



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

**ABA** Defending Liberty  
Pursuing Justice  
AMERICAN BAR ASSOCIATION

2015  
FALL  
MEETING

# MONTREAL

FAIRMONT THE QUEEN ELIZABETH  
OCTOBER 20-24, 2015

**REGISTRATION  
BROCHURE**

# MARK YOUR CALENDAR

## 2015



**September 18**  
**7th Annual Moscow Conference on the Resolution of International Business Disputes**  
Moscow, Russia



**October 20-24**  
**Section Fall Meeting**  
Montréal, QC, Canada

**November 16-17**  
**Asia Forum-Beijing**  
Beijing, China

**November 5**  
**Live from the SEC**  
Washington, DC

## 2016

**February 5-7**  
**ABA Midyear Meeting**  
San Diego, CA

**February**  
**Americas Forum**  
Miami, Florida

**April 11**  
**ABA Day at the UN, *By Invitation***

**April 12-16**  
**Section Spring Meeting**  
New York, NY

**June**  
**Europe Forum**  
TBD

**August 3-5**  
**Section Leadership Retreat**  
San Francisco, CA

**August 5-8**  
**ABA Annual Meeting**  
San Francisco, CA

**October 18-22**  
**Section Fall Meeting**  
Tokyo, Japan

On behalf of the American Bar Association Section of International Law (the “Section”), we are pleased to invite you to the 2015 Fall Meeting taking place October 20-24, 2015 at the Fairmont The Queen Elizabeth Hotel in Montréal, QC, Canada. The Fall Meeting will feature more than 65 panels highlighting different aspects of the theme for the meeting – **“Globalization and the Importance of Law, Language and Culture.”**

**Please note:**

**Early Bird Registration Deadline is September 8, 2015.** Take advantage of the low registration rates for both individual and group attendees. For more information about group registration rates, please email [intlawmeetings@americanbar.org](mailto:intlawmeetings@americanbar.org).

**Pre-Registration Final Deadline is October 5, 2015.** Online registration will be closed after this date and the onsite rate will be available via hard copy form.

**Hotel room block at the Fairmont The Queen Elizabeth deadline is September 28, 2015.** We have reserved a special nightly rate of \$205 (CAD) plus applicable daily tax per room for single/double occupancy. This rate includes free wifi and fitness center access. Information on how to reserve your room may be found on our meeting website at <http://shopaba.org/lfall2015>. The number of rooms available at this special rate is limited so early booking is recommended.

**Official Canadian Airline for the 2015 Fall Meeting is Air Canada.** Receive special discounts on your flight with the promo code **E2G8DCT1**.

**WHAT WILL ATTENDANCE AT THE 2015 FALL MEETING OFFER YOU?**

- Cutting edge programming on the latest international legal and ethics issues.
- Networking opportunities with counterparts, decision makers and potential clients from around the world who are active in international practice areas.
- An entire year’s worth of general CLE credits.
- Programming with the Canadian Bar Association, National Section on International Law.

**OUTSTANDING NETWORKING OPPORTUNITIES!**

- Tuesday, Joint Reception with the Canadian Bar Association, Montréal Bar and Québec Bar at the Fairmont The Queen Elizabeth
- Tuesday, Hospitality Night hosted by local lawyers
- Wednesday, Fun casual Reception at 8Queen in Old Montréal
- Wednesday, Committee Dinners
- Thursday, Reception at Dalhousie Station, the headquarters of Cirque Éloize
- Thursday, Committee Luncheon at the Fairmont The Queen Elizabeth
- Friday, Chair’s Closing Reception at The Belvedere at the Montréal Science Centre

Au plaisir de vous voir à Montréal!



Lisa Savitt  
*Chair-Elect*



Patrick Goudreau



Elisa Kearney

*2015 Fall Meeting Co-chairs*



Dominique Babin



Jeffrey Barnes



John Boscariol



Russ Dombrow



Theodore Goloff



Alexander Jeglic



Dunniela Kaufman



Martin Masse



Hon. Cara Lee  
T. Neville



Melissa  
Pallett-Vasquez



Clifford Sosnow

*2015 Fall Meeting Steering Committee*

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# Cooperating Entities



American Society of International Law



AMERICAN IMMIGRATION LAWYERS ASSOCIATION



INTERNATIONAL ASSOCIATION OF YOUNG LAWYERS



BLACK LAW STUDENTS ASSOCIATION OF CANADA  
L'ASSOCIATION DES ÉTUDIANTS NOIRS EN DROIT DU CANADA

Canadian Association of Law Teachers



Canadian Corporate Counsel Association  
Association canadienne des conseillers (ères) juridiques d'entreprises



Dai-ichi Tokyo Bar Assoc

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INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION\*



KOREAN BAR ASSOCIATION



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National Association of Women Lawyers\*  
the voice of women in the law\*

# Cooperating Entities (continued)

National Law Center for Inter-American Free Trade



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North America Branch

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International Law Section



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International Association of Lawyers  
Unión Internacional de Abogados



# Meeting Agenda

Tuesday, October 20, 2015

**12:30 PM–6:30 PM**  
**MEETING REGISTRATION OPEN**

**1:00 PM–4:00 PM**  
**COUNCIL MEETING**

The Council is the Section's policy making body. At this meeting the Council will debate major policy initiatives and will be addressed by visiting dignitaries and bar leaders. The Council Meeting is open to all Fall Meeting registrants. *Light Lunch will be provided for Council members starting at 12:30 pm.*

**4:00 PM–6:00 PM**  
**THE CANADIAN BAR ASSOCIATION,  
NATIONAL SECTION ON INTERNATIONAL LAW  
PRE-MEETING PROGRAM  
NEGOTIATING THE CANADA-EU TRADE  
AGREEMENT: A PROLOGUE OF THINGS TO COME**

From the Quebec Act of 1774 (and how to properly trigger the American insurrection), the Jay Treaty of 1794 (and how the International Boundary Commission would eventually draw the very longest border in a real straight line), the War of 1812 (Canada won that one, by the way, but sure, it's been a while), the Treaty of Washington of 1871 and the Alabama Claims Tribunal (and how to settle all debts and become real good friends pretty much forever), the Volstead Act (and how to have a really good time in Montréal), Lend-Lease (and how, come to think of it real hard, you actually don't have to give the Jeeps back after all), the 1965 Auto Pact, to the 1994 NAFTA, the enduring example of U.S.-Canada relations proves what the quiet hand of international law can actually achieve. Both Canada and the United States are now currently engaged in separate yet parallel trade agreement negotiations with the European Union. In these negotiations, the Canada-EU negotiations were the first to kick-off the new game in town. You are invited to come hear what the Canadian experiences in these negotiations have been so far, how the relationship between the U.S., Canada and the European Union may be called upon to change and what may therefore be next in the workings of the quiet hand of international law.

