

MEETING AGENDA

TUESDAY, APRIL 5

12:00 pm – 3:00 pm

Section Afternoon on the Hill

Ticketed Event

This session provides an opportunity to meet with senior staff to the U.S. House of Representatives and U.S. Senate committees with jurisdiction over issues important to Section members. Representatives of the Chairs and ranking members of key committees will discuss their international priorities for the coming year. Attendees will also have the opportunity to ask questions about upcoming legislative activity. *This session takes place on Capitol Hill where attendees will be briefed by Congressional Staff. Attendees are responsible for their own transportation arrangements although access is within a short ten (10) minute walk from the headquarter hotel. On-site registration for this off-site event is not available.*

Program Chairs:

Ronald J. Bettauer, *McLean, Virginia*

Kristi Gaines, *ABA Legislative Counsel, Washington, DC*

John R. Magnus, *TRADEWINS LLC, Washington, DC*

1:00 pm – 8:00 pm

Registration Open

2:00 pm – 3:00 pm

International Practice Boot Camp: Nuts & Bolts of International Dispute Resolution

YOUNG LAWYERS; DISPUTE
RESOLUTION / LITIGATION

The Nuts & Bolts of International Dispute Resolution will compare and contrast the different forms of international dispute resolution, focusing on arbitration and litigation. What is the difference between international litigation and

international arbitration? Should you consider international mediation? When is one better than the others? If you choose to arbitrate, where should you arbitrate? How many arbitrators should you hire? What issues arise in an international setting that don't typically arise in a domestic setting?

Sponsoring Committees:

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

Co-Sponsor:

ABA Young Lawyers Division

Program Chair & Moderator:

Russell W. Dombrow, *Legal Aid Society of Mid-New York, Inc., Syracuse, New York*

Speakers:

Timothy L. Foden, *Crowell & Moring LLP, Washington, DC*

Amy Senier, *Foley Hoag LLP, Boston, Massachusetts*

2:00 pm – 3:30 pm

When Saying No is Not an Option – A Primer for Non-U.S. Companies About Managing Complex Litigation in the United States and Strategies for Minimizing Costs and Exposure

DISPUTE RESOLUTION / LITIGATION;
ANTITRUST LAW MINI-TRACK

Complex litigation in U.S. federal courts is in vogue and foreign companies are often the focus. Breaking news about BP, Toyota, Vivendi, Siemens, Alstom (and the list goes on) has put the spotlight on non-U.S. companies doing business in the United States. These companies and many others, large and small, and even individual executives, all have discovered, to their chagrin, the complications and cost of complex civil litigation in U.S. courts where defendants often face significant liability due to punitive damages, RICO and antitrust claims, the consolidation of individual

claims, high cost of discovery and unpredictability of jury verdicts. This panel will help to de-mystify the U.S. federal court system and identify the major flash points in a U.S. litigation where strategic thinking, artful litigation and insurance coverage expertise can help to minimize potential exposure for non-U.S. defendants.

Sponsoring Committee:

International Litigation Committee

Co-Sponsor:

Association Internationale des Jeunes Avocats (AIJA)

Program Chair & Moderator:

Elaine Metlin, *Dickstein Shapiro LLP, Washington, DC*

Program Chair & Speaker:

Alexander Blumrosen, *Bernard-Hertz-Béjot, Paris, France*

Moderator:

David Stewart, *Georgetown University Law Center, Washington, DC (Invited)*

Speakers:

Kenneth Rashbaum, *Rashbaum Associates, LLC, New York, New York*

The Honorable Barbara Rothstein, *U.S. District Judge, Western District of Washington and Director, Federal Judicial Center, Seattle, Washington (Invited)*

Andrea Tecce, *Navigant Consulting Inc., Washington, DC (Invited)*

3:00 pm – 4:00 pm

**International Practice Boot Camp:
Nuts & Bolts of International
Legal Ethics**

YOUNG LAWYERS; ETHICS MINI-TRACK

The Nuts & Bolts of International Legal Ethics explores ethical issues of concern to international practitioners, including the differences between how ethical rules and responsibilities are applied in the United States and elsewhere. For example, did you know that in some countries, in-house counsel cannot assert attorney-client privilege as would be done

in the United States? The panelists will also discuss ethical issues that arise primarily in an international context, such as in the application of the Foreign Corrupt Practices Act (FCPA) and other laws. Learn how complying with one country's ethical requirements can expose a practitioner to embarrassment and professional, civil or even criminal sanctions in other countries.

Sponsoring Committees:

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

Co-Sponsor:

ABA Young Lawyers Division

Program Chair & Moderator:

Russell W. Dombrow, *Legal Aid Society of Mid-New York, Inc., Syracuse, New York*

Speakers:

Madeleine Giansanti Çağ, *Gregory P. Joseph Law Offices, LLC, New York, New York (Invited)*

Yevgenya Muchnik, *Squire Sanders & Dempsey LLP, Washington, DC (Invited)*

3:30 pm – 5:00 pm

**Looking for a Needle in a Foreign
Haystack: Due Diligence Review on
Corporate Pitfalls in Other Jurisdictions**

**CORPORATE / TRANSACTIONAL;
YOUNG LAWYERS**

Any corporate due diligence review is only successful if the respective checklists are sufficiently comprehensive. In most cases the local advisor will point out the jurisdiction's particularities. However, in an international transaction the lead lawyer's understanding for the main issues is crucial. During this program lawyers from different jurisdictions and continents will compare their corporate checklists and discuss what they usually check and why they do so. They will also point out special pitfalls in their jurisdictions. Further, the session takes advantage of the presence of dozens of experienced

M&A lawyers in the audience who are invited to participate actively and to add their checking points.

Sponsoring Committees:

International M&A Joint Venture Committee, International Corporate Counsel Forum

Co-Sponsor:

ABA Young Lawyers Division

Program Chair:

Anders Forkman, *Vinge KB, Malmö, Sweden*

Program Chair & Moderator:

Florian S. Jörg, *Bratschi Wiederkehr & Buob, Zurich, Switzerland*

Moderator:

Christine M. Castellano, *Corn Products International, Inc., Westchester, Illinois*

Speakers:

Nusrat Hassan, *D. H. Law Associates, Mumbai, India*

Wolfgang Hohensee, *Hohensee Rechtsanwälte, Berlin, Germany*

Pablo Ferraro Mila, *Gonzalez & Ferraro Mila, Buenos Aires, Argentina*

Sébastien Savage, *Davies Ward Phillips & Vineberg LLP, Montréal, Quebec, Canada*

Salli Swartz, *Giraud Naud Amiot & Swartz, Paris, France*

3:30 pm – 5:00 pm

The Nuts and Bolts of an ICSID Arbitration

**DISPUTE RESOLUTION / LITIGATION;
YOUNG LAWYERS**

A review of the nuts and bolts of an arbitration of an international financial dispute under the auspices of the International Center for Settlement of Investment Disputes (“ICSID”) discussing the ICSID arbitral process from commencement through selecting arbitrators, written submissions conduct of the hearing and post – award procedure.

Sponsoring Committees:

International Litigation Committee, International Arbitration Committee

Co-Sponsor:

ABA Young Lawyers Division

Program Chair:

Robert F. Brodegaard, Brodegaard & Simone LLC, New York, New York

Moderator:

Brian C. Dunning, *Venable LLP, New York, New York*

Speakers:

Nigel Blackaby, *Freshfields Bruckhaus Deringer LLP, Paris, France*

Paul Friedland, *White & Case LLP, New York, New York (Invited)*

Meg Kinnear, *International Centre for Settlement of Investment Disputes (ICSID), Washington, DC (Invited)*

4:00 pm – 5:00 pm

**International Practice Boot Camp:
Nuts & Bolts of International
Commercial Transactions**

**YOUNG LAWYERS; CORPORATE /
TRANSACTIONAL; INTERNATIONAL FINANCE**

The Nuts & Bolts of International Commercial Transactions presents essential issues an international practitioner must address when structuring a cross-border commercial transaction. From negotiating to drafting to “sealing the deal,” cross-border transactions face issues that arise primarily or exclusively in an international setting. Our presenters will discuss what those broader issues are and how to address them through discussion of their own practical experiences.

Sponsoring Committees:

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

Co-Sponsor:

ABA Young Lawyers Division

Program Chair & Moderator:

Russell W. Dombrow, *Legal Aid Society of Mid-New York, Inc., Syracuse, New York*

Speaker:

Michael Burke, *Williams Mullen, Washington, DC (Invited)*

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

**INTERNATIONAL TRADE / CUSTOMS;
YOUNG LAWYERS**

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*

Speakers:

Chief Judge Randall R. Rader, *U.S. Court of Appeals for the Federal Circuit, Washington, DC* (Invited)

Judge Jane A. Restani, *U.S. Court of International Trade, New York, New York* (Invited)

5:00 pm – 6:30 pm

**Delaware LLCs: Do They Have a
Future in U.S. Outbound Investment?**

**CORPORATE / TRANSACTIONAL;
INTERNATIONAL FINANCE**

While the world is beginning to emerge from the worst of the global financial crisis, governments in all jurisdictions are focusing on

how to recover some of the huge sums they injected to keep their economies afloat. Inevitably, the erosion of tax bases and a focus on investment entities which are located in tax favoured jurisdictions or which have tax preferences in their jurisdictions are targets of source jurisdictions. This, together with new U.S. legislation, make it crucial to consider new strategies where U.S. investor groups wish to invest abroad. The session will consider recent alternatives to Liability Companies for foreign investment.

Sponsoring Committee:

International Tax Committee

Program Chairs & Moderators:

Elinore J. Richardson, *Borden Ladner Gervais LLP, Toronto, Ontario, Canada*

Sonia Velasco, *Cuatrecasas, Goncalves Pereira LLP, Barcelona, Spain*

Speakers:

Juan Carlos Guerrero, *Chevez, Ruiz, Zamarripa, New York, New York*

Sam Kaywood, *Alston & Bird LLP, Atlanta, Georgia*

Andrea Bazzo Lauletta, *Mattos Filho Veiga Filho, Marrey Jr. e Quiroga, São Paulo, Brazil*

Patrick Marley, *Osler, Hoskin & Harcourt LLP, Toronto, Ontario, Canada*

5:00 pm – 6:30 pm

**Still Hot: Arbitrator Ethics,
Disclosure and Challenges**

**DISPUTE RESOLUTION / LITIGATION;
ETHICS MINI-TRACK**

Now five years old, the IBA Guidelines on Conflicts of Interest are undergoing review. There has been experience with the ABA Rules as well. The area of arbitrator disclosure, conflicts, and challenges continues to bedevil practitioners as practices and standards across the world vary and more parties use challenges as a litigation tactic. This program will explore the current state of disclosure and conflict law and practice across jurisdictions.

Sponsoring Committee:
International Arbitration Committee

Program Chair:
Jose I. Astigarraga, *Astigarraga Davis, Miami, Florida*

Program Chair & Speaker:
Kevin O’Gorman, *Fulbright & Jaworski L.L.P., Houston, Texas*

Moderator:
M. Cristina Cardenas, *Astigarraga Davis, Miami, Florida*

Speakers:
Mark W. Friedman, *Debevoise & Plimpton LLP, New York, New York*
Paula Hodges, *Herbert Smith LLP, London, United Kingdom*
Eduardo Zuleta, *Gómez-Pinzón Zuleta Abogados, Bogotá, Colombia*

5:00 pm – 6:30 pm **Pathways to Employment** **in International Law**

YOUNG LAWYERS

Join us for this “How to” program for young lawyers seeking to transition their skills into the global arena or for 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 and law school courses to take (or miss), to interview tips and where to spend those critical summer breaks.

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

Co-Sponsor:
ABA Young Lawyers Division

6:30 pm – 7:30 pm **Speed Networking – Opportunity** **to Meet ABA Leadership and** **Other International 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!

Sponsoring Committees:
Sexual Orientation and Gender Identity Issues Network (GIN), Law Student, LL.M., and New Lawyer Outreach Committee, NGO and Not-For-Profit Organizations Committee, Seasoned Lawyers Interest Network (SIN), Women’s Interest Network (WIN), Young Lawyers Interest Network (YIN)

Program Chairs:
Cyndee Todgham Chernick, *McMillan LLP, Toronto, Ontario, Canada*
Janet Moore, *International Lawyer Coach, Inc., Houston, Texas*

7:30 pm – 9:00 pm*Ticketed Event***WIN / SIN / GIN / YIN / Outreach
Welcome Reception at The Hyatt
Regency Washington on Capitol Hill****Sponsoring Committees:**

Sexual Orientation and Gender Identity Issues Network (GIN), Law Student, LL.M., and New Lawyer Outreach Committee, NGO and Not-For-Profit Organizations Committee, Seasoned Lawyers Interest Network (SIN), Women's Interest Network (WIN), Young Lawyers Interest Network (YIN)

Take advantage of the first social event of the 2011 Spring Meeting to reconnect with friends and colleagues from prior meetings and use this opportunity continue to network with all the great colleagues you just met in the Speed Networking session which ends as this reception kicks off. First time attendees are encouraged to intermingle with conference attendees new and old as well as meet as many members of the Section's leadership as possible. Hopefully by the time the night is over you'll be well on your way to having collected a fist-full of business cards.

Included as part of your Spring Meeting registration fee, this reception is free to meeting attendees who have registered for the entire conference.

WEDNESDAY, APRIL 6**7:00 am – 7:00 pm****Registration Open****7:45 am – 9:00 am****Continental Breakfast****8:00 am – 9:00 am****Breakfast at the Bar Series:
Breakfast with a Leading Developer****DISPUTE RESOLUTION / LITIGATION; PUBLIC
INTERNATIONAL LAW / RULE OF LAW**

Join us for breakfast and listen to a leading developer in Washington, DC talk about the major developments in the city in the past decade, effects of the financial crisis on development there and expectations for further investment and real estate development in the city over the next five to ten years.

Sponsoring Committee:

Cross-Border Real Estate Practice Committee

Program Chair:

Terry A. Selzer, *Stampe, Haume & Hasselbriis, Copenhagen, Denmark*

Program Chair & Moderator:

Meryl P. Sherwood, *Pavia & Harcourt LLP, New York, New York*

9:00 am – 10:30 am**Selecting, Retaining and Working with
Foreign Counsel: Pitfalls and Successes****CORPORATE / TRANSACTIONAL;
DISPUTE RESOLUTION / LITIGATION**

Whether a client is planning a transnational deal or is on the brink of international litigation or arbitration, its ultimate success may hinge on the selection and management of foreign counsel. The program will teach and illustrate the topic by role-playing, with panelists playing a U.S. general counsel, its regular outside attorney and various foreign lawyers. The general counsel and her U.S. colleague will strategize about their needs and

then conduct “telephone” interviews of various candidates overseas. The panelists will then step out of their roles and have a roundtable discussion of the issues raised by the scenario. The program coincides with the publication of the Fifth Edition of the popular “ABA Guide to Foreign Law Firms” by program Chairs Jim Silkenat and Bill Hannay.

Sponsoring Committees:

International Commercial Transactions, Franchising and Distribution Committee, International Corporate Counsel Forum, Transnational Legal Practice Committee, International Litigation Committee

Program Chair:

James R. Silkenat, *Sullivan & Worcester LLP, New York, New York*

Program Chair & Moderator:

William M. Hannay, *Schiff Hardin LLP, Chicago, Illinois*

Speakers:

Carol Mates, *Washington, DC*

Ton Schutte, *De Bruuw Blackstone Westbroek, New York, New York*

Hernan Slemenson, *Marval O'Farrell & Mairal, Buenos Aires, Argentina*

Yasuhide Watanabe, *Nagashima, Ohno & Tsunematsu, New York, New York*

9:00 am – 10:30 am

**International Investigations:
Too Fast Too Furious**

DISPUTE RESOLUTION / LITIGATION;
REGULATORY

International investigations are on a rise and the demand is set to increase. There is an improved climate of international cooperation between the regulators, law enforcement agencies and prosecutors around the world. Some of the recent cases involving international investigations include: Siemens, Baker Hughes, Hioki, Halliburton, Sapsizian, Smith and Wabtec. The increased cooperation between the regulatory agencies and prosecutors around the globe is not limited to FCPA

cases but has been found in cases involving disclosures of gas reserves, anti-trust investigations, UN Oil for Food Program, export sanctions, environmental crimes, money laundering, travel act violations, tax violations and privacy concerns.

