syracuse, New York

*Speakers:*

**Madeleine Giansanti Çağ**, Gregory P. Joseph Law Offices LLC, New York, New York  
**Richard Charlton**, Federal Reserve Bank of New York, New York, New York  
**David McLaughlin**, Extraordinary 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 International Section

**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, LL.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)

**Carole L. Basri**, President of the Corporate Lawyering Group LLC and Adjunct Professor, University of Pennsylvania Law School \* **Robert S. Fink, Esq.**, Kostelanetz & Fink LLP \* **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 \* **Birgit Kurtz, Esq.**, Crowell & Moring LLP \* **Robert J. Leo, Esq.**, Meeks, Sheppard, Leo & Pillsbury \* **David Lewis, Esq.**, Proskauer Rose LLP \* **Nancy A. Matos, Esq.**, Baker & McKenzie LLP \* **Thomas N. Pieper, Esq.**, Chadbourne & Parke LLP \* **Susan F. Pollack, Esq.**, Curtis Mallet-Prevost, Colt & Mosle LLP \* **L. Donald Prutzman, Esq.**, Tannenbaum Helpen Syracuse & Hirschtritt LLP \* **Mark F. Rosenberg, Esq.**, Sullivan & Cromwell LLP \* **Aaron J. Schindel, Esq.**, Proskauer Rose LLP \* **Jeffrey M. Trinklein, Esq.**, Gibson Dunn & Crutcher LLP \* **Edward A. Vergara, Esq.**, Withers Bergman LLP \* **Rita Wasserstein Warner, Esq.**, Warner Partners, PC

**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 ABA Section of International Law 2010 Spring Meeting, Attention: Jessica Smith, 740 Fifteenth Street NW, Washington,

DC 20005, USA or via email at: [smithj@staff.abanet.org](mailto:smithj@staff.abanet.org). Pre-registration closes on Wednesday, March 31, 2010. Cancellations must be made in writing and received by the ABA International Section office by March 31, 2010 for a full refund of fees, less a \$100 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 ABA International in its sole discretion*. See the “Refund Policy” section in the Registration Form for further details. Note that the Registration Form will allow you to indicate whether you require specific aid or service during your attendance at the Spring Meeting under the Americans with Disabilities Act. You are encouraged to make hotel and travel reservations and arrangements as early as possible through the ABA to receive specially negotiated discounts or rates. Please see the “Travel Information” section in the Registration Form for further details.

Please also see the “FAQ” section of the Spring Meeting website for frequently asked questions at <http://www.abanet.org/intlaw/spring2010/faq.html> and note the information and policies in the Registration Form, which is accessible through the above referenced Spring Meeting website.

**CLE Information**

**IMPORTANT NOTICE FOR REPEAT ATTENDEES:** PLEASE NOTE THAT IF YOU RECEIVED MCLE/CLE CREDIT FOR ATTENDING LAST YEAR'S FUNDAMENTALS PROGRAM, THERE MAY BE LIMITATIONS ON RECEIVING MCLE/CLE CREDIT FOR ATTENDING THIS YEAR'S PROGRAM.

**IMPORTANT NOTICE: PARTIAL CREDIT FOR PROGRAM SEGMENTS NOT ALLOWED.** UNDER THE NEW YORK STATE CONTINUING LEGAL EDUCATION BOARD REGULATIONS AND GUIDELINES, ATTENDEES AT MCLE/CLE PROGRAMS CANNOT RECEIVE MCLE/CLE 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.

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.