**PANEL CHAIR:**

**René Cadieux**, Fasken Martineau, LLP, Montréal, QC, Canada

**MODERATOR:**

**Raymond Chrétien, OC**, Former Canadian Ambassador to France, the United States, Belgium, Mexico and the Congo, Fasken Martineau LLP, Montréal, QC, Canada

**SPEAKERS:**

**Her Excellency Marie-Anne Coninx**, Ambassador of the European Union to Canada, Ottawa, ON Canada

**Pierre-Marc Johnson, G.O.Q., MSRC**, former Premier of Québec, Lavery Lawyers, Montréal, QC, Canada

**Sylvie Tabet**, General Counsel and Director of the Trade Law Bureau of Foreign Affairs, Trade and Development Canada, Ottawa, ON, Canada

**4:00 PM–5:15 PM**  
**PATHWAYS TO EMPLOYMENT IN  
INTERNATIONAL LAW (NON-CLE)**

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

**6:00 PM–7:30 PM**  
**JOINT RECEPTION WITH THE CANADIAN BAR  
ASSOCIATION, QUÉBEC BAR AND MONTRÉAL  
BAR AT THE FAIRMONT THE QUEEN ELIZABETH**

The 2015 Fall Meeting's kickoff event will be an excellent opportunity to reconnect with friends from prior meetings and make new ones. This joint reception will allow both the Section and local bar members the opportunity to meet and network. Light hors d'oeuvres & drinks will be served.

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

**8:00 PM–10:00 PM**  
**HOSPITALITY NIGHT**

Members of the Montréal legal community will host Fall Meeting foreign attendees at their homes and local venues for a "Hospitality Night." Attendees may bring along accompanying guests, spouses, and/or significant others. Coordination and transportation will be agreed among host and guests closer to the event. Light hors d'oeuvres will be served. There is a limited capacity so please register early! The deadline for registration is **September 8**.



## Wednesday, October 21, 2015

### 6:50 AM–8:00 AM MEETING FUN RUN

*Ticketed Event—\$15*

Join us for a Fun Run around the city of Montréal. Fee includes post-run refreshments.

### 8:00 AM–7:00 PM REGISTRATION AREA AND EXHIBIT HALL OPEN

### 8:00 AM–8:50 AM CONTINENTAL BREAKFAST & COMMITTEE BREAKFAST MEETINGS

Join us to learn more about the Section's committees ('the engines of the Section'). Find out about committee activities and opportunities to become more active in the Section. Please note that designated committees will be meeting this day and others on Thursday. If you have any questions about planning for this event, please contact Sophie Wilmot at [Sophie.Wilmot@americanbar.org](mailto:Sophie.Wilmot@americanbar.org).

*A selection of pastries, fruits, juices, coffee and tea will be provided.*

### 9:00 AM–10:30 AM PLENARY SESSION DEVELOPING AND IMPLEMENTING GLOBAL LEGAL COMPLIANCE SYSTEMS IN A MULTICULTURAL WORLD

This program addresses overcoming challenges in the development and implementation of compliance programs for companies located in more than one country as well as companies that deal with suppliers or customers in other countries. In a roundtable format, speakers will discuss their experiences with cultural and legal barriers to compliance and common pitfalls that lead to non-compliance. Speakers will present best practices to overcome those hurdles with a discussion of (1) tailoring compliance materials and trainings to a global and multicultural audience, including tackling difficult subjects that vary by country and culture; (2) best practices for compliance with the regulations of another country; and (3) identifying the applicability of U.S. laws internationally and determining how to comply with such laws.

**PRIMARY SPONSORING COMMITTEE:**  
Export Controls & Economic Sanctions Committee

**CO-SPONSORING COMMITTEES:**  
Aerospace and Defense Committee, Canada Committee, Customs Law Committee, International Anti-Corruption Committee

**PANEL CHAIR:**  
**Kay Georgi**, Arent Fox LLP, Washington, DC

**MODERATOR:**  
**Marwa Hassoun**, Arent Fox LLP, Los Angeles, CA

**SPEAKERS:**  
**Kala Anandarajah**, Rajah & Tann Singapore LLP, Singapore

**Larry Christensen**, Miller Chevalier, Washington, DC  
**Anne Scheinfeldt**, UTC Aerospace Systems,  
Windsor Locks, CT

### 9:00 AM–10:30 AM PLENARY SESSION VIVE LA EVOLUTION — OR HOW THE WORLD OF LEGAL PRACTICE WILL NEVER BE THE SAME AGAIN, FROM CANADA AND AROUND THE WORLD

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The Canadian Bar Association launched the Legal Futures Initiative seeking to understand, predict and guide the changes in the legal profession. Based on comprehensive research over two years, the Initiative produced a final report in 2014 that received significant attention around the world including a number of recommendations on how the profession can transform itself.

This echoes reports and reform initiatives in other countries, most notably Australia and England & Wales. The latter has, of course, significant influence on the rest of the European Union countries where lawyers must ask themselves whether the changes might affect them without their regulator having taken similar steps.

The ABA itself established a Commission on the Future of Legal Services which monitors the significant changes in the way legal services are being marketed.