Responding to such international investigations is a challenge and requires a business to launch its own internal investigation. Tensions arise as compliance with obligations in one jurisdiction may actually create difficulties with legal obligations in another.

Listen in as this panel of U.S. and non-U.S. experts discusses some of the obstacles they have encountered in handling international investigations as well as the solutions that helped resolve them.

Sponsoring Committees:

International Litigation Committee, Export Controls and Economic Sanctions Committee, International Anti-Corruption Committee, International Criminal Law Committee

Program Chair & Speaker:

Ashish S. Joshi, *Lorandos Joshi, Ann Arbor, Michigan*

Program Chair & Moderator:

Linda F. Ramirez, *Law Firm of Linda F. Ramirez, P.A., St. Petersburg, Florida*

Speakers:

Leslie Caldwell, *Morgan Lewis, New York, New York*

Mark Mendelsohn, *Paul Weiss, Washington, DC*

9:00 am – 10:30 am

The Aftermath of the Financial Crisis: Part 1 – The Regulatory Response: New Regulation of Hedge Funds and Private Equity Funds; Changes in the Regulation of Banks; and Extra-Territorial Reach of National Securities and Banking Laws

INTERNATIONAL FINANCE; REGULATORY; DISPUTE RESOLUTION / LITIGATION; PRIVATE EQUITY, PRIVATE/PUBLIC PARTNERSHIPS AND DEVELOPING COUNTRIES MINI-TRACK

The financial meltdown is still being felt around the world every day. It has impacted on the way business is being done by market participants, including hedge funds and private equity funds and banks, and it has prompted several regulatory responses across the world, including new proposals and regulations in the U.S. and the EU. Part 1 of this panel of high-level experts, all with their unique international experience and point of view, will examine regulatory changes and their effectiveness in preventing future financial crises. Part 2 of the panel will discuss recent enforcement and litigation cases in the aftermath of the financial crisis. Part 3 will present a mock trial relating to recent CDO litigation.

Sponsoring Committees:

International Securities and Capital Markets Committee, Foreign Legal Consultant Committee, International M&A Joint Venture Committee, International Financial Products and Services Committee, International Secured Transactions & Insolvency Committee

Program Chairs & Moderators:

Meyer “Mike” Eisenberg, *Columbia Law School and Willamette University Law School, New York, New York*

Dorothee Fischer-Appelt, *Gibson, Dunn & Crutcher LLP, London, United Kingdom*

Speakers:

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

Joyce Hansen, *Deputy General Counsel, Federal Reserve Bank of New York, New York, New York*

Nora M. Jordan, *Davis Polk & Wardwell LLP, New York, New York*

Giovanni Prezioso, *former General Counsel of the U.S. Securities and Exchange Commission and Cleary Gottlieb Steen & Hamilton LLP, Washington, DC*

Elisse B. Walter, *Commissioner, U.S. Securities and Exchange Commission, Washington, DC*

9:00 am – 10:30 am

Transfer Pricing in a Global Supply Chain – Current Issues

INTERNATIONAL TRADE / CUSTOMS; CORPORATE / TRANSACTIONAL

The program will deal with management and rationalization of transfer pricing amongst multiple jurisdictions addressing current key issues including planning in the context of changing global economic growth patterns, conflicting interpretations of the arm's length standard, government enforcement practices, competent authority relief and arbitration procedures and business restructuring, as well as touch on convergence and integration pricing for customs purposes.

Sponsoring Committees:

International Tax Committee, Customs Law Committee

Program Chair & Moderator:

Darrel H. Pearson, *Bennett Jones LLP, Toronto, Ontario, Canada*

Speakers:

Nishith Desai, *Nishith Desai Associates, Mumbai, India*

Brian Gleicher, *White & Case LLP, Washington, DC*

Claire Kennedy, *Bennett Jones LLP, Toronto, Ontario, Canada*

Donald Korb, *Sullivan & Cromwell LLP, Washington, DC*

Patrick Mears, *Allen & Overy LLP, London, United Kingdom*

9:00 am – 10:30 am

Perilous Journey: Migrant Women's Rights in a Changing Climate

PUBLIC INTERNATIONAL LAW / RULE OF LAW I; YOUNG LAWYERS; PRIVATE EQUITY, PRIVATE/PUBLIC PARTNERSHIPS AND DEVELOPING COUNTRIES MINI-TRACK

The majority of women in developing countries bear the double burden of being the primary family caretakers as well as the breadwinners. Whether they till the soil, walk considerable distances to gather firewood or balance a job with household duties, women face tremendous challenges in an already less-than-equal environment. Adding to their burden are the lack of property rights, inability to inherit or enter into contracts and, more recently, a rapidly changing climate. In the face of drought, rises in sea level and other devastating impacts of climate change, women and their children join the increasing waves of human migration and displacement. Panelists will discuss the impact of climate change on human rights. In particular, panelists will discuss issues revolving around legal and policy approaches to enhance the rights of women migrants at the national, regional, and international levels.

Sponsoring Committees:

UN and International Institutions Coordinating Committee, International Human Rights Committee, International Environmental Law Committee, Women's Interest Network (WIN)

Co-Sponsors:

ABA-UNDP International Legal Resource Center (ILRC), ABA Center for Human

Rights, International Model's Project on Women's Rights (IMPOWR), The Law Society of England & Wales, ABA Young Lawyers Division

Program Chair & Moderator:

Don S. DeAmicis, *Ropes & Gray LLP, Boston, Massachusetts*

Speakers:

Winnie Byanyima, *UN Development Program, New York, New York (Invited)*

Jean D'Cunha, *United Nations, New York, New York*

Siobhán McInerney-Lankford, *The World Bank Group, Washington, DC*

Michele Klein Solomon, *International Organization on Migration, New York, New York*

9:00 am – 10:30 am

What's New in Merger Review and Its Impact on Merger Activity

ANTITRUST LAW MINI-TRACK; REGULATORY

A panel of experienced antitrust and transactional lawyers will discuss how the latest developments in international merger review and the innovative and controversial 2010 U.S. Horizontal Merger Guidelines – which have been revised to make it easier for the Department of Justice and the Federal Trade Commission to challenge mergers believed to hinder competition in court – might impact cross-border mergers and deal structuring. Speakers from Australia, Canada and the United States will discuss how increased scrutiny by competition agencies around the world might affect risk-sharing provisions, timetables, tender processes and the work and strategy of transactional lawyers. Topics also include the perils of agencies' increased flexibility in the international arena and the future of global convergence in merger review.

Sponsoring Committees:

International Antitrust Law Committee, International M&A Joint Venture Committee, International Corporate Counsel Forum

Co-Sponsor:

*Association Internationale des Jeunes
Avocats (AIJA)*

Program Chair:

Saul Feilbogen, *Vitale, Manoff &
Feilbogen, Buenos Aires, Argentina*

Program Chair & Moderator:

Bruno L. Peixoto, *Lanna Peixoto
Advogados, São Paulo, Brazil*

Moderator:

Hanna Anttilainen, *Herbert Smith LLP,
Brussels, Belgium*

Speakers:

Elizabeth Avery, *Gilbert + Tobin,
Sydney, Australia*

Michael H. Byowitz, *Wachtell, Lipton,
Rosen & Katz, New York, New York*

Christine Castellano, *Corn Products
International, Inc., Westchester, Illinois*

Mark Katz, *Davies Ward Phillips &
Vineberg LLP, Toronto, Ontario, Canada*

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 highlight key components for meeting attendees to learn more about each of these areas and how each can allow members new and old alike to become more involved in the Section’s activities.

11:00 am – 12:30 pm

D&O Fiduciary Duties: Identifying and Meeting Heightened Global Demands

CORPORATE / TRANSACTIONAL;
DISPUTE RESOLUTION / LITIGATION

The combination of recent financial and energy crises with governmental intervention on a global scale has led to an increased public focus on the legal duties and responsibilities

of corporate officers and directors. These individuals face escalating exposure to personal liability, with consequent need to be fully advised about applicable standards of care, loyalty and ethics.

Litigation has resulted in an evolving case law that reflects higher judicial expectations of loyalty and care. How should corporate fiduciaries handle conflicts of interest involving executive pay, and their loyalty to shareholders in the context of complex or contested M&A or bankruptcy transactions? Our Speakers have deep experience – from litigation in the Delaware Supreme Court to in-house perspectives and cross-border corporate law challenges.

Sponsoring Committee:

Corporate Social Responsibility Committee

Program Chair & Moderator:

J. Mark Poerio, *Paul, Hastings, Janofsky
& Walker LLP, Washington, DC*

Speakers:

Jocelyn Hunter, *Home Depot, Atlanta,
Georgia*

Wendy Schick-Dougall, *AIG, New York,
New York*

The Honorable Norman Veasey, *Weil,
Gotshal & Manges LLP, New York,
New York*

Christopher Walter, *Covington &
Burling LLP, London, United Kingdom*

11:00 am – 12:30 pm
The Aftermath of the Financial Crisis: Part 2 – Recent Enforcement Cases and Litigation in the Aftermath of the Financial Crisis

INTERNATIONAL FINANCE; REGULATORY;
 DISPUTE RESOLUTION / LITIGATION

This is Part 2 of “The Aftermath of the Financial Crisis.” The financial meltdown is still being felt around the world every day. It had an enormous impact on the way business is being done by market participants, including hedge funds and private equity funds and banks, and it has prompted several regulatory responses across the world, including new proposals and regulations in the U.S. and EU. This panel will discuss recent enforcement and litigation cases in the aftermath of the financial crisis.

Sponsoring Committees:

International Securities and Capital Markets Committee, Foreign Legal Consultant Committee, International M&A Joint Venture Committee, International Financial Products and Services Committee, International Secured Transactions & Insolvency Committee, International Litigation Committee

Program Chairs & Moderators:

Meyer “Mike” Eisenberg, *Columbia Law School and Willamette University Law School, New York, New York*

Charles “Chad” D. Schmerler, *Fulbright & Jaworski L.L.P., New York, New York*

Speakers:

John C. Coffee Jr., *Columbia Law School, New York, New York*

James R. Doty, *former General Counsel to the U.S. Securities and Exchange Commission and Baker Botts, Washington, DC (Invited)*

Jeffrey Golden, *The London School of Economics and Political Science, London, United Kingdom*

Colleen Mahoney, *former Director, Division of Enforcement, U.S. Securities and Exchange Commission and Skadden, Arps, Slate, Meagher & Flom LLP, Washington, DC*

11:00 am – 12:30 pm
Opportunities and Challenges in Cross-Border Defense Sector Collaboration

INTERNATIONAL TRADE / CUSTOMS; PUBLIC
 INTERNATIONAL LAW / RULE OF LAW II

In difficult global economic times, defense sector firms increasingly are looking abroad to enhance revenues and solidify their standing. However, looking abroad for business presents not only opportunities but also substantial risks. Different countries’ differing regulatory environments, anti-corruption 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.

Our panel will provide viewpoints from the U.S., Canadian and European perspectives, and will address the emerging and enduring legal challenges facing the defense industry. The panelists will address challenges particular to defense firms in their countries and compare their countries different legal regimes. The panelists will also argue over which approaches are the best and open the floor to the audience to join that argument and to ask questions.

Sponsoring Committees:

Aerospace and Defense Industries Committee, International Procurement Committee

Program Chair & Moderator:

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

Speakers:

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

Fabio Marazzi, *Emmeplus, Milano, Italy*

Mark Nackman, *ATK Missile Products, Arlington, Virginia*

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

11:00 am – 12:30 pm

So You Want to be an ExPat

Lawyer: Part II

PUBLIC INTERNATIONAL LAW / RULE OF LAW I; YOUNG LAWYERS; REGULATORY

Building on the successful 2009 Fall Meeting program in Miami Beach, Florida, entitled, “So You Want to be an Ex Pat Lawyer Part I,” this “Part II” program focuses on the practice of public international law and civil service legal career opportunities with an international component. The panel will discuss the nuts and bolts of what it takes to practice in an international setting outside the private sector. Panel members will discuss how to prepare for a civil service career, and what to expect if you do so. Panelists are attorneys or judges, experienced in international civil service or national civil service who practice in either an “ex pat” or an international law connected setting.

Sponsoring Committees:

U.S. Lawyers Practicing Abroad Committee, Latin America and Caribbean Committee, Law Student, LL.M., and New Lawyer Outreach Committee, Young Lawyers Interest Network (YIN)

Co-Sponsor:

ABA Young Lawyers Division

Program Chairs:

Anand Dayal, *Koura & Co Advocates, New Delhi, India*

Christian Jacobson, *Bingham LLP, East Palo Alto, California*

Linda Strite Murnane, *Court Management and Support Services, International Criminal Tribunal for the Former Yugoslavia, The Hague, The Netherlands*

Moderator:

Laurence Wiener, *Buenos Aires, Argentina*

Speakers:

Sandra Hodgkinson, *Washington, DC*

Thomas W. Pittman, *Special Tribunal for Lebanon and International Criminal Tribunal for the Former Yugoslavia, The Hague, The Netherlands (Invited)*

The Honorable Delissa Ridgway, *U.S. Court of International Trade, New York, New York*

11:00 am – 12:30 pm

Ethics and Confidential

Communications: Akzo Nobel and its Global Ramifications

ANTITRUST LAW MINI-TRACK; DISPUTE RESOLUTION / LITIGATION; ETHICS MINI-TRACK

Keying off the recent EU Advocate General’s Opinion in *Akzo Nobel Chemicals and Akros Chemicals v. EC*, which recommended that the legal professional privilege not be extended to in-house counsel in Europe because they are not sufficiently independent of their client, this program will examine that opinion and its effect on the role of in-house counsel in Europe in antitrust matters. This program also will examine the full range of an in-house counsel’s activities, particularly in the course of internal investigations (including on subjects like money laundering, bribery, insider trading). Expanding beyond Europe the program will include a discussion of the state of the law in other key geographies, i.e., the U.S., Asia, Canada and the ramifications for companies in those jurisdictions if and when such communications are not protected. In particular, panelists will address the following questions. What are the legal ethical implications for counsel in all these settings? What are the guidelines that should be followed by transnational attorneys as they participate in sensitive discussions relating to cross-border transactions? What should a lawyer do when facing inconsistent or conflicting ethical rules when practicing in a cross-border setting?

Sponsoring Committees:

International Antitrust Law Committee, International Corporate Counsel Forum, Europe Committee, U.S. Lawyers Practicing Abroad Committee, International Anti-Money Laundering Committee

Co-Sponsor:

Association Internationale des Jeunes Avocats (AIJA)

Program Chair:

David T. Beddow, *O'Melveny & Myers LLP, Washington, DC*

Moderator:

Susan Hackett, *Association of Corporate Counsel, Washington, DC*

Speakers:

Tim Howe, *Sanofi Pasteur S.A., Lyon, France*

Mahmud Jamal, *Osler, Toronto, Ontario, Canada*

Youngjin Jung, *Kim and Chang, Seoul, South Korea (Invited)*

Kenneth O'Rourke, *O'Melveny & Myers LLP, Los Angeles, California*

12:45 pm –

2:15 pm

Ticketed Event

**Luncheon with
U.S. Copyright
Office General
Counsel, David
O. Carson**



David O. Carson is General Counsel of the United States Copyright Office. As General Counsel, a principal legal officer of that Office, he maintains responsibility for the Office's regulatory activities, litigation, administration of the copyright law, and providing liaison on legal matters between the Office and U.S. Congress, the U.S. Department of Justice and other agencies of U.S. Government, the courts, the legal community, and other interests affected by the copyright law. His current tenure in this position commenced in December, 2008. He previously served as General Counsel from 1997 until the end of 2006. The Copyright Office, part of the Library of Congress, administers the U.S. copyright law.

From the end of 2006 until the end of 2008, he was Associate Register for Policy and International Affairs at the Copyright Office. As Associate Register, he was the head of the Office of Policy and International Affairs, which assists the Register of Copyrights in advising Congress and executive branch agencies on domestic and international copyright policy matters. He represented the Copyright Office in U.S. government delegations to meetings at the World Intellectual Property Organization, including its Standing Committee on Copyright and Related Rights, and in relations with other governments and intergovernmental organizations.