**PRIMARY SPONSORING COMMITTEE:**  
Canada Committee

**CO-SPONSORING COMMITTEES:**  
Latin America & Caribbean Committee, Transnational Legal Practice Committee, International Law Practice Management Forum

**PANEL CHAIR:**  
**Friedrich Blase**, Thomson Reuters, Toronto, ON, Canada

**MODERATOR:**  
**William C. Hubbard**, 2014-2015 President of the American Bar Association and Nelson Mullins Riley & Scarborough, Columbia, SC

**SPEAKERS:**  
**Fred Headon**, Past President, Canadian Bar Association and Assistant General Counsel, Air Canada, Montréal, QC, Canada

**Alison Hook**, Hook International, London, United Kingdom  
**Judy Perry Martinez**, Chair, ABA Commission on the Future of Legal Services, New Orleans, LA

**Jakob Weberstaedt**, Research Fellow, Bucerius Center on the Legal Profession, Bucerius Law School, Hamburg, Germany

### 10:30 AM–11:00 AM NETWORKING BREAK



**11:00 AM–12:30 PM**  
**PROMOTING GENDER-RELATED DOMESTIC ASYLUM RIGHTS THROUGH INTERNATIONAL LITIGATION**

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While the past twenty years have seen significant advancements in establishing a legal framework to end impunity for sexual and gender-based violence, the asylum system lags far behind. This panel will highlight recent advocacy efforts, both domestic and international, to establish that gender-based persecution, including domestic violence, warrants asylum. The panel will provide advocates with a better understanding of how to effectively obtain asylum based on gender persecution in this rapidly developing legal area, including using non-conventional sources such as international treaty bodies. It will include speakers who are on the forefront of this issue, and will examine as a case study an unprecedented case on its way from Ecuador to the UN Committee on the Elimination of Discrimination Against Women. It will also include an ethics component by examining how lawyers can integrate social workers when working with women in sexual and gender-based violence cases.

**PRIMARY SPONSORING COMMITTEE:**  
International Refugee Law Committee

**CO-SPONSORING COMMITTEES:**  
International Human Rights Committee, Immigration and Naturalization Law Committee, Young Lawyers Interest Network

**PANEL CHAIRS:**  
**Joseph C. Hansen**, Gibson Dunn, San Francisco, CA  
**Cara Walker**, Washington, DC

**MODERATOR:**  
**Dr. Shauna Labman**, University of Manitoba, Winnipeg, MB Canada

**SPEAKERS:**  
**Blaine Bookey**, UC Hastings Center for Gender and Refugee Studies, San Francisco, CA  
**Lindsay Harris**, Georgetown University Law Center, Washington, DC (*Invited*)  
**Leslie Thomas**, Art Works Projects, Chicago, IL (*Invited*)

**11:00 AM–12:30 PM**  
**IT'S A SISTER ACT: CULTIVATING "SISTER" BAR ASSOCIATION RELATIONSHIPS IN A GLOBALIZED WORLD**

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Nowadays it's not enough for practicing lawyers and academics to participate only in the events of our local, and even national, bar associations. If we want to learn how to find counsel abroad, and to attract attorneys abroad to come to us, we need a mechanism to develop these relationships, educate attorneys and law students, and help our legal communities to better understand one another in a deeper way. Toward these goals, during the past two decades, "sister" or "twinning" bar associations have been cultivated by Philadelphia and Lyon, Cincinnati and Munich, the San Francisco Bay Area bar and several Asian bar associations, as well as other bar associations throughout the U.S. and the world—including several relationships with our host city, Montréal. Through a lively discussion with speakers from venues in the U.S. and abroad, we can learn how to develop successful cross-border bar relationships as well as the benefits and challenges of these relationships.

**PRIMARY SPONSORING COMMITTEE:**  
International Legal Education and Specialist Certification Committee

**CO-SPONSORING COMMITTEES:**  
Foreign Legal Consultant Committee, International Ethics Committee, Law Student, L.L.M., & New Lawyer Outreach Committee, U.S. Lawyers Practicing Abroad Committee

**PANEL CHAIR & MODERATOR:**  
**Diane Penneys Edelman**, Villanova University School of Law, Villanova, PA

**SPEAKERS:**  
**Aurora Austriaco**, Austriaco & Associates, Ltd., Chicago, IL  
**Benjamin Dwyer**, Nixon Peabody LLP, Buffalo, NY  
**Magali Fournier**, Brouillette & Associés, Montréal, QC, Canada  
**Michael E. Scullin**, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA

**11:00 AM–12:30 PM**  
**WORKPLACE DIVERSITY AROUND THE GLOBE: A MULTI-REGION PERSPECTIVE**

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This program will take an across the board look at workplace diversity and inclusion laws around the world. Using a comparative legal framework, panelists will discuss cultural differences and the ways they impact labor and employment laws in Africa, Asia, Europe, Latin America, the Middle East and North America. Legal and societal differences in the workplace will be explored using hypothetical scenarios that highlight a host of professional diversity and inclusion issues including: affirmative action and quotas, sexual orientation, gender identity, gender balance and the legal protection of various groups.

**PRIMARY SPONSORING COMMITTEE:**  
International Employment Law Committee

**CO-SPONSORING COMMITTEES:**  
International Corporate Counsel Committee, Diversity Committee

**PANEL CHAIR & MODERATOR:**  
**Holly Silver**, Holly A. Silver, P.C., New York, NY

**PANEL CHAIR & SPEAKER:**  
**Sara Khoja**, Clyde & Co., Dubai, United Arab Emirates

**SPEAKERS:**  
**Anna Birtwistle**, CM Murray LLP, London, United Kingdom  
**Young-ik (Y.I.) Choi**, Nexus Law Group, Seoul, South Korea  
**Luisa Menezes**, PMI Global Services Inc., New York, NY  
**Olufunmi Oluyede**, TRLPLAW, Lagos, Nigeria

**11:00 AM–12:30 PM**  
**BALANCING ABORIGINAL RIGHTS WITH THE REGULATORY STATE: ARE WE CLOSER TO NEVER LAND OR JUST CONFUSING EVERYBODY?**

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Efforts to strengthen Canada's anti-corruption regime especially as it relates to the aboriginal community herald a more challenging environment for the business sector, in particular the resource extractive industry. Canada has recently introduced transparency measures for First Nations, amendments enhancing its foreign public officials corruption legislation and new reporting requirements for the extractive industries. This program will explore the intersection between the duty to consult aboriginal people and the obligations and apparatus of the regulatory state regarding corruption and reporting through the lens of the extractive industry. A dynamic round table discussion by anti-corruption experts and lawyers well versed in these issues will highlight recent events and cases in Canada and globally and will attempt to demystify this rocky terrain and strike a delicate balance between protecting

aboriginal and tribal rights, enforcing government regulation and anti-corruption measures, and encouraging extractive industry investments and operations.