Prior to joining the Copyright Office in 1997, he was a partner at Schwab Goldberg Price and Dannay in New York, New York and Cooper, Epstein & Hurewitz in Beverly Hills, California. In private practice, he represented publishers, authors, motion picture and television production companies, recording artists, composers, record companies, computer software publishers and others. He litigated and counseled clients in areas including copyrights, trademarks, defamation, rights of privacy and publicity, and publishing and entertainment contracts. He has written articles and lectured on issues in these fields of law.

He is a former trustee of the Copyright Society of the United States of America, a former director of the American Intellectual Property Law Association and former chair of its Committee on Copyright Law.

He is a graduate of Harvard Law School and received Bachelor of Arts and Master of Arts degrees in history at Stanford University.

Mr. Carson's remarks are expected to be on the challenges facing copyright law in the digital age.

2:30 pm – 4:00 pm

Law Practice Management Forum: Issues Facing Law Firms in Emerging Markets – A Managing Partner Summit

CORPORATE / TRANSACTIONAL;
YOUNG LAWYERS

During the past several decades, we have witnessed the growth of many international law firms around the world, including some with offices located in over thirty countries and offices on every continent. A panel of managing partners from leading law firms of emerging markets will share their strategies for developing

a successful business model in their markets. The panelists will discuss, in an interactive and dynamic manner, their approaches to dealing with difficulties/issues which are specifically associated with law firms in emerging markets.

Some of the questions that the panelists will address are:

How to position a law firm in an emerging market with local and international players? Specifically, what are the challenges that local law firms in emerging markets face in differentiating themselves from global or large international law firms entering or competing in their markets? What role does a strategic development plan of a law firm play in that context? How do global law firms select local counsel in emerging markets where they are not present and what are the criteria they apply? How is the so-called "war for talent" affected by that positioning? Specifically, what are the advantages a leading local law firm can offer to local "high potentials" as compared to global or large international law firms?

Sponsoring Committee:

*International Law Practice
Management Forum*

Co-Sponsor:

ABA Young Lawyers Division

Program Chairs & Moderators:

Justin D. Vineberg, *Davies Ward
Phillips & Vineberg LLP, Montréal,
Quebec, Canada*

Susanna Fuchsbrunner, *Sibeth
Partnerschaft, Frankfurt, Germany*

Speakers:

Dmitry Afanasiev, *Managing Partner,
Egorov, Puginsky, Afanasiev & Partners,
Moscow, Russia*

Horst Ebhardt, *Managing Partner,
Wolf Theiss, Vienna, Austria*

Umit Herguner, *Managing Partner,
Herguner Bilgen Ozeke, Istanbul, Turkey*

Sadiq Jafar, *Managing Partner, Hadeef
& Partners, Dubai, United Arab Emirates*

Alfredo M. O'Farrell, *Partner, Marval, O'Farrell & Mairal, Buenos Aires, Argentina*

Zhou Xiaolin, *Senior Partner/Managing Partner, Jun He Law Offices, New York, New York*

2:30 pm – 4:00 pm

Pressing Matters: A Comparative Review of Defamation in the Borderless World

DISPUTE RESOLUTION / LITIGATION; PUBLIC INTERNATIONAL LAW / RULE OF LAW I

Issues of free speech and defamation are not just the worry of the news media. All commercial lawyers need to understand these issues. Social media, electronic versions of newspapers and magazines, "gripe" websites, blogs and a host of other digital formats as well as traditional "paper" media, have raised the stakes for misstep in their communications. A panel representing a cross-section of common law countries – Canada, England, Ireland and the United States – will engage in a comparative review of libel and defamation issues in the borderless world, addressing such questions as personal jurisdiction, defenses and the parameters of "free speech" and its limitations.

Sponsoring Committee:

International Litigation Committee

Program Chair & Speaker:

Richard Dearden, *Gowlings, Toronto, Ontario, Canada*

Program Chair & Moderator:

Steven M. Richman, *Duane Morris LLP, Princeton, New Jersey*

Speakers:

John Doyle, *Dillon Eustace, Dublin, Ireland*

Michael Martinez, *Crowell & Moring LLP, Washington, DC*

Kate Matthews, *Stevens & Bolton LLP, London, United Kingdom*

2:30 pm – 4:00 pm

The Aftermath of the Financial Crisis: Part 3 – The International Credit Crisis and CDO Litigation: The View from the SEC and the Banks

INTERNATIONAL FINANCE; DISPUTE RESOLUTION / LITIGATION

This is Part 3 of "The Aftermath of the Financial Crisis," which will consist of a mock trial of an international CDO case following on the technical/legal discussion of the second panel. Key areas of contention will include jurisdiction/forum non conveniens and the merits of the case, including an analysis of the relevant law, a technical analysis of CDOs, and the rating agency role and the relevant rights and obligations of purchasers, issuers, collateral managers, short side investors and the rating agencies. The audience will serve as jury and will have an opportunity to ask questions of the parties before making a determination.

Sponsoring Committees:

International Securities and Capital Markets Committee, Foreign Legal Consultant Committee, International M&A Joint Venture Committee, International Financial Products and Services Committee, International Secured Transactions & Insolvency Committee, International Litigation Committee

Program Chair & Moderator:

Charles D. Schmerler, *Fulbright & Jaworski L.L.P., New York, New York*

Speakers:

Peter E. Calamari, *Quinn Emanuel Urquhart & Sullivan, LLP, New York, New York*

Jerome Fons, *Kroll Bond Ratings Agency, Inc., New York, New York*

Jodi A. Kleinick, *Paul, Hastings, Janofsky & Walker LLP, New York, New York*

Zachary D. Rosenbaum, *Lowenstein Sandler LLP, New York, New York*

2:30 pm – 4:00 pm

African Growth and Opportunity Act (AGOA) 10 Years Later: What Have We Done, Where are We, and Where Should We Go from Here?

INTERNATIONAL TRADE / CUSTOMS;
REGULATORY

The African Growth and Opportunity Act (AGOA) was passed in 2000 and was supposed to open up the U.S. market for African goods. Now, 10 years later, we can see the results. What has worked? What hasn't? Is it a success or failure? Should it be reformed? Where do we go from here? These questions will all be answered by a panel of distinguished Africa experts and Washington insiders from both the public and private sectors, who will give their personal and professional views on this landmark legislation and consult their crystal balls as to where AGOA will take us over the next ten years.

Sponsoring Committees:

Africa Committee, International Trade Committee

Program Chair & Moderator:

Victor Mrocza, *Hughes Hubbard & Reed LLP, Washington, DC*

Speakers:

Florizelle Liser, *Office of the U.S. Trade Representative, Washington, DC* (Invited)

Paul Ryberg, *African Coalition on Trade, Washington, DC*

2:30 pm – 4:00 pm

Haiti's Reconstruction: A Year After the Earthquake. Have the Haitian People's Voices Been Heard?

PUBLIC INTERNATIONAL LAW / RULE OF
LAW II; YOUNG LAWYERS

Haiti's reconstruction presents governance challenges and opportunities. A year after the earthquake and the response of the international aid community through the 2010 Donor's Conference where many resources were pledged to support Haiti's reconstruction how much has been achieved? Have the concerns and demands of the Haitian people been included in the reconstruction of the country? Have the donor pledges translated into visible governance results? How are international efforts contributing to lasting stability, governance, development and growth?

Sponsoring Committees:

Latin America and Caribbean Committee, UN and International Institutions Coordinating Committee

Co-Sponsors:

Haiti Task Force, ABA Young Lawyers Division

Program Chair:

Michael Burke, *Williams Mullen, Washington, DC*

Program Chair & Moderator:

Lelia Mooney, *Partners for Democratic Change, Washington, DC*

Speakers:

Eduarda Hamann, *Viva Rio, Rio de Janeiro, Brazil* (Invited)

Ambassador Louis Harold Joseph, *Ambassador of the Republic of Haiti to the United States, Washington, DC* (Invited)

Kara McDonald, *Office of the Haiti Coordinator, U.S. Department of State, Washington, DC*

Robert McGuire, *Trinity Washington University, Washington, DC*

William O'Neill, *Social Sciences Research Council, New York, New York*

2:30 pm – 4:00 pm
Joint Venture Amongst Competitors: Substantive Analysis in Multiple Jurisdictions

ANTITRUST LAW MINI-TRACK;
 CORPORATE / TRANSACTIONAL

Joint ventures provide a popular mechanism for companies to cooperate in the marketplace. This panel will consider the substantial competition issues raised by this cooperation. Specifically, the panel of experienced competition law practitioners will review the legal justifications for joint ventures and the associated procedural requirements, including pre-merger filing obligations.

The panelists will consider a hypothetical in which two significant competitors each agree to contribute US\$10,000,000 to form a new joint venture company to develop a new product. They will have joint control over the newly formed company, which will market their existing versions of the new product to be developed.

Based upon the companies' initial investigations, the joint venture will diminish the existing competition between them but will also eventually produce a potentially less expensive final product with more features. The joint venture will be conducting research and development activities in the United States, European Union, South Africa, China and Brazil in order to develop the products and, once produced, commercialize them.

Sponsoring Committees:

International Antitrust Law Committee, International M&A Joint Venture Committee, International Commercial Transactions, Franchising and Distribution Committee, China Committee, Europe Committee, Latin America and Caribbean Committee, Young Lawyers Interest Network (YIN)

Co-Sponsor:

Association Internationale des Jeunes Avocats (AIJA)

Program Chair:

Niko Hukkinen, *Roschier Attorneys Ltd., Helsinki, Finland*

Program Chair & Speaker:

David A. Schwartz, *Wachtell, Lipton, Rose & Katz, New York, New York*

Moderator:

Alfredo M. O'Farrell, *Marval, O'Farrell & Mairal, Buenos Aires, Argentina*

Speakers:

María Cecília Andrade, *Mattos, Muriel & Kestener, Advogados, São Paulo, Brazil*

Philippe Chappatte, *Slaughter and May, London, United Kingdom*

Tamara Dini, *Bowman Gilfillan, Cape Town, South Africa*

Susan Ning, *King & Wood, Beijing, People's Republic of China*

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 highlight key components for meeting attendees to learn more about each of these areas and how each can allow members new and old like to become more involved in the Section's activities.

4:30 pm – 6:00 pm
Kiss, Bow or Shake Hands: Doing Business Around the World

CORPORATE / TRANSACTIONAL;
 YOUNG LAWYERS

You're on your way to China, Russia, Malaysia, Brazil, India or virtually any exotic locale. Do you kiss, bow

or shake hands? Do you address prospects by their first name, last name or just their title? Should you expect tough negotiations, or will they never say “no!”? Do they expect a gift, or would it be considered graft?

Spring Meeting delegates are encouraged to join in an open discussion with Terri Morrison, author of several best-selling books on international business customs. Discuss how to smooth over cultural barriers and form lasting client and professional relationships. Come and share your experiences, tell stories, ask questions or simply listen as panel members and the audience reflect on a spectrum of intercultural communications topics - from negotiating styles, advertising taboos, plagiarism, business protocol, appropriate attire, dining etiquette, entertainment, gestures and gift-giving around the world.

Sponsoring Committees:

Diversity Committee, International Antitrust Law Committee, Women's Interest Network (WIN)

Co-Sponsor:

ABA Young Lawyers Division

Program Chairs:

Elisa Kearney, *Davies Ward Phillips & Vineberg LLP, Toronto, Ontario, Canada*

Jennifer Hilsabeck, *Lewis and Roca LLP, Las Vegas, Nevada*

Moderators:

Terri Morrison, *Getting Through Customs, Newtown Square, Pennsylvania*

Lisa Ryan, *Fragomen, Del Rey, Bernsen & Loewy, LLP, New York, New York*

Speakers:

Hagit Blaiberg, *Goldfarb, Levy, Eran, Meiri, Tzafirir & Co. Law Offices, Tel Aviv, Israel*

Marcelo Bombau, M. & M. Bomchil, *Buenos Aires, Argentina*

Olufunmi Oluyede, *Triplaw, Lagos, Nigeria*

Yong Lim, *Kim & Chang, Seoul, South Korea*

4:30 pm – 6:00 pm

Investing Across Borders: The World Bank Group Findings and Reactions from Different Countries

INTERNATIONAL FINANCE; REGULATORY; PRIVATE EQUITY, PRIVATE/PUBLIC PARTNERSHIPS AND DEVELOPING COUNTRIES MINI-TRACK

Investing across borders in different sectors can be a complicated and difficult process. Many countries have restrictions and prohibitions on foreign direct investment, acquisition of property and establishment or ownership of companies. The World Bank Group, through its Investing Across Borders project (IAB), recently completed a survey of lawyers and other service professionals in 87 countries. This survey dealt with the quality of legislation and the efficiency of administrative processes of foreign direct investment. It concentrated on four topics:

1. investing across sectors;
2. starting a foreign business;
3. accessing land; and
4. arbitrating disputes.

The panel will include representatives from the Investment Across Borders project and professionals from several countries with extensive experience in foreign direct investment. The discussion should identify some of the best practices in this area as well as critical restrictions to foreign direct investment. The audience will be encouraged to participate in the discussion.

Sponsoring Committees:

International Investment and Development Committee, Cross-Border Real Estate Practice Committee, International Financial Products and Services Committee, Africa Committee, Mexico Committee

Program Chair & Speaker:

Terry A. Selzer, *Stampe, Haume & Hasselriis, Copenhagen, Denmark*

Moderator:

Ignacio Randle, *Estudio Randle*,
Buenos Aires, Argentina

Speakers:

Jean Paul Chabaneix, *Rodrigo, Elias & Medrano*, Lima, Peru

Kusi Hornberger, *Investing Across Borders Project*, *The World Bank Group*, Bogota, Colombia

H. Jayesh, *Juris Corp*, Mumbai, India

Beth Riley, *Bennett Jones LLP*, Calgary, Alberta, Canada

Ricardo Silva, *Miranda Alliance*, Lisbon, Portugal

Ernesto Velarde-Danache, *Ernesto Velarde-Danache, Inc.*, Brownsville, Texas

4:30 pm – 6:00 pm

Home Field Advantage: Domestic Preferences in Government Procurement and Obligations Under International Agreements

INTERNATIONAL TRADE / CUSTOMS; PUBLIC INTERNATIONAL LAW / RULE OF LAW I

With jobs at a premium in the worldwide-recessed economy, and with government spending one of the few reliable sources of jobs, domestic policy-makers face a great deal of pressure to ensure that government spending leads to domestic employment. At the same time, countries' trade commitments limit protectionism in government procurement. This has led to pitched diplomatic activity as national governments seek to strike a balance between their trade commitments and the political realities of economies starved for employment. This panel will address how government procurement laws implement domestic preferences, friction between domestic preferences and past and future policy developments that resolve or attempt to resolve the tension.

Sponsoring Committees:

Aerospace and Defense Industries Committee, Canada Committee, Europe Committee,

International Trade Committee, International Antitrust Law Committee, India Committee

Program Chair:

William R. Black, *BAE Systems*, Santa Clara, California

Program Chair & Moderator:

Steven D. Tibbets, *Reed Smith, LLP*, Washington, DC

Speakers:

Harinder Mecheri, *Indian Embassy*, Washington, DC (Invited)

Courtney Rodonet, *Office of the U.S. Trade Representative*, Washington, DC (Invited)

Joshua I. Schwartz, *The George Washington University Law School*, Washington, DC (Invited)

Callie Stewart, *Embassy of Canada*, Washington, DC (Invited)

4:30 pm – 6:00 pm

The Response: Academy Award® Shortlisted Film Takes You Inside the Guantanamo Military Tribunals

PUBLIC INTERNATIONAL LAW / RULE OF LAW II

This program will begin with a brief orientation of military tribunals as they have developed since the revolutionary war, followed by a screening of *The Response*, a 30-minute docudrama based on actual transcripts of the Guantanamo Bay tribunals. This film was created and produced by Sig Libowitz of Venable, LLP, and features Kate Mulgrew (Captain Janeway of Star Trek, Voyager, and Equus), Peter Reigert (Boon of Animal House, and Local Hero, Crossing Delancey, and The Sopranos) and Aasiv Mandvi (The Daily Show with Jon Stewart). *The Response* was shortlisted for the 2010 Academy Awards and named the 2009 ABA Silver Gavel Award, among numerous other distinctions. A panel discussion will follow featuring the actors and expert commentary.