**PRIMARY SPONSORING COMMITTEE:**

International Energy and Natural Resources Committee

**CO-SPONSORING COMMITTEES:**

International Anti-Corruption Committee, Canada Committee, International Criminal Law Committee, International Environmental Law Committee, Latin America and Caribbean Committee

**PANEL CHAIR:**

**Bellanne M. Toren**, Office of Bellanne Meltzer Toren, Canmore, AB, Canada

**PANEL CHAIR & MODERATOR:**

**Christine E. Silverberg**, SilverbergLegal, Calgary, AB, Canada

**SPEAKERS:**

**Robert Janes**, JFK Law Corporation, Victoria, BC, Canada

**Mark Morrison**, Blake, Cassels & Graydon LLP (“Blakes”), Calgary, AB, Canada

**Dr. Eduardo Paredes**, Defensoria Pública da União, defensor público federal (federal public defender), Rio de Janeiro, Brazil

**11:00 AM–12:30 PM**

**LEGAL ETHICS AS SHOWN ON MOVIES AND TELEVISION SHOWS**

Much of the public obtains their understanding from the role of lawyers as portrayed in popular media. This program will contain clips of attorneys acting in movies and television. A panel containing representatives from the United States, Canada, and the European Union will critique the actions of these attorneys under their respective rules of ethics. Ethical rules to be covered would include, for example, conflicts of interest and communicating with your client during this 90-minute program.

**PRIMARY SPONSORING COMMITTEE:**

Foreign Legal Consultant Committee

**CO-SPONSORING COMMITTEES:**

Young Lawyers Interest Network, International Criminal Law Committee, International Ethics Committee

**PANEL CHAIR & MODERATOR:**

**Robert Misy**, Reinhart Boerner Van Deuren s.c., Milwaukee, WI

**SPEAKERS:**

**Antonietta Melchiorre**, Lapointe Rosenstein Marchand Melancon, Montréal, QC, Canada

**Nathalie Meyer Fabre**, Meyer Fabre Avocats, Paris, France

**11:00 AM–12:30 PM**

**HOW FAR HAVE WE COME FROM SOCIÉTÉ GÉNÉRALE AND LEHMAN BROTHERS?: A LOOK AT WHAT GOVERNMENT OVERSIGHT AND LAWS HAVE BEEN INSTITUTED IN U.S., CANADA AND EUROPE**

In January 2008, the bank, Société Générale, lost over 4.9 billion Euros, closing out positions over three days of trading, by misconduct involving trader Jerome Kerviel. Bank officials alleged Kerviel worked alone and his unauthorized trading clearly had gone undetected. In 2008 Lehman Brothers encountered unprecedented losses due to the subprime mortgage crisis. This program will address what steps have been taken to increase government oversight and what laws have been introduced to prevent future crisis in the financial markets. The panel will look

at Dodd-Frank 2010 Reform Act in the U.S. as well as EU Directives and Regulations. Additionally, the panel will look at laws in Europe and Canada, including what rules regulators, lawmakers and executives have taken to address the problems. Finally, the panel will address what criminal and civil sanctions have been instituted to proactively enforce the law in each country and avoid further financial disaster in the markets.

**PRIMARY SPONSORING COMMITTEE:**

Europe Committee

**CO-SPONSORING COMMITTEES:**

International Litigation Committee, International Criminal Law Committee

**PANEL CHAIR:**

**Stephane Navacelle**, Navacelle, Paris, France

**PANEL CHAIR & MODERATOR:**

**Pat English**, Matheson, Dublin, Ireland

**PANEL CHAIR & SPEAKER:**

**Judge John F. Lakin**, 12th Judicial Circuit Court, Sarasota, FL

**SPEAKERS:**

**Paul Belanger**, Blake, Cassels & Graydon LLP, Toronto, ON, Canada

**Barbara R.C. Doherty**, Miller Thomson, LLP, Toronto, ON, Canada

**12:45 PM–2:15 PM**  
**LUNCHEON WITH THE RIGHT HONORABLE M. BRIAN MULRONEY, PC, CC, LLD**



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**NORTON ROSE FULBRIGHT**

*Ticketed Event—\$75*

The Right Honorable Brian Mulroney is a senior partner at Norton Rose Fulbright Canada. He became the leader of the Progressive Conservative Party of Canada in 1983 and served as the eighteenth Prime Minister of Canada from 1984 to 1993. His government introduced visionary new initiatives such as the Canada-US Free Trade Agreement, the North American Free Trade Agreement (NAFTA) and the Canada-US Acid Rain Treaty.

Prior to entering politics, Mr. Mulroney practiced law in Norton Rose Fulbright’s Montréal office until 1976; he went on to serve as the President of the Iron Ore Company of Canada. He rejoined Norton Rose Fulbright Canada in 1993. He has received the highest honors from governments and universities in Canada and around the world, including recently the national Order of the Companions of OR Tambo (Gold) from South Africa in recognition of his world leadership in the fight against apartheid and the liberation of Nelson Mandela.

2:30 PM–4:00 PM

## DISRUPTIVE VS. SUSTAINING INNOVATION: WILL LAWYERS COPE WITH UNPRECEDENTED CHANGE?

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Since 2008, legal markets around the world have been undergoing significant change placing the traditional law firm business model under increasing pressure. Clients want to change the way they do business with lawyers, and new market entrants such as legal start-ups, new technologies, LPOs, and alternative business structures are adding far-reaching competitive complexity, giving rise to uncertainty about how to earn money and ensure long-term success. Are these truly disruptive or sustaining innovations? How – and how well – are lawyers responding? We will examine successful responses to these multiple challenges by all types of law firms worldwide. Our interactive panel will also look into the future and speculate how the legal market may change further in the next 5-10 years.

### PRIMARY SPONSORING COMMITTEE:

Transnational Legal Practice Committee

### CO-SPONSORING COMMITTEE:

International Law Practice Management Forum

### PANEL CHAIRS:

**Janis L. Nordstrom**, J.L. Nordstrom Global Strategies, Vero Beach, FL

**Friedrich Blase**, Thomson Reuters, Toronto, ON, Canada

### MODERATOR:

**Jordan Furlong**, Edge International, Ottawa, ON, Canada

### SPEAKERS:

**Catherine Hammack**, Jurispect, Palo Alto, CA

**Kingsley Martin**, KM Standards LLC, Chicago, IL

**Karen Dunn Skinner**, Gimbal Canada, Montréal, QC, Canada

**Matthew Peters**, McCarthy Tétrault LLP, Toronto, ON, Canada

2:30 PM–4:00 PM

## INHERENT CULTURAL BIASES AND THE USE OF CULTURALLY AWARE OUTSIDE COUNSEL

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Interactions between individuals from different countries, different regions, and different languages carry with them the reality of inherent biases. For example, even though everyone in the room may be speaking English, someone's accent or someone's slightly reduced vocabulary in a non-native tongue can affect the way others perceive them. In the business of law and in the business of business, this can affect relationships. In situations where people speak different languages altogether, an attorney who understands an opponents' or a business partners' cultural references can alleviate miscommunications and greatly strengthen the relationship. The program will explore the challenges of cross-cultural communications in the legal and business context and identify ways in which attorneys can overcome those challenges by being more culturally aware.

### PRIMARY SPONSORING COMMITTEE:

International Corporate Counsel Committee

### CO-SPONSORING COMMITTEE:

Aerospace and Defense Committee

### PANEL CHAIR & MODERATOR:

**Maria-Vittoria "Giugi" Carminati**, Carminati Law PLLC, Houston, TX

### SPEAKERS:

**Kito Kwamin Huggins**, New York, NY

**Marianne Ibrahim**, Baker Hughes, Houston, TX

**Robin Ricketts**, Lockheed Martin Corporation, Denver, CO

2:30 PM–4:00 PM

## RESTITUTION AND REPATRIATION OF INDIGENOUS CULTURAL ITEMS: THE U.S., CANADIAN AND INTERNATIONAL PERSPECTIVES

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Recent sales of religious and sacred artifacts of the Native American Hopi and Navajo tribes at auctions in France have raised critical questions about the legal tools available to indigenous people when seeking the return of their cultural objects and human remains. While diplomatic efforts and widespread public outcry were unsuccessful in stopping these auctions, the incidents have renewed public awareness of the interests of indigenous people in their cultural heritage and have revealed a deficiency in internationally enforceable legal protections against the illicit sale of the cultural objects of indigenous people. As indigenous peoples have stepped up their efforts to recover their cultural items, the international legal community has an opportunity to consider the effectiveness of existing laws in this area. This panel will present a discussion of the contrasting approaches taken by the United States, which depends primarily on regulation through 1990 Native American Graves Protection and Repatriation Act (NAGPRA), and by Canada, which depends to a greater degree on consultation and negotiation with First Nations people. The panel will also address questions of enforceability of indigenous peoples' rights in other nations, and will consider ways to fill the gaps in the protection of indigenous peoples' rights to these artifacts.

### PRIMARY SPONSORING COMMITTEE:

Art & Cultural Heritage Law Committee

### PANEL CHAIR:

**Jacqueline Farinella**, The Depository Trust & Clearing Corporation, New York, NY

### MODERATOR:

**Kevin Ray**, Greenberg Traurig, Chicago, IL

### SPEAKERS:

**Judge Diane Humetewa**, United States District Judge of the United States District Court for the District of Arizona, Phoenix, AZ

**Honor Keeler**, Director of International Repatriation, Association on American Indian Affairs, Rockville, MD

**Robert K. Paterson**, Peter Allard School of Law, University of British Columbia, Vancouver, BC, Canada

**Justice Harry A. Slade**, Supreme Court of British Columbia, Vancouver, BC, Canada

2:30 PM–4:00 PM

## DOING BUSINESS ETHICALLY IN AFRICA: SUCCESS STORIES AND CHALLENGES

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Research suggests that corruption can be curbed through strengthened anti-corruption institutions and oversight agencies, as well as through robust compliance programs and strong internal controls. This panel will discuss whether anti-corruption legislation facilitates Africa's economic growth and deters corruption or rather whether it serves to maintain the status quo while making it difficult for companies to do business on the continent. The panel will also talk about how companies through their compliance programs and internal controls can reduce risk and enhance the likelihood that they ethically and legally do business in Africa without running afoul of anti-corruption laws.

### PRIMARY SPONSORING COMMITTEE:

Africa Committee

### PANEL CHAIR & MODERATOR:

**Jim Lord**, Sideman & Bancroft, Denver, CO

**SPEAKERS:**

**Obi Madubuko**, McDermott, Will & Emery, New York, NY

**Xavier Oustainiol**, Alvarez & Marsal, San Francisco, CA

**2:30 PM–4:00 PM**

**THE WIDE WORLD OF SPORTS MEDIATION**

The leading providers of sports dispute resolution services in Canada, the U.S., Europe and Asia will discuss the emergence of mediation as featured method, discuss the key elements of their mediation rules and programs, and report on the interplay between these specialized Alternative Dispute Resolution (ADR) providers and national courts and leading arbitral institutions. Leading mediators and practitioners in the field will then join in a round-table discussion of sports mediation, focused on the attributes and tactics that make a mediator effective and provide the best chances of success.

**PRIMARY SPONSORING COMMITTEE:**

International Mediation Committee

**PANEL CHAIR:**

**Melissa Ginsberg**, Patterson Belknap Webb & Tyler, New York, NY

**MODERATOR:**

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

**SPEAKERS:**

**Jeff Benz**, Benz ADR, Los Angeles, CA

**Despina Mavromati**, Court of Arbitration for Sport, Geneva, Switzerland

**Richard McLaren**, University of Western Ontario, ON, Canada

**Bradley Ruskin**, Proskauer, New York, NY

**2:30 PM–4:00 PM**

**THE TREACHEROUS ROAD TO A GLOBAL WORKFORCE: THE COMPLEX INTERSECTION OF EXPORT CONTROLS, EMPLOYMENT, IMMIGRATION AND DATA PRIVACY LAWS**

In our global economy employees are increasingly working—for brief or extended periods—in countries other than their birth country. Many Section members know to vet the immigration, data privacy and employment issues that arise when a worker is not a national or permanent resident of a work location. However, many practitioners are surprised that export controls and trade sanctions may also be implicated. In a wide range of industries, the release of certain goods, software and technologies to foreign nationals in the course of their work is treated by the law as an export. To complicate matters, compliance with the export controls can be at odds with immigration, data privacy and employment law compliance in many jurisdictions. In this program we will use a timeline to highlight how these laws intersect as a hypothetical foreign national progresses from applicant to intern to contractor or full-time employee.