Sponsoring Committee:*National Security Committee***Program Chair & Moderator:****John H. Harrington**, *Law Office of John Harrington, New York, New York***Program Chair:****Houston Putnam Lowry**, *Brown & Welsh, P.C., Meriden, Connecticut***Moderator:****Sig Libowitz**, *Venable LLP, Washington, DC***Speakers:****Don Guter**, *South Texas College of Law, Houston, Texas* (Invited)**Aasiv Mandvi**, *Actor, New York, New York* (Invited)**Kate Mulgrew**, *Actress, New York, New York* (Invited)**Peter Reigert**, *Actor, New York, New York***David Rittgers**, *Cato Institute, Washington, DC***Thomas B. Wilner**, *Shearman & Sterling LLP, Washington, DC*

4:30 pm – 6:00 pm

Cloud Computing and Data Protection: Best Practices for Law Firms and Their Clients

REGULATORY; CORPORATE / TRANSACTIONAL; ETHICS MINI-TRACK

What is “cloud computing”? Not sure? Plug “cloud computing” into a web search and see how many hits you get – now we’re talking. To say that cloud computer is simply Internet-based computing with shared access to resources only begins the discussion. To what extent will personal information be stored in the cloud? What are the data privacy and security implications of cloud computing? What ethical and regulatory issues should an international law firm examine before storing client data in the cloud? Please join us for a truly enlightening discussion about these issues and many more as we take you on a journey to the cloud!

Sponsoring Committee:*Information Services, Technology and Data Protection Committee***Program Chair:****Demetrios Eleftheriou**, *EMC Corporation, Hopkinton, Massachusetts***Program Chair & Moderator:****R. Mark Field**, *Evans Petree PC, Memphis, Tennessee***Speakers:****Frank Buono**, *Willkie Farr & Gallagher LLP, Washington, DC***Kathryn Ratte**, *Federal Trade Commission, Washington, DC***Jennifer Stoddart**, *Office of the Privacy Commissioner of Canada, Ottawa, Ontario, Canada* (Invited)

4:30 pm – 6:00 pm

Forget the iPad; A Washington, DC Lawyer is the New Must-Have: A Primer on Washington Lawyers and Why No One Outside the Beltway Can Afford to be Without One

YOUNG LAWYERS; REGULATORY

U.S. history most often remembers Presidents, Vice-Presidents, Generals, Senators, Congressmen, Supreme Court Justices and an occasional Secretary of State, yet it is the Washington lawyer that prevails and without whom none of the above can function. Who are these people? Why can't the average person name one? Why are they so influential? And why does everybody seem to want or already have one? These questions will all be addressed by a panel of distinguished Washington insiders from both the public and private sectors, who will give their personal and professional views on this unique market and all that it entails.

Sponsoring Committees:

Young Lawyers Interest Network (YIN), NGO and Not-For-Profit Organizations Committee, International Trade Committee, Africa Committee

Co-Sponsor:

ABA Young Lawyers Division

Program Chair & Speaker:

Victor Mrocza, *Hughes Hubbard & Reed LLP, Washington, DC*

Moderator:

John Magnus, *TRADEWINS LLC, Washington, DC*

Speakers:

Kristen Johnson, *Patton Boggs LLP, Washington, DC* (Invited)

Kate Martin, *Center for National Security Studies, Washington, DC* (Invited)

7:00 pm – 9:00 pm

Ticketed Event

Opening Reception at the Canadian Embassy

*501 Pennsylvania Avenue, NW
Washington, DC*

*With thanks to
our sponsor*



Sponsoring Committees:

Canada Committee, International Trade Committee

After the first full day of programming, join your new friends just steps from the U.S. Capitol at the Canadian Embassy.

The first Canadian Embassy had long been housed in a mansion on Embassy Row that had been purchased in 1927. The house had been built in 1909 for Clarence Moore, a financier who was killed in the sinking of the RMS Titanic. It was at this building that the Queen of Canada, Elizabeth II, hosted a return dinner for President Dwight D. Eisenhower at the end of her state visit to the United States in 1959. The building now houses the Embassy of Uzbekistan.

Over time, the Canadian delegation outgrew this building and spread to other structures scattered throughout Washington. In the 1970s, the Embassy of Canada began to search for a new home. At the same time the federally chartered Pennsylvania Avenue Development Corporation was looking to revitalize the avenue. In 1978, the government of Canada purchased a vacant lot for \$5 million. The site had previously been a Ford dealership and a public library. Canada is the first and so far only nation, to build an embassy so close to the U.S. Capitol. The two nations share a close relationship due to their cultural similarities, geographic

proximity, and the volume of trade across their borders. The new building was designed by British Columbia architect Arthur Erickson. This decision generated some controversy as Erickson was handpicked by his friend, Prime Minister Pierre Trudeau, but the building itself was much acclaimed.

The new chancery was officially opened by Prime Minister Brian Mulroney in May 1989. The building currently houses about 135 Canadian diplomats and 150 locally engaged staff.

The site is decorated with the large sculpture Spirit of Haida Gwaii by Bill Reid. The 'Rotunda of the Provinces' on the embassy courtyard's southeast corner has a domed roof that is supported by 12 columns, one for each of the ten provinces and two territories in existence in 1989.

9:00 pm – 11:00 pm

Ticketed Event

Committees Dinner at The Hyatt Regency Washington on Capitol Hill

This is a great opportunity to continue to network within your practice area with others at the meeting who share your interests and have casual discussions over the dinner table; many of which will lead to new initiatives and committee programs developing for months to come after you return home. Each committee will have a table planned for the evening, be sure to reach out to other members within your committee as well as your committee leadership to be sure that everyone signs up when registering for the meeting so that all can assemble together on the night of this event.

THURSDAY, APRIL 7

7:00 am – 7:00 pm
Registration Open

7:45 am – 9:00 am
Continental Breakfast

8:00 am – 9:00 am **Breakfast at the Bar Series: As Good as it Gets – Beauty Parades for Law Firms**

YOUNG LAWYERS

You only get one chance to make a good first impression – this is certainly true for beauty parades of law firms. How long should a presentation be? Do you talk about the (potential) client or only about your firm? Should you mention fees? Do you disclose references? These are the questions with which this workshop will deal.

The workshop will include one-to-one presentations by different law firms. We will also discuss the specific role of in-house counsel, who will provide you with practical do's and don'ts.

Sponsoring Committee:

Young Lawyers Interest Network (YIN)

Co-Sponsors:

ABA Young Lawyers Division, Association Internationale des Jeunes Avocats (AIJA)

Program Chair:

Patrick Goudreau, *Lapointe Rosenstein Marchand Melançon, Montréal, Québec, Canada*

Program Chair & Moderator:

Beat Brechbühl, *Kellerhals, Berne, Switzerland*

Moderator:

Debra Forman, *Pinstripe Coaching, Toronto, Ontario, Canada*

Speakers:

Markus Bauer, *Rittershaus, Frankfurt, Germany*

Carlos Cerqueira, *Blake, Cassels & Graydon LLP, Toronto, Ontario, Canada*

Ernst Giese, *Managing Partner, Giese & Partner, Prague, Czech Republic*

Mock Jury:

Demetrios Eleftheriou, *Senior Counsel, Privacy, EMC Corporation, Hopkinton, Massachusetts*

Michael Huber, *Vice President and Associate General Counsel, The Goldman Sachs Group, Inc., New York, New York*

Barbara Kaech, *Deputy General Counsel, Nord Stream, Zug, Switzerland*

9:00 am – 10:30 am**Surviving a Blocking Situation in a 50/50 Joint Venture**

CORPORATE / TRANSACTIONAL;
DISPUTE RESOLUTION / LITIGATION

The happy starting point of a 50/50 marriage in a Joint Venture does not always last forever; the possibility of a divorce, either amicable or in a battle, remains. The panel will focus on precautionary legal counselling when drafting Joint Venture Agreements to cover those situations as well as practical solutions when the problem arises particularly in cross border transactions. Leading in-house experts and private practitioners from different areas of the world will give some clues and tricks for a happy ending.

Sponsoring Committees:

International M&A Joint Venture Committee, International Corporate Counsel Forum, Foreign Legal Consultant Committee

Program Chair & Moderator:

Albert Garrofé, *Cuatrecasas, Gonçalves Pereira, Barcelona, Spain*

Speakers:

Javier Edwards, *BBVA S.A., New York, New York*

Haig Najarian, *General Electric, Energy Financial Services, Stamford, Connecticut*

Dimitri Racklin, *Wilmer Hale, Washington, DC*

Yasuhide Watanabe, *Nagashim Ohno & Tsunematsu, New York, New York*

9:00 am – 10:30 am**Following the Money: A Strategic View of Chase**

DISPUTE RESOLUTION / LITIGATION

This program assembles a world-class group of experts to discuss how to find the source of fraud. The experts have recovered hundreds of millions of dollars from jurisdictions throughout Europe, the Americas, Asia and Africa. When a substantial fraud is suspected or discovered, the first principle is to follow the money. Typically, the money moves through multiple jurisdictions. Not all money trails are of equal value. Not all remedies are available in all jurisdictions. Not all government or criminal investigations are helpful since they may either encourage or discourage cooperation. Recovery efforts are expensive and time consuming. They are not guaranteed to recover more than they cost. The panel members will identify and discuss the strategic issues that affect their success, including: following the money trails, whether to pursue criminal prosecutions, dealing with government agencies, selecting available remedies and developing a strategic plan designed to recover assets. The discussion will address actual fact patterns, including the Banco Noroeste fraud. The program will refer to available remedies (freeze orders, disclosure orders, other extraordinary equitable remedies), but will focus on higher value decisions.

Sponsoring Committee:

International Litigation Committee

Program Chair & Moderator:

Joseph L. Raia, *Gunster Yoakley & Stewart, P.A., Miami, Florida*

Speakers:

A.J. DeKluyver, *U.S. Department of Justice, Washington, DC*

Keith Oliver, *Peters & Peters,*
London, United Kingdom

William L. Richey, *William L.*
Richey, P.A., Miami, Florida

Pierre Schifferli, *Schifferli Vafadar*
Sivilotti, Geneva, Switzerland

9:00 am – 10:30 am

FIFA World Cup 2014 & the Summer Olympic Games 2016: Major Opportunities for Foreign Investments in Brazil

INTERNATIONAL FINANCE;
INTERNATIONAL TRADE / CUSTOMS;
PRIVATE EQUITY, PRIVATE/PUBLIC
PARTNERSHIPS AND DEVELOPING
COUNTRIES MINI-TRACK

This panel will focus on tax and corporate legal issues concerning foreign investments in Brazil. Being the largest economy in Latin America, Brazil has been pointed out as one of the economically leading countries for the next quarter of century. The country has also been chosen to host the next FIFA World Cup (2014) and the Summer Olympic Games (2016), which will attract even more foreign investments. With billions flowing to the country, legal firms around the world need to learn about Brazilian Law, especially corporate, administrative and tax law. Topics such as corporate taxation, double taxation treaties, import taxes, taxation on foreign investments, international procurement, international joint ventures for public tenders, public-private partnerships and others will be addressed. This panel is not-to-be missed by tax, business and corporate lawyers.

Sponsoring Committees:

*International Tax Committee, Latin
America and Caribbean Committee*

Program Chair:

Jaime Llopis, *Cuatrecasas, Gonçalves
Pereira, Madrid, Spain*

Program Chair & Moderator:

Cristiano Rosa de Carvalho, *Carvalho,
Machado, Timm & Deffenti Advogados,
Porto Alegre, Brazil*

Speakers:

Paulo Ayres Barreto, *Advocacia Aires
Barreto, São Paulo, Brazil*

Francisco Satiro, *University of Sao Paulo,
São Paulo, Brazil*

Renato Parreira Stetner, *Castro Barros,
Sobral, Gomes Attorneys at Law,
São Paulo, Brazil*

Fernando Zilveti, *Zilveti e Sanden
Advogados, São Paulo, Brazil*

9:00 am – 10:30 am

Current International Legal Developments: Roundtable Discussion with the Office of the Legal Adviser

PUBLIC INTERNATIONAL LAW / RULE
OF LAW I

Over the past two years the Obama Administration has faced a number of challenging legal issues as it implements its foreign policy agenda. Among them:

- the balance between government openness and national security concerns (states secrets, Wikileaks, e.g.);
- greater USG participation in international fora (HRC, ICC); arms control and sanctions on Iran;
- the increasing role of L in human rights related civil litigation in U.S. courts post-Samantar; and
- USG compliance with its law of armed conflicts obligations in the ongoing war on terror.

Representatives from the State Department's Office of Legal Adviser will discuss these and other international legal issues currently before the Department.

Program Chair:

Linda Jacobson, *Assistant Legal
Adviser for African and Near Eastern
Affairs, Office of the Legal Adviser, U.S.
Department of State, Washington, DC*

9:00 am – 10:30 am
Size Matters: When do Powerful Firms Attract Antitrust and Regulatory Scrutiny and Sanctions?

REGULATORY; ANTITRUST LAW MINI-TRACK

Jurisdictions around the world are increasingly scrutinizing powerful firms (including recently privatized companies) more closely and imposing high fines and stringent remedies. This program will provide practical guidance for companies with a high degree of market power and also flag opportunities for their competitors. The panel of leading practitioners from the U.S., EU, Canada and China will discuss the key practical points arising in pricing, distribution and other trade practices, including issues such as predatory and exploitative pricing, refusal to deal, access to essential facilities, rebates, tying and bundling and when companies may be considered jointly dominant. The comparative format will illustrate the main differences in approach between the jurisdictions, thus providing useful pointers for those developing an international commercial strategy.

Sponsoring Committees:

International Antitrust Law Committee, International M&A Joint Venture Committee, Canada Committee

Co-Sponsor:

Association Internationale des Jeunes Avocats (AIJA)

Program Chair:

Sandy Walker, *Fraser Milner Casgrain LLP, Toronto, Ontario, Canada*

Program Chair & Speaker:

Laurent Garzaniti, *Freshfields Bruckhaus Deringer LLP, Brussels, Belgium*

Moderator:

Damian Didden, *Wachtell, Lipton, Rosen & Katz, New York, New York*

Speakers:

Gene Burrus, *Microsoft Corporation, Redmond, Washington*

Michael Han, *Freshfields Bruckhaus Deringer LLP, Beijing, People's Republic of China*

William Kovacic, *Federal Trade Commission, Washington, DC*

Sandy Walker, *Fraser Milner Casgrain LLP, Toronto, Ontario, Canada*

9:00 am – 10:30 am
Competitive Alternatives to Fossil Fuels Electricity Generation

ENVIRONMENTAL LAW MINI-TRACK;
 CORPORATE / TRANSACTIONAL

The use of new methodologies to extract fossil fuels, including oil sands extraction and deepwater drilling, are being examined in light of a range of environmental impacts. This panel will discuss the feasibility of embracing a clear energy future. It will look at several alternatives such as hydroelectricity, solar and wind power. Our energy experts will examine whether these alternative energy sources are currently economically viable and, if not, what may be done from a legal and regulatory perspective to make them a realistic alternative to fossil fuels.

Sponsoring Committees:

Canada Committee, International Energy & Natural Resources Committee, International Environmental Law Committee

Co-Sponsor:

ABA Standing Committee on Environmental Law

Program Chairs:

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

Jeffery Barnes, *Heenan Blaikie LLP, Toronto, Ontario, Canada*

Moderator:

John Gulliver, *Pierce Atwood LLP, Portland, Maine*

Speakers:

Allen Garson, *Heenan Blaikie LLP, Toronto, Ontario, Canada*

Herbert A. Glaser, *Haynes & Boone, Washington, DC*

Christopher Guith, *U.S. Chamber of Commerce, Washington, DC*

Seth Kaplan, *Conservation Law Foundation, Boston, Massachusetts*

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 highlight key components for meeting attendees to learn more about each of these areas and how each can allow members new and old alike to become more involved in the Section’s activities.