**PRIMARY SPONSORING COMMITTEE:**

Export Controls & Economic Sanctions Committee

**CO-SPONSORING COMMITTEES:**

International Employment Law Committee, Immigration and Naturalization Law Committee, Privacy, E-Commerce & Data Security Committee

**PANEL CHAIRS & SPEAKERS:**

**Karla Haynes**, Chevron Corporation, San Ramon, CA

**Judy Polacheck**, Polacheck HR Law LLC, Cambridge, MA

**SPEAKERS:**

**Julie Lessard**, BCF Business Law, Montréal, QC, Canada

**João Luís Traça**, Miranda Correia Amendoeira & Associados, Lisbon, Portugal

**4:00 PM–4:30 PM**

**NETWORKING BREAK**

*Proudly Sponsored By:*



**4:30 PM–6:00 PM**

**GLOBAL RULE OF LAW: GROWING YOUR BUSINESS RESPONSIBLY**

Despite measures to promote the rule of law around the world, many countries still lack sound legal systems. As a result, companies may face major challenges in terms of a predictable business environment and maintaining ethical standards. Consequently, or so it has been argued, investment and growth may be stifled. According to this argument, the presence of rule of law allows businesses to compete fairly, while protecting property and employees, and therefore, is not only good for society, it is good for business.

The panel will discuss global standards for rule of law and how to grow your business responsibly in challenging foreign markets including:

- Key information for businesses in emerging/developing markets
- Encouraging rule of law as a CSR imperative
- Highlighting the diversity of the perception of the rule of law
- How to tackle bribery and corruption
- The UN Global Compact Business for Rule of Law groundbreaking effort to develop a truly global approach for how the business community can support the rule of law
- How business may support the rule of law through core business activities, strategic social investment and philanthropy, public policy engagement and advocacy and/or partnerships and collective action

**PRIMARY SPONSORING COMMITTEE:**

UN and International Organizations Committee

**CO-SPONSORING COMMITTEES:**

International Corporate Counsel Committee, Corporate Social Responsibility Committee

**PANEL CHAIR:**

**Nigel Roberts**, LexisNexis, New York, NY

**MODERATOR:**

**Ian McDougall**, LexisNexis, United Nations Rule of Law Steering Committee and member of the UN General Counsel Advisory Board, London, United Kingdom

**SPEAKERS:**

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

**Jonathan Drimmer**, General Counsel, Barrick Gold, Toronto, ON, Canada

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

**Shola Mos-Shogbamimu**, J.P. Morgan, London, United Kingdom

**4:30 PM–6:00 PM**

### **HYPER-COMPLEX FX REGULATIONS AND FX CONTROLS: THE NEW INTERNATIONAL “TRAP FOR THE UNWARY?”**

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Are FX controls the new instrument for drafting trade barriers in the world? Since the beginning of the current century in countries as diverse as Argentina, Venezuela, Brazil and Russia there has been an increasing emphasis on control of FX issues directed to political and macroeconomic issues rather than real exchange issues. Hyper complex FX regulations in many countries have a direct impact on foreign direct investments, portfolio investments, foreign borrowing, domestic transactions nominated in foreign currencies and on repatriation of investments and act as hurdles to foreign investors' landing and exit strategies in a country. This panel will attempt to clarify how FX controls affect cross-border flows of funds and the assessment of the risks of sinking an investment in a country or unknowingly repatriating money. Lawyers who deal with multinational contracts and trade issues will learn to anticipate and fully understand the workings of complex FX regulations and related risks to properly advise clients. Come and learn about the twists and turns of the most relevant FX regulations in many of the countries using FX as a sword ... and as a shield ... so your advice and contracts will “pop” with clarity.

#### **PRIMARY SPONSORING COMMITTEE:**

International Financial Products & Services Committee

#### **CO-SPONSORING COMMITTEES:**

Export Controls & Economic Sanctions Committee, International Commercial Transactions, Franchising and Distribution Committee, International M&A and Joint Venture Committee, International Securities & Capital Markets Committee, International Antitrust Law Committee

#### **PANEL CHAIR & SPEAKER:**

**Hernan D. Camarero**, Richards Cardinal Tutzer Zabala & Zaefferer, Buenos Aires, Argentina

#### **MODERATOR:**

**Alan Rabkin**, Holland & Hart, Reno, NV

#### **SPEAKER:**

**Paulo Brancher**, BKBG Sociedade De Advogados, São Paulo, Brazil

**Grigory Marinichev**, Morgan Lewis & Bockius LLP, Moscow, Russia

**4:30 PM–6:00 PM**

### **NO WOMAN, NO PEACE!: THE ROLE OF GENDER IN GLOBAL PEACE & SECURITY**

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The devastating impact of war, with attendant unjustifiable exclusion of women from participation in peace processes, persists unabated globally. In 2000, United Nations Security Council Resolution (UNSCR) 1325 was promulgated to address the pivotal role women should play in conflict management, peace negotiations and sustainable world peace. It was unanimously adopted and gleefully embraced the world over. Over a decade later, how effective has UNSCR 1325 been in the fulfillment of its primary objectives? Are there valuable lessons to be learned from the many action plans, guiding principles, standards and policies instituted in its implementation in various parts of the globe? In this stirring, graphic setting involving real-life heartrending testimonies of diverse victims, our panel of erudite experts will re-examine the efficacy of UNSCR 1325 in global peace negotiations, agreements, political processes and governance with a view to proffering enduring solutions of global significance in its appropriate execution universally.

#### **PRIMARY SPONSORING COMMITTEE:**

Women's Interest Network (WIN)

#### **CO-SPONSORING COMMITTEES:**

NGO and Not-for-Profit Organizations Committee, Diversity Committee, International Pro Bono Committee, United Nations & International Organizations Committee, Human Rights Committee, International Family Law Committee, National Security Committee

#### **PANEL CHAIRS:**

**Lisette Lavergne**, Salmen Navarro & Lavergne, P.C., Los Angeles, CA

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

**Aaron Schildhaus**, Law Offices of Aaron Schildhaus, Washington, DC

#### **SPEAKERS:**

**Hon. Virginia Simari**, Institute of Magistrates and Justicia and Human Rights, R.E.A.L., Buenos Aires, Argentina

**Phumzile Mlambo-Ngcuka**, UN Women, New York, NY  
*(Invited)*

**Netumbo Nandi-Ndaitwah**, UNSCR 1325, Minister for Foreign Affairs, Namibia, Windhoek, Namibia, South Africa  
*(Invited)*

**Madeleine Rees**, Women's International League for Peace & Freedom, Geneva, Switzerland  
*(Invited)*

**4:30 PM–6:00 PM**

### **CANADA, CORRUPTION AND THE CANUCK CRACKDOWN**

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Just over a year and a half ago, Canada significantly amended its Corruption of Foreign Public Officials Act (CFPOA). Hitherto, only one company had ever pled guilty under the Act. However, in 2013 the first case of self-reporting under the CFPOA occurred with Griffiths Energy International pleading guilty to bribery; and in the same year, Nazir Karigar in the first trial under the CFPOA was convicted of conspiring to bribe under the Act. Simultaneously, the Royal Canadian Mounted Police (RCMP) announced the formation of a new national unit dedicated to investigating corruption within the country's borders and internationally. Under the CFPOA, the test for jurisdiction requires that cases involved have a “real and substantial” link to Canada meaning some of the illegal activities must have occurred in Canada or have a real impact on Canadians. But what constitutes impact? Less than a year later, prosecutors were looking at SNC Lavalin and their activities in Libya and Bangladesh. The RCMP have charged, amongst others, Bangladesh's former state minister, Abul Hasan Chowdhury, with facilitating and benefiting from violations of the CFPOA. Canadian prosecutors are cracking down not only on foreign bribery associated with Canadian companies, but getting aggressive with large-scale domestic bribery schemes that have ripple effects across the border. Join our panel featuring a Canadian federal prosecutor; members of Transparency International Canada and counsel to several major Canadian companies as they prognosticate on the expanding jurisdictional reach of the CFPOA.

#### **PRIMARY SPONSORING COMMITTEE:**

International Anti-Corruption Committee

#### **CO-SPONSORING COMMITTEES:**

Canada Committee

#### **PANEL CHAIR:**

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

#### **MODERATOR:**

**John Boscarol**, McCarthy Tétrault LLP, Toronto, ON, Canada

**SPEAKERS:**

**Marke Kilkie**, Public Prosecution Service of Canada, Economic Prosecutions Branch, Ottawa, ON, Canada

**Milos Barutciski**, Bennett Jones & Board of Transparency International Canada, Toronto, ON, Canada

**Paul Lalonde**, Dentons, Toronto, ON, Canada

**Bonita M. Croft**, Trican Well Service, Ltd., Calgary, AB, Canada

**4:30 PM–6:00 PM**

**THE ROLE OF ETHICS IN INTERNATIONAL COURTS**

The International Criminal Court (ICC), established in 2002, was the first international tribunal to ratify legally binding codes of conduct and ethics for its judiciary and counsel—although the effectiveness of those codes remains questionable, since the tribunal is essentially autonomous. The ICC’s self-governing ethics model is not a revolutionary concept in international law. Like the ICC itself, it is the end result of decades of experiments, proposals, and lessons learned from prior tribunals. Our program will explore the development of codified ethics in the context of the international tribunal (the Nuremberg and Tokyo trials, the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda) and also look ahead to the scenarios that may shape its prospects for better or worse. We will also examine the present role that ethics may play in other international settings within which our Association members may find themselves, including the U.N.’s International Court of Justice, international arbitral tribunals, and cases brought under the Alien Torts Statute.

**PRIMARY SPONSORING COMMITTEE:**

International Courts Committee

**CO-SPONSORING COMMITTEES:**

International Ethics Committee, International Criminal Law Committee, U.N. & International Organizations Committee

**PANEL CHAIR & MODERATOR:**

**Tim Franklin**, Social Law, Boston, MA

**SPEAKERS:**

**Peter Robinson**, Legal Advisor, International Criminal Tribunal for the former Yugoslavia (ICTY), Santa Rosa, CA

**Christopher “Kip” Hale**, American Bar Association Center for Human Rights, Washington, DC

**4:30 PM–6:00 PM**

**A BRAVE NEW WORLD FOR DOING BUSINESS IN CUBA: PLUS ÇA CHANGE...?**

The December 2014 announcement of the Obama administration that it would be seeking normalization of U.S. relations with Cuba has reignited interest in trade with and business with Cuba. Yet, the U.S. trade embargo of Cuba also remains in place, still at odds with Canadian trade policy and law (the Foreign Extraterritorial Measures Act and Order), along

with that of many EU member countries which have pursued political and economic engagement with Cuba and made it a criminal offense to comply with the U.S. embargo within their borders. At the same time, Cuba itself is undergoing regime reform—political, social and economic—and is again opening up to the world. This panel of experts will explore the challenges and opportunities arising from this evolving and conflicting legal and geopolitical landscape with regard to coping with the existing U.S. embargo of Cuba and beyond.

**PRIMARY SPONSORING COMMITTEE:**

Canada Committee

**CO-SPONSORING COMMITTEES:**

Export Controls and Economic Sanctions Committee, International Litigation Committee, International Trade Committee

**PANEL CHAIR & MODERATOR:**

**H. Scott Fairley**, WeirFoulds LLP, Toronto, ON, Canada

**SPEAKERS:**

**Mark Entwistle**, Acasta Capital, Toronto, ON, Canada

**Martha Harrison**, Dentons, Toronto, ON, Canada

**Dr. Roland M. Stein**, Freshfields Bruckhaus Deringer, Berlin, Germany

**Marcela Stras**, Cozen O’Connor, Washington, DC

**7:00 PM–9:00 PM**

**RECEPTION AT 8QUEEN**

Join us for a reception in Old Montréal at 8Queen. Guests will be able to explore this unique space and enjoy a “casual” evening (jeans accepted). The reception will feature local Montréal food.