11:00 am – 12:30 pm
Re-Imagining the Role of General Counsel in International Business

**CORPORATE / TRANSACTIONAL;
REGULATORY; ETHICS MINI-TRACK**

The best companies in international business think of themselves as ambassadors to their markets around the world. This program, presented by chief legal officers of world-class companies, encourages general counsel to transform their thinking along the same lines: in modern international business, the general counsel is not just a legal officer but a diplomat. We will discuss how company-to-government advocacy, economic and political literacy, and corporate citizenship open up new frontiers for corporate counsel.

Sponsoring Committees:

International Trade Committee, Export Controls and Economic Sanctions Committee, International Anti-Corruption Committee

Program Chair:

J. Scott Maberry, *Fulbright & Jaworski L.L.P., Washington, DC*

Moderator:

R. Michael Gadbow, *former Senior Counsel General Electric and Georgetown University Law Center, Washington, DC*

Speakers:

Sheila C. Cheston, *Northrop Grumman Corp, Arlington, Virginia* (Invited)

Alan R. Crain, *General Counsel, Baker Hughes Incorporated, Houston, Texas*

Anne Giardini, *President and former General Counsel, Weyerhaeuser Company, Federal Way, Washington* (Invited)

Kenneth R. Thompson II, *Global Chief Legal Officer, LexisNexis, New York, New York*

Larry D. Thompson, *former Deputy Attorney General of the United States and General Counsel, PepsiCo, Purchase, New York* (Invited)

THURSDAY, APRIL 7

11:00 am – 12:30 pm**Rest in Peace: The Pitfalls of Multi-Jurisdictional Inheritance Disputes**DISPUTE RESOLUTION / LITIGATION;
YOUNG LAWYERS

An interactive mock inheritance case with leading lawyers from the U.S., UK, Cayman and Switzerland regarding multijurisdictional inheritance disputes. The panel will debate freezing measures, jurisdictional issues, general pitfalls and particularities of the jurisdictions and useful advice for estate planning to avoid precisely this kind of litigation.

Sponsoring Committees:

*International Private Client Committee,
International Litigation Committee*

Co-Sponsor:

ABA Young Lawyers Division

Program Chair:

Markus Zwicky, *Zwicky Windlin & Partner, Zug, Switzerland*

Program Chair & Moderator:

Manuel Liatowitsch, *Schellenberg Wittmer, Zurich, Switzerland*

Speakers:

Sara Collins, *Conyers Dill & Pearman, Grand Cayman, Cayman Islands* (Invited)

Graeme Kleiner, *Speechly Bircham, London, United Kingdom* (Invited)

Tina Wüstemann, *Bär & Karrer, Zurich, Switzerland*

11:00 am – 12:30 pm**Secured Lending and Lien Registry Systems: Best Practices in the Americas and Europe**

INTERNATIONAL FINANCE; REGULATORY

Secured lending in Latin American notarial systems may seem more challenging than under the UCC Article 9 notice-filing. What can lower costs of credit in Latin America, without falling into traps of the U.S. credit bubble? Panelists will identify best practices in civil law notarial

and Article 9 lien registry systems, evaluating developments in Latin America (Mexico's advanced registry systems, plus the OAS initiative to render registry systems accessible across borders) and in Europe (France's lien registry system for moveable and intangible property). Unlike UCC Article 9, notarial systems inject a neutral professional into establishment of lien priorities to confirm party identities, technical correctness of documentation and parties' understanding. Understanding pros and cons of notarial systems that frontload cost relative to notice-filing systems that leave to courts to establish the foundation to resolve disputes, limits surprises in cross-border lending, whether for infrastructure project finance or asset-based securitization.

Sponsoring Committees:

Mexico Committee, Latin America and Caribbean Committee, International Financial Products and Services Committee, International Investment and Development Committee, International Securities and Capital Markets Committee, Europe Committee

Program Chairs & Moderators:

Patrick Del Duca, *Zuber & Taillieu LLP, Los Angeles, California*

Carol Mates, *Washington, DC*

Speakers:

Spiros Bazinas, *UNCITRAL, Vienna, Austria* (Invited)

Alejandro Ciero, *Estudio Beccar Varela, Buenos Aires, Argentina*

John Wilson, *Department of International Law, Secretariat for Legal Affairs, Organization of American States, Washington, DC*

11:00 am – 12:30 pm
Imported, Counterfeit Merchandise and U.S. Customs Enforcement – Is it Genuine?

INTERNATIONAL TRADE / CUSTOMS; INTELLECTUAL PROPERTY LAW MINI-TRACK; PRIVATE EQUITY, PRIVATE/PUBLIC PARTNERSHIPS AND DEVELOPING COUNTRIES MINI-TRACK

Counterfeiting and piracy are crimes that threaten public health, public safety and international business. U.S. Customs and Border Protection, through the National Intellectual Property Rights Coordination Center, is the lead Federal agency with a mission to combat this type of civil and criminal activity. Learn about the current emphasis on pursuing these cases which produce significant seizures, civil penalties and criminal prosecutions. Learn also how easily your company's identity, and that of other innocent companies, can be stolen and used to import counterfeit goods which undermine your bottom line and brand name. Corporate identity theft has become as widespread as personal identity theft. What can you do to stop it and protect the value of your brands?

Sponsoring Committees:

International Trade Committee, Customs Law Committee, International Intellectual Property Rights Committee, China Committee

Program Chairs & Moderators:

Peter A. Quinter, *Becker & Poliakoff, P.A., Fort Lauderdale, Florida*

Susan Kohn Ross, *Mitchell Silberberg + Knupp LLP, Washington, DC*

Speakers:

Judith Lykins, *Laboratories, Inc., Northbrook, Illinois*

Therese Randazzo, *U.S. Customs, Washington, DC*

Tim P. Trainer, *Global Intellectual Property Strategy Center, P.C., Washington, DC*

Laurie H. Van Loben Sels, *Townsend & Townsend & Crew, San Francisco, California*

11:00 am – 12:30 pm
Is Water the New Oil? Tales from the Battle Over Transboundary Water Resources in North America

ENVIRONMENTAL LAW MINI-TRACK; DISPUTE RESOLUTION / LITIGATION

As the battle over freshwater resources heats up around the world, how are these issues playing out between the United States and its neighbours to the north and south? How are disputes over water resources that span across borders resolved? What laws or treaties apply? Does NAFTA have anything to say about it? A panel of experts will unravel the complex but fascinating web of issues surrounding transboundary water resources. They will examine environmental and water allocation disputes over transboundary water, and present a practical "real-life" case study from recent litigation between the United States and the Republic of Mexico over seepage recharge into the Mexicali aquifer. The panel, including a senior Canadian government official, will also analyze new measures recently announced by Canada in an effort to protect its transborder water resources.

Sponsoring Committees:

Mexico Committee, Canada Committee, International Environmental Law Committee, International Energy & Natural Resources Committee

Co-Sponsor:

ABA Standing Committee on Environmental Law

Program Chairs:

John W. Boscarior, *McCarthy Tétrault LLP, Toronto, Ontario, Canada*

Jay F. Stein, *Stein & Brockmann, Santa Fe, New Mexico*

Moderator:

Malissa McKeith, *Lewis Brisbois Bisgaard & Smith LLP, Los Angeles, California*

Speakers:

Elaine Feldman, *Canadian Environmental Assessment Agency, Ottawa, Ontario, Canada (Invited)*

William J. Snape III, *Center for Biological Diversity, Washington, DC*

12:45 pm –
2:15 pm

Ticketed Event

**Luncheon with
Former Judge of
the International
Court of Justice
(ICJ), Thomas
Buergenthal**



With thanks to our sponsor



FRESHFIELDS BRUCKHAUS DERINGER

Judge Thomas Buergenthal served as the American judge on the International Court of Justice (ICJ) from 2000 until 2010. Between 1979 and 1991, he was a judge of the Inter-American Court of Human Rights, as well as its Vice President and President. In the 1990s, he was a member of the UN Human Rights Committee and the UN Truth Commission for El Salvador.

On his retirement from the ICJ, Judge Buergenthal was named the Lobingier Professor of Comparative Law and Jurisprudence at The George Washington University Law School in Washington, DC, a position he held prior to his election to the ICJ. He also serves as a member of the Ethics Commission of the International Olympic Committee.

Judge Buergenthal was also the Dean of the American University Washington College of Law and has held endowed professorships at the University of Texas and Emory University Law Schools. Judge Buergenthal is a graduate of Bethany College (West Virginia) and the New York University School of Law. He received LL.M. and S.J.D. degrees from Harvard Law School.

Judge Buergenthal's remarks are expected to be entitled, "International Courts and the Transformation of International Law."

2:30 pm – 4:00 pm
**What is Next in the Practice
of Law in Latin America?
Capitalizing Opportunities
and Negotiating Challenges**

**CORPORATE / TRANSACTIONAL;
YOUNG LAWYERS**

During the last decade Latin America has witnessed appreciable political changes. In certain cases traditional capitalistic models have been reemphasized, while other countries have turned sharply to more leftist (populist, to some) regimes.

Traditional rule of law building blocks have now shifted impacting the practice of legal profession in several countries. Lawyers have been forced to rethink their own practice, along with the structures of certain regional cross border transactions. In addition there has been a relative resurgence of State related international litigation.

These issues will be subject to in-depth discussion, with a focus on challenges and opportunities offered by this convoluted legal environment, with particular emphasis on the efforts of lawyers and law firms to preserve the rule of law.

Speakers from a wide array of Latin American countries will explain the recent developments affecting their own individual practices and discuss opportunities and challenges in each of their own jurisdictions.

Sponsoring Committee:

Latin America and Caribbean Committee

Co-Sponsor:

ABA Young Lawyers Division

Program Chair & Moderator:

José Alejandro Torres, *Posse Herrera & Ruiz, Bogotá, Colombia*

Speakers:

Francisco Castillo, *Hoet Pelaez Castillo & Duque, Caracas, Venezuela* (Invited)

Bruce Horowitz, *Paz & Horowitz, Quito, Ecuador* (Invited)

Walter Douglas Stuber, *Walter Stuber Advogados, São Paulo, Brazil* (Invited)
Ramón Valdívieso, *Carey & Allende Abogados, Santiago, Chile* (Invited)

2:30 pm – 4:00 pm
Eighth Annual Update on Recent Developments in International Dispute Resolution Plus a Comparative Review of Various Arbitral Regimes

DISPUTE RESOLUTION / LITIGATION;
YOUNG LAWYERS

The program will begin with an update by leading experts of recent developments in International Arbitration and International Litigation both domestically and worldwide. This will be followed by a roundtable discussion of a comparison of various arbitral regimes, including the International Criminal Court (ICC), American Arbitration Association-International Centre for Dispute Resolution (AAA-ICDR), CPR, London Court of International Arbitration (LCIA) and others.

Sponsoring Committees:
International Arbitration Committee, International Litigation Committee

Co-Sponsor:
ABA Young Lawyers Division

Program Chair:
Robert F. Brodegaard, *Brodegaard & Simone LLC, New York, New York*

Speakers:
Lorraine Brennan, *The International Institute for Conflict Prevention and Resolution, New York, New York*

Benjamin Sheppard, *University of Houston, Houston, Texas*

Louise Ellen Teitz, *Roger Williams University School of Law, Bristol, Rhode Island*

2:30 pm – 4:00 pm
The Changing Landscape for Foreign Private Equity Investments in China: Challenges and Opportunities

INTERNATIONAL FINANCE; REGULATORY;
PRIVATE EQUITY, PRIVATE/PUBLIC
PARTNERSHIPS AND DEVELOPING
COUNTRIES MINI-TRACK

Private equity investors have long wished to participate in China's high growth economy. China's uncertain legal environment, its historical policies restricting foreign ownership and its prior lack of exit strategies made investing in China challenging. The development of China's private financial industry over the last several years, coupled with recent legal developments, has made investing in China more feasible. Under these recent legal developments, foreign private equity firms can now set up onshore renminbi (RMB) funds which previously were not possible. On the other hand, the rise in domestic private equity funds and the establishment of the Growth Enterprise Market (GEM) have created increased competition from domestic funds. The new private equity environment in China has dramatically changed this industry. Our Speakers bring particular expertise in the structuring and execution of private equity (PE) investments in China from both the practitioner's as well as the professional portfolio advisor's perspectives.

Sponsoring Committees:
China Committee, International M&A Joint Venture Committee

Program Chair & Moderator:
Paul B. Edelberg, *Murtha Cullina LLP, Stamford, Connecticut*

Program Chair & Speaker:
David Zou, *Boss & Young, Shanghai, People's Republic of China*

Speakers:
Janet Hui, *Jun He Law Offices, Beijing, People's Republic of China*

Yabo Lin, *Sidley & Austin, Palo Alto, California*

THURSDAY, APRIL 7

2:30 pm – 4:00 pm
Hot Topics in International Trade Law

INTERNATIONAL TRADE / CUSTOMS; PUBLIC INTERNATIONAL LAW / RULE OF LAW I; PRIVATE EQUITY, PRIVATE/PUBLIC PARTNERSHIPS AND DEVELOPING COUNTRIES MINI-TRACK

Featuring high-profile government and private sector speakers, Hot Topics In International Trade will explore some of the most important and timely issues of the year. Panelists will discuss recent WTO disputes including the latest installment of the Boeing-Airbus Dispute and its impact on other industries. Panelists will also discuss pending U.S. trade legislation, its purpose and impact and whether it is likely to be passed in 2011. The panel will also explore recent trade remedy decisions both within the agencies and at the Court of International Trade. Finally, the panel will discuss current international trade policy issues, pending Free Trade Agreements and the Obama Administration's current efforts to enforce trade laws.

Sponsoring Committee:
International Trade Committee

Program Chair & Moderator:
Amy Stanley Hariani, *King & Spalding LLP, Washington, DC*

Speakers:
Stacy Ettinger, *The Office of U.S. Senator Charles Schumer, Washington, DC*

Steve Orava, *King & Spalding LLP, Washington, DC* (Invited)

Dean Pinkert, *U.S. International Trade Commission, Washington, DC* (Invited)

Tim Reif, *Office of the U.S. Trade Representative, Washington, DC* (Invited)

2:30 pm – 4:00 pm
Shield or Sword: Why Has the Foreign Sovereign Immunities Act Become One of the Most Frequently Litigated Statutes in Cultural Property Disputes?

PUBLIC INTERNATIONAL LAW / RULE OF LAW II; DISPUTE RESOLUTION / LITIGATION; INTELLECTUAL PROPERTY LAW MINI-TRACK

Beginning with the U.S. Supreme Court's 2004 decision in *Republic of Austria v. Altmann*, in which the heir of Holocaust victims succeeded in recovering four Klimt paintings, the Foreign Sovereign Immunities Act has played an increasingly prominent role in litigation concerning the disposition of cultural objects. While in name the FSIA seems intended to protect foreign sovereigns from suit in U.S. courts, the pattern seems to be one in which U.S. courts are increasingly using the FSIA to gain jurisdiction over foreign sovereigns. This panel will address different aspects and contexts of this litigation, ranging from historic shipwrecks, to archaeological artifacts and fine art, and will consider why the FSIA has increasingly become a springboard for resolution of cultural property disputes.

Sponsoring Committees:
Art & Cultural Heritage Law Committee, International Transportation Committee

Program Chair:
Patty Gerstenblith, *DePaul University College of Law, Chicago, Illinois*

Moderator:
Jane Levine, *Sotheby's, New York, New York*

Speakers:
Mark B. Feldman, *Garvey, Schubert, Barer Law, Washington, DC*

James Goold, *Covington & Burling LLP, Washington, DC*

Laina C. Lopez, *Berliner, Corcoran & Rowe, Washington, DC*

Thaddeus Stauber, *Nixon Peabody LLP, Los Angeles, California*

2:30 pm – 4:00 pm
**Evolution of Environmental
Rule of Law in China and India**

**ENVIRONMENTAL LAW MINI-TRACK;
REGULATORY**

Environmental laws in China and India have been rapidly evolving to address growing environmental issues and prevent environmental damage to human health and natural resources from their explosive rates of economic growth. This panel will focus on the environmental law framework, regulatory system and future trends in both China and India, and how these can impact the broader international community. The role of international cooperation by governments, NGOs, and industry will be covered.

Sponsoring Committee:

*International Environmental
Law Committee*

Co-Sponsor:

*ABA Standing Committee on
Environmental Law*

Program Chairs:

R. Juge Gregg, *Sidley Austin LLP,
Washington, DC*

Steve Wolfson, *U.S. Environmental
Protection Agency Office of General
Counsel, Washington, DC*

Moderator:

Roger R. Martella, Jr., *Sidley Austin
LLP, Washington, DC*

Speakers:

John Pendergrass, *Environmental Law
Institute, Washington, DC* (Invited)

Armin Rosencranz, *Stanford University,
Stanford, California*

Alex Wang, *Natural Resources Defense
Council, Beijing, People's Republic
of China*

Tseming Yang, *U.S. Environmental
Protection Agency Office of General
Counsel, Washington, DC*

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 highlight key components for meeting attendees to learn more about each of these areas and how each can allow members new and old alike to become more involved in the Section's activities.

4:30 pm – 6:00 pm
**Measuring Compliance with
the Rule of Law: Why Does
It Make a Difference?**

**CORPORATE / TRANSACTIONAL; PUBLIC
INTERNATIONAL LAW / RULE OF LAW II**

The rule of law is the foundation for communities of opportunity and equity. A worldwide rule of law deficit undermines efforts to make societies safe, lift people from poverty, build economic prosperity, reduce corruption, improve public health, and enhance education. But how can we measure compliance with the rule of law? And if we can measure it, why does it make a difference? Beginning in 2007, the World Justice Project (WJP) began a global, multidisciplinary effort to strengthen the rule of law. The WJP has developed the Rule of Law Index – a new quantitative assessment tool designed to offer a detailed and comprehensive picture of the extent to which countries adhere to the rule of law. The Index seeks to offer a reliable and independent data source for policy makers, businesses, non-governmental organizations and other constituencies. This panel, drawn from various disciplines and countries, will test the premise that a Rule of Law Index can provide policy leaders with a powerful new tool in order to promote action plans to advance the rule of law worldwide.

Sponsoring Committees:

Africa Committee, International Anti-Corruption Committee, International Human Rights Committee

Program Chairs & Moderators:

James R. Silkenat, *Sullivan Worcester, New York, New York*

Deborah Enix-Ross, *Debevoise & Plimpton LLP, New York, New York*

Speakers:

Rolf Adler, *Organisation for Economic Co-Operation and Development (OECD), Paris, France*

Juan Carlos Botero, *The World Justice Project, Washington, DC*

Abderrahim Foukara, *Al-Jazeera Satellite Channel, Washington, DC*

Maha Jweied, *Access to Justice Initiative, Washington, DC*

4:30 pm – 6:00 pm

Searching for the Truth and Seizing the Deceitful: Should the Pre-Action Seizure Remedy of “Anton Piller” Come into U.S. Courts?

DISPUTE RESOLUTION / LITIGATION;
INTELLECTUAL PROPERTY LAW MINI-TRACK

The preservation and tendering of evidence is critical to successful litigation generally, all the more so where such evidence lies across an international border. Other common law countries have accepted pre-action seizures in certain contexts. This panel of experts, both academic and practical, will briefly address the genesis of the Anton Piller remedy, named after the case that gave birth to it in the courts of England. The panel will focus principally on the evolution and application of this remedy within the Canadian legal system as potentially most relevant to U.S. practitioners and lawmakers, given the significant volume of cross-border litigation between Canada and the United States.

The two prongs of the remedy as developed in Canada, and recently affirmed by Canada's highest court,

are really quite distinct: on the one hand, to obtain documentary or other physical evidence where the normal process of discovery fails or the evidence is in danger of being destroyed; and, on the other, to seize goods known to be in violation of one or more intellectual property rights held by the remedy-seeker. There is an increasing need for and many practical benefits to accessing and coordinating judicial remedies between our respective court systems, state/provincial and federal. Is this a remedy which is overdue for adoption by U.S. courts? If so, how might it best be accomplished? Learn from a panel of experts who know the remedy inside and out, and make up your own mind.

Sponsoring Committees:

International Litigation Committee, Canada Committee, International Intellectual Property Rights Committee

Program Chair:

Steven Richman, *Duane Morris LLP, Princeton, New Jersey*

Program Chair & Moderator:

H. Scott Fairley, *Theall Group LLP, Toronto, Ontario, Canada*

Speakers:

Jeffrey Berryman, *Faculty of Law, University of Windsor, Windsor, Ontario, Canada*

Alexandra Darraby, *The Art Law Firm, Los Angeles, California*

Douglas Rendleman, *Washington and Lee University School of Law, Lexington, Virginia*

Elissa Sinha, *Borden Ladner Gervais LLP, Toronto, Ontario, Canada*

Colleen Spring Zimmerman, *Fogler Rubimoff LLP, Toronto, Ontario, Canada*

4:30 pm – 6:00 pm
Power and Infrastructure
Development and Finance
in Sub-Saharan Africa:
Opportunities and Challenges

INTERNATIONAL FINANCE; PUBLIC INTERNATIONAL LAW / RULE OF LAW I; PRIVATE EQUITY, PRIVATE/PUBLIC PARTNERSHIPS AND DEVELOPING COUNTRIES MINI-TRACK

This dynamic, engaging panel will address the opportunities (and challenges) of developing and financing infrastructure and power projects in Africa from the perspectives of development institutions, developers, infrastructure funds, and government institutions. The panel will include an interactive and informative survey of the differences and similarities in projects across countries and in different sectors in Africa. The session will feature active discussion among panel members and audience participation.

Sponsoring Committee:

Africa Committee

Program Chair & Moderator:

Gregg W. Harris, *Fulbright & Jaworski L.L.P., Washington, DC*

Speakers:

Alice Albright, *Export-Import Bank of the United States, Washington, DC*
(Invited)

Gad Cohen, *eleQtra (InfraCo) Inc., New York, New York*

Patricia Jungreis Sulser, *International Finance Corporation, Washington, DC*

4:30 pm – 6:00 pm
On the Rim of the Abyss:
Military Intervention to Neutralize
a Potential Nuclear Threat

PUBLIC INTERNATIONAL LAW / RULE OF LAW I

Many have wondered whether Taliban or al Qaeda may wrest control of nuclear arsenals from Pakistani forces, whether instability in the isolated and disaffected regime in North Korea will alter the likelihood of its use of nuclear weapons and whether a nascent Iranian nuclear capability will emerge in the context of an aggressive Iranian regime. This panel will discuss whether international controls exist to prevent nuclear weapons from falling into the wrong hands within a sovereign nation. The experts will discuss whether an obligation or a right to intervene militarily arises and the nature of that intervention. They will discuss what constitutes loss of control by a responsible regime, who is charged with making a determination that such a loss has occurred and based upon what information. They will consider whether there exists a moral or ethical imperative to intervene by conventional military means in order to prevent a takeover of nuclear weapons by rogue elements. They will discuss the scenario of a pre-emptive nuclear strike, and what are the means and legal justifications for either conducting or preventing such an option.

Sponsoring Committees:

National Security Committee, Aerospace and Defense Industries Committee, Asia/Pacific Committee

Co-Sponsor:

ABA Standing Committee on Law and National Security

Program Chair:

John H. Harrington, *The Law Offices of John H. Harrington, LLC, New York, New York*

Program Chair & Moderator:

Jonathan M. Meyer, *New York, New York*

Speakers:

James Henry Bergeron, *Striking Force NATO, Naples, Italy*

Sean Murphy, *The George Washington University Law School, Washington, DC*

Paul R. Pillar, *Georgetown University Law Center, Washington, DC*

Harvey Rishikof, *National Defense University, Washington, DC*

Ruth Wedgwood, *SAIS Johns Hopkins University, Washington, DC*

understandings and declarations in the ratification process, and

- *Treaty Phobia*: The concerns over the impact on domestic law and the implications for U.S. sovereignty.

The discussion will touch upon the ratification debates concerning other treaties by way of comparison, and the treaty ratification process in general.

Sponsoring Committee:

Women's Interest Network (WIN)

Co-Sponsors:

International Model's Project on Women's Rights (IMPOWR), ABA Young Lawyers Division

Program Chairs & Moderators:

Madeleine Giansanti Cag, *Gregory P. Joseph Law Offices, LLC, New York, New York*

Aileen Pisciotta, *Executive Counsel, PLLC, Washington, DC*

Speakers:

Carol Basri, *University of Pennsylvania School of Law, New York, New York*

Majorie Margolies, *Women's Campaign International, Pennsylvania (Invited)*

Sheryl WuDunn, *author of "Half the Sky," New York, New York (Invited)*

4:30 pm – 6:00 pm

Ratification of The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): Politics, Principles or Treaty Phobia?

PUBLIC INTERNATIONAL LAW / RULE OF LAW II; YOUNG LAWYERS

CEDAW is a human rights treaty signed in 1979 and ratified by 186 countries. The U.S. is the only signatory country that has not yet ratified. The Obama Administration identified ratification of CEDAW as "an important priority" in 2009, and on November 18, 2010 the Senate Judiciary Subcommittee on Human Rights and the Law held the first hearing on CEDAW in eight years.

This panel will examine the prospects for ratification of CEDAW in light of three factors:

- *Politics*: The extent to which ratification may be affected by a change in political winds,
- *Principles*: The pros and cons of attaching reservations,

4:30 pm – 6:00 pm

Immigration Reform and the Corporate Employer: A Cross-Border Nightmare and the Third Rail of U.S. Politics

REGULATORY; INTERNATIONAL TRADE / CUSTOMS

The program will canvass the current immigration policies which impact business and cross border movement of personnel. We will analyze the current political environment, increased enforcement and scrutiny, and proposals made by the Obama Administration and Congress for Immigration reform. The program will concentrate on the possible impact on business activities, particularly for multinational employers. Immigration is the "elephant" in the living room,

everyone knows it is there, but no one talks about it. This panel with diverse views will talk about it and give us its thoughts and solutions.

Sponsoring Committees:

Canada Committee, Immigration and Naturalization Committee, International Trade Committee

Program Chair:

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

Program Chair & Moderator:

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

Speakers:

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

Roxana Bacon, *U.S. Citizenship and Immigration Services, Washington, DC (Invited)*

Andrea Loving, *U.S. House of Representatives Subcommittee on Immigration, Washington, DC (Invited)*

Rima Shouli, *MAGNA International, Toronto, Ontario, Canada*

4:30 pm – 6:00 pm

To Drill or Not to Drill: Incentives to Green Energy Alternatives

**ENVIRONMENTAL LAW MINI-TRACK;
CORPORATE / TRANSACTIONAL**

Taking their cue from the 70's disco hit, "Burn Baby Burn (Disco Inferno)," certain candidates during the '08 presidential elections turned "Drill Baby Drill!!!" into a political mantra. The slogan became an important rallying cry for those seeking to open up oil exploration on U.S. territory and in particular off its coastline, much of which is off limits to exploration due to the 1981 Federal ban. One side of the debate called for such drilling in order to allow the U.S. to have greater energy independence and to create "jobs at home," while the other side of the debate was concerned with reducing the reliance on carbon based fuels, regardless of their origin, and, in particular, were

concerned with the environmental effects that oil spills could have in light of offshore spills in Santa Barbara and the Exxon Valdez spill decades ago. Even President Barack Obama agreed in 2010 to limited off shore drilling.

However, the BP Deepwater Horizon spill in the Gulf of Mexico in the spring and summer of 2010 had a profound effect on the "appetite" for such off-shore drilling as a means of obtaining energy producing resources and placed the focus back on alternative energy resources.

In that context, this program presents a fictional investment fund that seeks environmentally friendly energy investments and a panel from diverse jurisdictions who can help the investor understand what legal considerations exist when looking at green energy investments and what differences may exist among the various jurisdictions.

Sponsoring Committees:

International Environmental Law Committee, International Energy & Natural Resources Committee

Co-Sponsor:

ABA Standing Committee on Environmental Law

Program Chair & Moderator:

Sébastien Savage, *Davies Ward Phillips & Vineberg LLP, Montréal, Quebec, Canada*

Program Chair & Speaker:

Rony Zimmerman, *Bofill Mir & Alvarez Jana Abogados, Santiago, Chile*

Speakers:

Pekka Lehtinen, *Castren & Snellman Attorneys Ltd, Helsinki, Finland*

Andrew Otis, *Curtis, Mallet-Prevost, Colt & Mosle LLP, New York, New York*

Rick Silberstein, *Gómez-Acebo & Pombo Abogados, S.L., Barcelona, Spain*

7:00 pm – 9:00 pm

Ticketed Event

Reception at the Diplomatic Reception Rooms of the U.S. Department of State

*2201 C Street, NW
Washington, DC*

Join the Section as they host you in this very special venue which has become a staple of the Spring Meeting each time it is hosted in Washington, DC.

The **United States Department of State** (often referred to as the **State Department**), is the U.S. federal executive department responsible for international relations of the U.S., equivalent to the foreign ministries of other countries. The Department was created in 1789 and was the first executive department established.

The Department is headquartered in the Harry S. Truman Building located at 2201 C Street, NW, a few blocks from the White House in the Foggy Bottom neighborhood of Washington, DC. The Department operates the diplomatic missions of the U.S. abroad and is responsible for implementing the foreign policy and diplomacy of the U.S.

The Department is led by the Secretary of State, who is nominated by the President and confirmed by the U.S. Senate and is a member of the Cabinet. The current Secretary of State is Hillary Rodham Clinton.

The Department of State's Diplomatic Reception Rooms are one of the greatest mirrors of America's remarkable cultural accomplishments in fine and decorative arts of the 18th and 19th centuries which have all been donated by private individuals and corporations. Visiting Chiefs of State, Heads of Government, Foreign Ministers, as well as other distinguished foreign

and American guests are officially entertained in these rooms.

Enjoy the evening in the elegance of the Diplomatic Reception Rooms and touring the displays of the beautiful objects that reside there or spend some time on the terrace with breathtaking views of the Washington, DC skyline.

FRIDAY, APRIL 8

7:00 am – 7:00 pm
Registration Open

7:45 am – 9:00 am
Continental Breakfast

8:00 am – 9:00 am
Breakfast at the Bar Series:
Developments in Foreign
Sovereign Immunity

CORPORATE / TRANSACTIONAL;
INTERNATIONAL FINANCE

Increasingly foreign state-owned corporations are expanding their operations overseas and getting into legal disputes across the globe. Obstacles to suit include principles of international comity, sovereign immunity, personal jurisdiction, the act-of-state doctrine and forum non conveniens. This breakfast discussion will provide tips for suing and defending foreign sovereign entities and will address the latest developments in the law, including the Supreme Court's recent decision in *Samantar v. Yousuf* holding that common law, rather than the Foreign Sovereign Immunities Act, governs whether foreign officials are immune from suit.

Sponsoring Committee:
International Litigation Committee

Program Chair & Moderator:
Meredith Parenti, Weil, Gotshal & Manges LLP, Houston, Texas

Speakers:
O. Thomas Johnson, Jr., Covington & Burling LLP, Washington, DC
Christian Ward, Yetter Coleman, Austin, Texas

9:00 am – 10:30 am
Committee Meetings

In lieu of the breakfast meetings which have been conducted during past seasonal meetings, this timeslot has been specially reserved for the purpose of each and every committee to conduct a Committee Business Meeting. 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. Take advantage of this opportunity to move from the sidelines to the playing field and become more involved in the Section's committees.

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 highlight key components for meeting attendees to learn more about each of these areas and how each can allow members new and old alike to become more involved in the Section's activities.

11:00 am – 12:30 pm
Books Board Meeting

The Publications Committee extends an open invitation for you to attend this meeting, which is devoted to developing books publications offered by the Section of International Law. If you already are a published Section author, if you would like to become a Section author or if you simply are curious about the publication process, please join us.

11:00 am – 12:30 pm

Corruption: Enforcement, Compliance and Futility; Fighting Corruption in the Second Decade of the 21st Century

CORPORATE / TRANSACTIONAL;
REGULATORY; INTERNATIONAL FINANCE;
ETHICS MINI-TRACK

The U.S. Department of Justice and Securities and Exchange Commission, as well as foreign governments, are intensifying their enforcement efforts and now target entire industries. In the U.S. there are currently more than 150 active Foreign Corrupt Practices Act investigations. There is also enhanced enforcement of anti-corruption laws in the EU, China and Russia and a relatively new antibribery law in the U.K.

International lawyers and multi-national businesses face enormous challenges in proactively implementing effective anticorruption compliance programs. How is a multi-national company to deal with this crazy quilt of laws and practices? Does the “uneven playing field” that results from the many national antibribery laws mean that counsel cannot devise an acceptable compliance program?

The panel, representing experienced lawyers from private practice, government, academia and NGOs, will discuss current enforcement activities and the elements of a strong anticorruption compliance program.

Sponsoring Committees:

International Anti-Corruption Committee, International Corporate Counsel Forum, International M&A Joint Venture Committee, International Securities and Capital Markets Committee, Russia/Eurasia Committee, International Procurement Committee, U.S. Lawyers Practicing Abroad Committee

Program Chair & Moderator:

A. Bruce Bowden, *Duane Morris LLP, Pittsburgh, Pennsylvania*

Program Chairs & Speakers:

Bruce W. Bean, *Michigan State University College of Law, East Lansing, Michigan*

Elena Helmer, *Ohio Northern University College of Law, Ada, Ohio*

Speakers:

John S. (Jay) Darden, *Patton Boggs LLP, Washington, DC*

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

Howard O. Weissman, *Lockheed Martin Corporation, Bethesda, MD*

11:00 am – 12:30 pm

China's Litigation, Judiciary & Enforcement: Fact or Fiction

DISPUTE RESOLUTION / LITIGATION; PUBLIC
INTERNATIONAL LAW / RULE OF LAW I

Although foreign observers often perceive that the situation involving litigation, the judiciary and enforcement of judgments in China as dismal, the reality is that the situation has changed and continues to change and local business practices have become more sophisticated. Younger judges are better educated and equipped to handle cross-border transactions and those involving foreign-invested enterprises. More senior judges are now receiving training. New PRC laws, such as the 2009 Tort Liability Law, have created causes of action for previously unprotected or poorly protected rights. Other PRC laws addressing corruption, labor and corporate norms are being more strictly enforced. At the same time, the Supreme People's Court, local courts and administrators feel the need for more consistency and transparency, one of the first steps to avoiding corruption. This is particularly important to U.S. firms facing more stringent FCPA enforcement at home.

Although issues and concerns remain, this session will address how to maintain good business practices and avoid indictable ones especially in tricky situations and where the Chinese judicial and administrative system really is today through an analysis of the recent and anticipated trends and of the existing laws by attorneys on the ground in China.

Sponsoring Committee:

China Committee

Program Chairs:

Robin Kaptzan, *Grandall, Shanghai, People's Republic of China*

Elizabeth Cole, *Orrick Herrington & Sutcliffe LLP, Shanghai, People's Republic of China*

Moderator:

Amy Sommers, *Squire Sanders & Dempsey, Shanghai, People's Republic of China*

Speakers:

David Buxbaum, *Anderson & Anderson LLP, Guangzhou, People's Republic of China*

Liu Chi, *Jun He, Shanghai, People's Republic of China*

Brenda Horrigan, *Salans, Shanghai, People's Republic of China*

11:00 am – 12:30 pm

Fulbright Scholars: Advancing Diplomacy, the Rule of Law and Solving Problems Around the Globe

PUBLIC INTERNATIONAL LAW / RULE OF LAW I; YOUNG LAWYERS

The program will feature international scholars from varied disciplines, human rights advocates, community development experts and professionals from disparate backgrounds that will discuss the Fulbright global program, its extensive alumni network and the potential to advance the rule of law around the world. The program will also demonstrate the positive impact of the Fulbright program on U.S. interests. In addition, it will provide a forum to help formalize the loose network of legal professionals active within ABA International and other professional associations. Speakers will include Fulbright Senior Program staff, diplomats and Fulbright alumni from diverse professions. This is a national program with an international focus.

If you participated in recent Fulbright presentations on Section Committee

calls, this is your opportunity to learn more and meet Speakers from Fulbright and, if you did not participate, you cannot afford to miss this opportunity. This is a program for all!

Sponsoring Committees:

Asia/Pacific Committee, Africa Committee, China Committee, Law Student, LL.M., and New Lawyer Outreach Committee, Europe Committee, India Committee, Russia/Eurasia Committee

Co-Sponsors:

Council for International Exchange of Scholars (CIES), ABA Young Lawyers Division

Program Chairs:

Edna Udobong, *Liberty University School of Law, Lynchburg, Virginia*

Mo Syed, *King & Ballow, Nashville, Tennessee*

Moderators:

Deborah Ennix-Ross, *Debevoise & Plimpton LLP, New York, New York*

Debra Egan, *Council for International Exchange of Scholars (CIES), "Fulbright," Washington, DC*

Speakers:

Atim Eneida George, *U.S. Department of State, Washington, DC*

Professor Christopher R. Kelley, *Fulbright Scholar to Moldova and Ukraine, University of Arkansas School of Law, Fayetteville, Arkansas*

Brian Murphy, *Washington, DC (Invited)*

Jacqueline Powers, *The George Washington University Law School, Washington, DC (Invited)*

Andrew Reiss, *Council for International Exchange of Scholars (CIES), "Fulbright," Washington, DC*

11:00 am – 12:30 pm
When There are No Laws: Creating Binding Rules for International NGOs – The Complex World of Multi-stakeholder Public Participation

PUBLIC INTERNATIONAL LAW / RULE OF LAW II

The last 200 years has been increasingly characterized by the “rule of law,” where nation states or groups of countries make binding decisions by which all people live. Much more recently, some official “rule making” is done by international nongovernmental organizations, where businesses, civil society groups and “end users” participate with governments in a more direct democracy-like model. These organizations have the authority, either taken or delegated, to make binding rules. In their arenas there will never be laws in the traditional sense. Internet addressing, some aspects of development aid, several regional labor organizations and many conflict mediation groups populate this arena of binding rules made in a multi-stakeholder model that goes beyond governments or international governmental organizations. This session discusses the origins, processes, advantages and problems of binding rule making outside of the nation state or intergovernmental treaty. Welcome to the world of regulation by contract and consensus.

Sponsoring Committee:
NGO and Not-For-Profit Organizations Committee

Program Chair & Moderator:
Kathryn A. Carver, *Internet Corporation for Assigned Names and Numbers (ICANN), Marina del Rey, California*

Speakers:
Linda Kaboolian, *Kennedy School of Government, Harvard University, Cambridge, Massachusetts*

Barbara J. Nelson, *UCLA School of Public Affairs, Los Angeles, California*

Jeff Thindwa, *Governance and Accountability Team, South Asia Social Development Department, The World Bank Group, Washington, DC*

11:00 am – 12:30 pm
The BP Spill: Legal and Regulatory Ramifications for the Energy Sector

REGULATORY; ENVIRONMENTAL LAW
 MINI-TRACK

Approaching the one-year anniversary of the largest oil spill in U.S. history, a panel of experts will debate ways in which the Deepwater Horizon Spill is altering the legal and regulatory landscape. As in the Exxon Valdez aftermath, the U.S. Government has responded to the disaster by imposing new, more stringent regulations on the industry, with similar rules expected from Europe. The energy industry has taken its own proactive measures to counterbalance the spill’s effects – from BP’s unprecedented \$20 billion disaster recovery fund to an industry consortium focused on new containment technology. As energy providers go further and dig deeper to meet rising energy demands, how will liability and accountability shift among stakeholders? What are the responsibilities of government and industry? How will the Gulf spill rewrite the rulebook, just as the Alaska spill did years before? Our panel of experts will debate these questions in a highly interactive session that should provide thought-provoking ideas.

Sponsoring Committees:
International Energy & Natural Resources Committee, International Environmental Law Committee, Europe Committee

Co-Sponsor:
ABA Standing Committee on Environmental Law

Program Chair:

*Janis Nordstrom, Wolf Theiss
Rechtsanwälte, Vienna, Austria*

Program Chair & Moderator:

Bryan Jardine, *Wolf Theiss
Rechtsanwälte, Bucharest, Romania*

Speakers:

Steve Huttler, *Pillsbury Winthrop
Shaw Pittman LLP, Washington, DC*

Jan Panek, *Head of Unit, Coal & Oil,
Directorate General Energy, European
Commission, Brussels, Belgium* (Invited)

Dimitri Lee Seletzky, *Deepwater,
Negotiations and Legal, Deepwater
Exploration/Projects SBU, Chevron
North America Exploration and
Production Company, Houston, Texas*

Elizabeth Chien-Hale, *Technology
Transfer Center of the Industrial
Technology Research Institute,
Hsinchu, Taiwan*

Susan McGahan, *AT&T, Bedminster,
New Jersey* (Invited)

Hari Subramaniam, *Subramaniam
Natraj & Associates, New Delhi, India*

12:45 pm – 2:15 pm

Ticketed Event

Luncheon with Distinguished Speaker

*With thanks to
our sponsor*



11:00 am – 12:30 pm

**The International Economics and
Culture of Patenting**

**INTELLECTUAL PROPERTY LAW MINI-
TRACK; INTERNATIONAL TRADE / CUSTOMS**

An interactive workshop intended to examine the practical implications of international economics and culture on applications, acquisitions and enforcement of patents by corporations. This workshop will also highlight the potential pitfalls and costs associated with coordination of corporate patent litigation across international borders.

Sponsoring Committees:

*International Intellectual Property Rights
Committee, International Commercial
Transactions, Franchising and
Distribution Committee, International
Corporate Counsel Forum*

Program Chair:

Matthew Asbell, *Ladas & Parry,
New York, New York*

Moderator:

John Richards, *Ladas & Parry,
New York, New York*

Speakers:

Fernando Braune, *Veirano Advogados,
Rio de Janeiro, Brazil*

2:30 pm – 4:00 pm

**Doing Business in India –
New Developments**

**CORPORATE / TRANSACTIONAL; PUBLIC
INTERNATIONAL LAW / RULE OF LAW II**

Post-colonial India has put into place the foundations of a deregulated market-driven system for securing greater economic growth. The twin engines of manufacturing and services are driving the current growth pattern and FDI is essential in this strategy for the uncaged tiger to take the center of the global market place. While the global economy seems to have started on the path to recovery after the recent 2008 crisis, western countries still continue to look at Asia for growth. The economic policies instituted by the government are focused on making India a more attractive place to do business. In 2010, the government took numerous steps that will merit discussion. The panel will focus on the new corporate and regulatory changes and what those changes will mean and how they will impact those doing business in India. Additionally, the panel will also examine critical FCPA issues for U.S. companies in India and their employees who may be vulnerable to FCPA violations. The discussion will discuss the pitfalls, enforcement mechanism and implications on business, and provide tips on effective compliance programs.

Sponsoring Committee:*India Committee***Program Chair & Moderator:****Erik B. Wulff**, *DLA Piper LLP, Washington, DC***Program Chair & Speaker:****Priti Suri**, *PSA, Legal Counsellors, New Delhi, India***Speakers:****Aaron Schildhaus**, *Law Offices of Aaron Schildhaus, Washington, DC***Cyril Suresh Shroff**, *Amarchand & Mangaldas & Suresh A Shroff & Co, Mumbai, India***2:30 pm – 4:00 pm****Changing the Rules: A Review of the Important Changes to the UNCITRAL, ICC and the IBA Rules of Evidence****DISPUTE RESOLUTION / LITIGATION**

Recent developments in the field of international dispute resolution have spurred significant changes in several important sets of rules often applied in international arbitration, namely the ICC Rules of Arbitration, UNCITRAL Arbitration Rules and the IBA Rules on the Taking of Evidence in International Arbitration. In an open-discussion format, a panel of experienced practitioners and representatives of some of the leading international arbitral institutions will facilitate a discussion focused on four key questions: (1) What changes have these rules undergone? (2) Are they necessary? (3) What will be their implications in practice? And, most importantly, (4) Do they appropriately reflect trends in international arbitration? This lively and open-discussion format invites all practitioners to come and voice their thoughts and comments on these important changes.

Sponsoring Committee:*International Arbitration Committee***Program Chair & Moderator:****Lisa Bench Nieuwveld**, *Bench Cooper Singh LLP, New York, New York***Program Chair & Speaker:****Nathan O'Malley**, *Conway & Partners, Rotterdam, The Netherlands***Speakers:****Garth Schofield**, *Permanent Court of Arbitration, The Hague, The Netherlands***Josefa Sicard-Mirabal**, *International Court of Arbitration (USCIB), New York, New York***2:30 pm – 4:00 pm****Higher Walls Around Smaller Yards – The Implications of the Interagency Export Reform Initiative****INTERNATIONAL TRADE / CUSTOMS; CORPORATE / TRANSACTIONAL**

The export control system of the United States, often cited as one of the most robust in the world, is a product of the Cold War-era. Critics have argued the system is ill-suited to today's economy and technology and no longer sufficiently reduces national security risk as it is overly complicated, overly restrictive and contains too many redundancies. As a result, in April of 2009, the President's Export Reform Initiative was announced with ambitious plans to completely change the way exports are handled in the United States over the ensuing year. This program will look at how the planned reforms have actually been implemented, the practice challenges the changes have created and what is still left to be accomplished as part of the planned reform.

Sponsoring Committees:*Export Controls and Economic Sanctions Committee, Customs Law Committee, Aerospace and Defense Industries Committee***Program Chairs & Moderators:****Gwendolyn L. Hassan**, *Navistar, Inc., Warrenville, Illinois***Cyndee Todgham Cherniak**, *McMillan LLP, Toronto, Ontario, Canada***Speakers:****Terry Davis**, *DDTC, Washington, DC (Invited)***Charles Stallworth II**, *CBT, Washington, DC (Invited)***Kevin J. Wolf**, *U.S. Bureau of Industry & Security, Washington, DC (Invited)*

2:30 pm – 4:00 pm

**Terrorism, Freedom and Charity:
Developing Complementary Policies**

PUBLIC INTERNATIONAL LAW / RULE
OF LAW I; REGULATORY

In 2010 the U.S. Supreme Court upheld the government's right to criminalize speech that sought to teach nonviolent conflict resolution skills to terrorist organizations.

Holder v. Humanitarian Law Project thrust into high focus broader issues about national security policy and its impact on individual rights and charities. Widespread criticism of the decision cited free speech concerns and the pall it cast on a range of activities.

The ongoing debate focuses on the deference the courts should give Congress and the President in matters of national security, the restrictions on constitutional rights that should be tolerated in the name of security and the practical impact on charitable work. Speakers who are involved directly in this debate will explore these issues, the opacity of the terrorist-designating process, recent case developments, the viability of Treasury's Anti-Terrorist Financing Guidelines and whether its current regulation of humanitarian activities serves U.S. security interests.

Sponsoring Committees:

Export Controls and Economic Sanctions Committee, International Human Rights Committee, National Security Committee, NGO and Not-For-Profit Organizations Committee, Individual Rights and Responsibilities Section, Coordinating Committee on National Security and Civil Liberties

Program Chair & Moderator:

William H. Espinosa, *Law Offices of William H. Espinosa, Washington, DC*

Program Chair & Speaker:

Sahar Aziz, *Georgetown University Law Center, Washington, DC*

Speakers:

David Cole, *Georgetown University Law Center, Washington, DC*

Heather Hanson, *Mercy Corps, Washington, DC*

Christopher Wall, *Pillsbury Winthrop Shaw Pittman LLP, Washington, DC*

2:30 pm – 4:00 pm

**Accreditation of Foreign Law
Schools and Foreign Lawyer
Qualification for Bar Exams**

PUBLIC INTERNATIONAL LAW / RULE OF
LAW II; YOUNG LAWYERS

This program examines a hot topic in legal education – admittance of foreign lawyers to U.S. jurisdictions through ABA accreditation of foreign law schools, qualification of foreign lawyers or through other means. How much of the U.S. system has to be built into the legal education of a student before he/she is ready to take a U.S. bar exam and practice in the U.S. or give advice on U.S. law in a foreign jurisdiction? This distinguished panel will discuss this and other pertinent questions. This program will be a must-attend for U.S. and foreign legal academics involved in the teaching of foreign lawyers or interested in the accreditation of such programs.

Sponsoring Committees:

International Legal Education and Specialist Certification, U.S. Lawyers Practicing Abroad Committee

Co-Sponsor:

ABA Young Lawyers Division

Program Chair:

Larry White, *Ankara Universitesi, Ankara, Turkey*

Moderator:

Robert E. Lutz, *Southwestern Law School, Los Angeles, California*

Carole Basri, *University of Pennsylvania Law School, New York, New York*

Speakers:

Michael A. Fitts, *University of Pennsylvania Law School, Philadelphia, Pennsylvania* (Invited)

Stephen Gillers, *New York University School of Law, New York, New York* (Invited)

Elizabeth Lacy, *University of Richmond School of Law, Richmond, Virginia* (Invited)

Carole Silver, *Indiana University School of Law, Bloomington, Indiana* (Invited)

2:30 pm – 4:00 pm

Whistleblowers: What Protections and Forms of Relief are Available for Foreign-Based Employees Alleging FCPA, Financial Fraud, or Other Violations

REGULATORY; DISPUTE RESOLUTION / LITIGATION; INTERNATIONAL FINANCE

Sarbanes-Oxley established enhanced whistleblower protections and a specific cause of action for employees reporting concerns relative to FCPA and securities law violations. The new financial reform legislation is expected to include similar provisions. Under Sarbanes-Oxley, the circumstances for which the protections and cause of action apply to foreign-based employees are not well-defined. Only now are the contours of the extraterritorial application of Sarbanes-Oxley beginning to emerge. Leading authorities with extensive practical experience bringing employee claims and protecting corporate interests will discuss the current state of the law and provide practical insights for those seeking to bring or avoid a claim. A senior U.S. Department of Labor official will address its often-overlooked role in investigating claims of retaliation by foreign-based employees. U.S. law enforcement's efforts to extend Sarbanes-Oxley protections to foreign-based whistleblowers will be addressed by a former official with the U.S. Securities and Exchange Commission.

Sponsoring Committees:

International Securities and Capital Markets Committee, International Anti-Corruption Committee

Program Chair & Moderator:

Stuart H. Deming, *Deming PLLC, Washington, DC*

Speakers:

Megan Guenther, *U.S. Department of Labor, Washington, DC* (Invited)

Linda Chatman Thomsen, *Davis Polk & Wardwell LLP, Washington, DC*

Matt Vega, *Faulkner University, Montgomery, Alabama* (Invited)

Jason M. Zuckerman, *The Employment Law Group, PC, Washington, DC*

2:30 pm – 4:00 pm

Copyright Ping Pong: What the Internet Hath Wrought

INTELLECTUAL PROPERTY LAW MINI-TRACK; DISPUTE RESOLUTION / LITIGATION

The ease with which content can be uploaded to the Internet from virtually anywhere in the world and distributed virally has added layers of complexity and unpredictability to a copyright owner's ability to enforce its rights. Panelists will address the myriad of complex jurisdictional issues that the Internet has created for authors, artists and other rights holders ranging from whether the on-line only distribution of a work constitutes publication under the United States Copyright Act to the increasing number of decisions by U.S. Courts refusing to enforce and even overturning foreign judgments against U.S. defendants for policy reasons grounded in the First Amendment and Fair Use, a defense not available in many non-U.S. jurisdictions.

Sponsoring Committees:

International Intellectual Property Rights Committee, International Litigation Committee

Program Chair & Speaker:

Susan Brushaber, *Susan J. Brushaber, PC, Denver, Colorado*

Moderator:

Alexandra Darraby, *The Art Law Firm, Los Angeles, California*

Speakers:

Bruce McDonald, *Buchanan Ingersoll & Rooney, Alexandria, Virginia*

Mohammad “Mo” A. Syed, *King & Ballow, Nashville, Tennessee*

Steve Tepp, *U.S. Chamber of Commerce, Washington, DC*

**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 highlight key components for meeting attendees to learn more about each of these areas and how each can allow members new and old alike to become more involved in the Section’s activities.

4:30 pm – 6:00 pm

In Case of Emergency, Break the Glass!! Tools to Survive in the M&A Market After the Subprime Crisis

CORPORATE / TRANSACTIONAL; REGULATORY

The last wave of M&A deals was fueled by all kinds of exotic financial schemes, the CLO structures being at the center of them. The amazing amounts of liquidity relaxed the terms of the loans: Covenant-lite transactions, toggle-PIK (pay in kind), “extendible” and “mulligan” bonds were created in a row of financial new products designed to increase economic growth and general prosperity. Few paid much attention to how the clever products could blow up if things went wrong. Things went wrong!!

The target side of the M&A wave was formed by large financial and non-financial holdings under dissolution and reorganization process. This new environment has also been affected by new protectionisms implemented in certain jurisdictions to prevent foreign take-over of native companies.

Sponsoring Committees:

International M&A Joint Venture Committee, International Securities and Capital Markets Committee, International Financial Products and Services Committee, International Corporate Counsel Forum

Program Chairs & Moderators:

Saul Feilbogen, *Vitale, Manoff & Feilbogen, Buenos Aires, Argentina*

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

Speakers:

Mario Draghi, *Central Bank of Italy (Banca d’Italia), Rome, Italy*

Jeffrey Golden, *The London School of Economics and Political Science, London, United Kingdom*

Maria Muller, *Moody’s Investment Services, New York, New York*

Rachael F. Robbins, *International Finance Corporation, Washington, DC*

4:30 pm – 6:00 pm
Crimes Against Peace: Aggression and the International Criminal Court in the 21st Century

PUBLIC INTERNATIONAL LAW / RULE OF LAW I; DISPUTE RESOLUTION / LITIGATION

The United States has made a dramatic switch in its relationship with the International Criminal Court (ICC), from a position of antagonism under the past administration to a position of constructive engagement. The panel will explore the reasons for this shift and current U.S. policy towards the ICC. The panelists will also discuss the crime of aggression, on which ICC States Parties adopted an amendment last summer in historic negotiations in Kampala, Uganda, at the first ICC Review Conference. Find out about the importance of these negotiations, and the complex compromise reached, pursuant to which non-states parties to the Rome Statute (such as the U.S.) could not be prosecuted for the crime before the ICC. All the panelists attended these negotiations and will share their insights into the aggression amendment, the “stocktaking” of international justice that also occurred and how these events will shape U.S. engagement with the Court.

Sponsoring Committee:

International Criminal Law Committee

Co-Sponsors:

ABA Center for Human Rights, Task Force on the International Criminal Court

Program Chair:

David M. Crane, *Syracuse University College of Law, Syracuse, New York*

Moderator:

Jennifer Trahan, *New York University School of Continuing and Professional Studies, Global Affairs, New York, New York*

Speakers:

Prince Zeid Ra’ad Zeid Al-Hussein of Jordan, *Jordanian Mission to the UN, New York, New York*

William K. Lietzau, *U.S. Department of State, Washington, DC*

Leila Nadya Sadat, *Washington University School of Law, Saint Louis, Missouri*

Ambassador Christian Wenaweser, *Liechtenstein Mission to the UN, New York, New York*

4:30 pm – 6:00 pm
Measuring the Meaning: Working to Predict and Assess the Impact of International Pro Bono Work

PUBLIC INTERNATIONAL LAW / RULE OF LAW II; YOUNG LAWYERS; ETHICS MINI-TRACK

Pro bono and corporate social responsibility initiatives are not readily susceptible to precise metrics for assessment. International and cross-border pro bono work in particular typically involves broad and complex problems that often require attention by multiple and diverse stakeholders and possibly the application of multi-jurisdictional and/or international law. How might lawyers reasonably evaluate whether their volunteerism effectively remediated a humanitarian issue, for example?

Notwithstanding the challenges of developing useful methodological approaches, those who commit resources and allocate legal personnel to address such issues on a voluntary basis want to ensure that their investment will have meaningful impact. Some qualitative assessment analysis is especially important as projects are proposed and refined.

This program will explore those issues, looking at ways to measure the return on social investment while accommodating the inevitable tension between the need to deploy legal services to critical humanitarian issues and the lack of precise predictive qualitative impact measurement metrics.

Sponsoring Committees:

International Pro Bono Committee, International Law Practice Management Forum, International Corporate Counsel Forum, Law Student, LL.M., and New Lawyer Outreach Committee, Young Lawyers Interest Network (YIN), NGO and

*Not-For-Profit Organizations Committee,
Seasoned Lawyers Interest Network (SIN),
International Human Rights Committee*

Co-Sponsor:

ABA Young Lawyers Division

Program Chairs & Moderators:

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

Chris Marshall, *Allen & Overy LLP,
London, United Kingdom*

Speakers:

Charles Alsdorf, *Deloitte Financial
Advisory Services, New York, New York*

Yasmin Batliwala, *Advocates for
International Development, London,
United Kingdom*

Nicholas Menzies, *The World Bank
Group, Washington, DC*

4:30 pm – 6:00 pm

**The New Gold Rush: The Race
for the World's Resources**

REGULATORY; CORPORATE /
TRANSACTIONAL; INTERNATIONAL FINANCE

Soaring demand for natural resources, resulting from the growth of the red-hot emerging economies, has triggered an unprecedented global search for unfettered access to natural resources. Not only has global demand increased, but so too has the pool of investors, which, in addition to traditional private capital, now includes sovereign wealth funds and other state controlled entities. This panel will explore how resource rich countries, both developing and developed, are responding to the plethora of issues and opportunities that foreign investment in their natural resources presents. In particular, our experts will provide an overview of the various means by which such countries condition foreign investment, covering domestic laws, private contracts, bilateral investment agreements and multilateral codes, in an attempt to satisfy a range of domestic objectives such as sustainable development, economic benefit and national security.

Sponsoring Committees:

*Canada Committee, International
Energy & Natural Resources Committee,
International Investment and Development
Committee, International Antitrust Law
Committee, Africa Committee*

Program Chair:

Dunniela Kaufman, *Fraser Milner
Casgrain LLP, Toronto, Ontario, Canada*

Program Chair & Moderator:

Sandy Walker, *Fraser Milner Casgrain
LLP, Toronto, Ontario, Canada*

Speakers:

Dominic Ayine, *Ayine & Felli,
East Legon, Ghana*

David Fagan, *Covington & Burling
LLP, Washington, DC*

Karin Lissakers, *Revenue Watch,
New York, New York*

Howard Mann, *International Institute
for Sustainable Development, Ottawa,
Ontario, Canada*

4:30 pm – 6:00 pm

**The UN Climate Change Conference
in Cancún, Mexico: High-Stakes
Poker on the Post-Kyoto Framework
for Confronting Global Warming**

ENVIRONMENTAL LAW MINI-TRACK; PUBLIC
INTERNATIONAL LAW / RULE OF LAW I

A roundtable with senior government officials from Mexico and the U.S. on the UN Climate Change Conference in Cancún, Mexico. The climate conference in Cancún will be an arena of intense negotiations on what succeeds the Kyoto Protocol, expiring in 2012. The developed world will seek binding commitments on reduction of greenhouse gases from the developing world, particularly China and India (not subject to such commitments under Kyoto), while the developing world will seek flexibility to maintain growth, and financial support for any commitments it undertakes. The roundtable format will present complementary perspectives from Mexico – the conference host, an emerging economy and a supplier of oil, and from the U.S.

– a leading protagonist in the climate change debate, a developed country, and a major importer of oil.

Sponsoring Committees:

Mexico Committee, International Energy & Natural Resources Committee, International Environmental Law Committee, Latin America and Caribbean Committee, International Investment and Development Committee, Corporate Social Responsibility Committee

Co-Sponsor:

ABA Standing Committee on Environmental Law

Program Chairs & Moderators:

John B. McNeece III, *Luce, Forward, Hamilton & Scripps, LLP, San Diego, California*

Leopoldo Burguete Stanek, *Gonzales Cabvillo, S.C., Mexico City, Mexico*

Speakers:

Michelle J. DePass, *U.S. Environmental Protection Agency, Washington, DC* (Invited)

Ira Feldman, *Greentrack Strategies, Bethesda, Maryland*

José Manuel Bulas Montoro, *Mexican White House (Los Pinos), Mexico City, Mexico* (Invited)

Dr. Aldo Flores, *Mexican Ministry of Energy, Mexico City, Mexico* (Invited)

4:30 pm – 6:00 pm

**Talking in Different Languages:
The Comparative Impact of Cultural
and Legal Differences on Social
Media in an International Context**

**INTELLECTUAL PROPERTY LAW MINI-TRACK;
INTERNATIONAL TRADE / CUSTOMS**

A probing survey on how social media is used in various countries and how that use emerges from the political, philosophical and IP regimes of those countries. What legal issues are raised by this varied social media use, particularly regarding IP? Ultimately, what are the idiosyncratic cultural characteristics of certain countries and what conflicts may emerge between them as social media?

Sponsoring Committees:

International Intellectual Property Rights Committee, International Commercial Transactions, Franchising and Distribution Committee

Program Chair & Moderator:

Matthew Asbell, *Ladas & Parry, New York, New York*

Speakers:

Susan Crawford, *Benjamin N. Cardozo School of Law, New York, New York* (Invited)

Camille Domange, *French Ministry of Culture and Communication, Paris, France* (Invited)

Ji Hyun Rhie, *Selim International, South Korea* (Invited)

Tony Wang, *Twitter, Mountain View, California* (Invited)

8:00 pm – 11:00 pm

Ticketed Event

**Chair's Closing Reception at the
Donald W. Reynolds Center for
American Art and Portraiture**

*8th and F Streets, NW
Washington, DC*

The Spring Meeting draws to a close in a historic building in the heart of downtown Washington, DC. Join the Section Chair and the Meeting Co-Chairs in the former U.S. Patent Office Building to enjoy the current gallery exhibits and bid farewell to another successful Spring Meeting.

This venue is one of Washington, DC's most elegant and enchanting venues, The National Portrait Gallery, as part of the Donald W. Reynolds Center for American Art and Portraiture, is housed in a renovated National Historic Landmark building in DC's bustling Penn Quarter neighborhood.

The Smithsonian's National Portrait Gallery tells the history of America through the individuals who have shaped its culture. Through the visual arts, performing arts, and new

media, the Portrait Gallery portrays poets and presidents, visionaries and villains, actors and activists whose lives tell the American story.

Tonight's event encompasses the entire third floor where the **National Portrait Gallery** and the **Smithsonian American Art Museum** are located.

To begin the evening, you'll be entering the National Portrait Gallery through the **Great Hall**, accentuated with late-nineteenth-century architectural highlights, and you'll find yourself in the reception area where President Lincoln and Mrs. Lincoln greeted guests attending the president's second inaugural ball. The hand-laid encaustic tile floor, curving double staircase, and soaring vaulted ceilings are sure to captivate you throughout the night. Be sure to find time to tour the 20th-Century Americans galleries, located just off each side of the Great Hall throughout the evening; you'll find lots to explore and many conversation starters.

Throughout the reception, be sure to continue exploring the third floor as the space also contains the Smithsonian American Art Museum which includes the Luce Foundation Center. **The Luce Foundation Center** features three levels of painting, sculpture, folk art, and craft collections on display in floor-to-ceiling glass cases. The Luce Center's architectural elements such as the elaborate columns, bronze railings, multicolored marble floor, large windows, and a city-block-long skylight will make the night an evening to remember.

Your night may have just started, but it is sure to not be over soon as there is still much to see. Continue visiting the collections in the Smithsonian American Art Museum which include

Special Exhibitions, Art Since 1945 and Contemporary Art galleries.

Included as part of your Spring Meeting registration fee, this reception is free to meeting attendees who have registered for the entire conference.

11:00 pm – 1:00 am

Ticketed Event

After-Hours Reception

*Location to be determined
Washington, DC*

*With thanks to
our sponsor*



Sponsoring Committee:

Young Lawyers Interest Network (YIN)

Not ready to say goodbye? Join Section members new and old at this after-hours event following the Chair's Closing Reception. All Spring Meeting attendees are invited to stop by this event to toast another exciting Spring Meeting in Washington, DC, unwind and raise a glass to all the new professional acquaintances made during the week.

SATURDAY, APRIL 9

7:30 am – 9:30 am

Council Continental Breakfast

9:00 am – 1:00 pm

Council Meeting

ABA International's Council, the Section's policy-making body, will debate major policy initiatives and be addressed by many visiting dignitaries and bar leaders from outside the U.S. If you are interested in becoming more involved in Section leadership, attending the Council Meeting is an excellent way to get to know the current Section leadership and introduce yourself. *The Council Meeting is open to all Spring Meeting registrants; everyone is encouraged to attend.*

SATURDAY, APRIL 9