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

**9:00 PM–11:00 PM**

**COMMITTEE DINNERS**

Some committees will be organizing dinners. Take advantage of free time this evening to enjoy one of the many fine restaurants that Montréal has to offer with your committee or a committee that interests you. This is a great opportunity to continue to network with others who share your same interests. Enjoy the more relaxed atmosphere to have discussions that can lead to strong relationships, new initiatives and committee programs for you to develop after you return home. If you have any questions about planning for this event at the Fall Meeting, please contact Sophie Wilmot at [Sophie.Wilmot@americanbar.org](mailto:Sophie.Wilmot@americanbar.org).



Exhibition Hall at the 2015 Spring Meeting

## Thursday, October 22, 2015

**8:00 AM–7:00 PM**  
**REGISTRATION AREA AND EXHIBIT HALL OPEN**

**8:00 AM–8:50 AM**  
**CONTINENTAL BREAKFAST & COMMITTEE**  
**BREAKFAST MEETINGS**

Join us to learn more about the Section's committees ("the engines of the Section"). Find out about committee activities and opportunities to become more active in the Section. Please note that designated committees will be meeting this day and others on Wednesday. If you have any questions about planning for this event, please contact Sophie Wilmot at [Sophie.Wilmot@americanbar.org](mailto:Sophie.Wilmot@americanbar.org).

*A selection of pastries, fruits, juices, coffee and tea will be provided.*

**9:00 AM–10:30 AM**  
**SOVEREIGN WEALTH FUNDS: A GLOBALIZATION**  
**PLAYER OR A THREAT TO NATIONAL SOVEREIGNTY?**

Sovereign Wealth Funds (SWFs) play a key role in cross-border transactions. SWF's massive assets and appetite for new ventures are highly regarded across the globe and amongst different sectors - infrastructure, real estate, etc. Although the landscape is rapidly changing, higher standards of governance have been put in place, and enforcement of the rule of law has also been increasing, this is still a vast unknown territory to some major investors. Seasoned practitioners interested in international investments, cross-border transactions and international law and globalization issues will discuss how SWFs can effectively change the pace of growth and development of some regions and economic sectors; how the legal and regulatory frameworks have changed - including the Santiago principles issued by the Interagency Working Group (IWG); how to structure deals in which SWF's are involved; examples of how different jurisdiction treat SWFs and others foreigners' investments; and how the countries may protect themselves for interferences in their own sovereignty.

**PRIMARY SPONSORING COMMITTEE:**  
International Private Equity Committee

**PANEL CHAIR:**  
**E. Eric Rytter**, Dorsey & Whitney, New York, NY

**PANEL CHAIR & MODERATOR:**  
**João Otávio Pinheiro Olivério**, Olivério Advogados, São Paulo, Brazil

**SPEAKERS:**  
**Professor Fabio Bassan**, The Sovereign Wealth Funds Law Centre, Rome, Italy (*Invited*)  
**Michael Hassan**, PSP Investments, Montréal, QC, Canada  
**Sandy Walker**, Dentons Canada LLP, Toronto, ON, Canada

**9:00 AM–10:30 AM**  
**HEIGHTENED ACTIVISM IN ANTITRUST MERGER REVIEW**

Antitrust agencies around the world have become aggressive in reviewing mergers, challenging deals that may not have attracted significant enforcement action before. Dealing effectively with the heightened scrutiny and managing remedy discussions is critical for companies that are seeking to merge. The panel will look at merger reviews in the European Union, the United States, China and Canada, and consider how differing conditions such as process, regulatory independence, government resources and judicial oversight can impact merger review and the remedies imposed.

**PRIMARY SPONSORING COMMITTEE:**  
International Antitrust Law Committee

**CO-SPONSORING COMMITTEES:**  
Canada Committee, China Committee, Europe Committee

**PANEL CHAIRS & SPEAKERS:**  
**Mike Byowitz**, Wachtell Lipton Rosen & Katz, New York, NY  
**Martin Bechtold**, King & Wood Mallesons, Brussels, Belgium

**PANEL CHAIR & MODERATOR:**  
**Alfredo O'Farrell**, Marval, O'Farrell & Marial, Buenos Aires, Argentina

**SPEAKERS:**  
**Elisa Kearney**, Davies, Ward, Phillips & Vineberg LLP, Toronto, ON, Canada  
**Susan Xuanfeng Ning**, King & Woods Mallesons, Beijing, China

**9:00 AM–10:30 AM**  
**CRIMES WITHOUT BORDERS: INCREASING**  
**COOPERATION IN WHITE COLLAR ENFORCEMENT**

Improved technology and increasing global trade facilitates business across state borders. They also increase the capacity for coordination among participants in the international marketplace, potentially resulting in global cartels, and for the impact of criminal activity occurring in one jurisdiction to be felt overseas. Responding to these concerns, recent years have seen an increased level of coordination and cooperation between international authorities in investigating and prosecuting white-collar crime, including recent investigations concerning benchmark rates and alleged price fixing for electronic capacitors. Join us as leading practitioners in the field—representing government agencies and corporations subject to investigation—discuss the cooperation that has occurred, and the implications for corporations that are subject to these investigations.

**PRIMARY SPONSORING COMMITTEE:**  
International Criminal Law

**CO-SPONSORING COMMITTEES:**  
Europe Committee, Asia/Pacific Committee, International Antitrust Law Committee, International Litigation Committee, International Securities & Capital Markets Committee

**PANEL CHAIR & MODERATOR:**  
**Melissa Ginsberg**, Patterson Belknap Webb & Tyler, New York, NY

**SPEAKERS:**

**Elaine Wing**, Cleary Gottlieb, Washington, DC

**Stephane Navacelle**, Navacelle, Paris, France

**Eun Jae Park**, Yulchon LLC, Seoul, South Korea

**Andre Geverola**, United States Department of Justice Antitrust Division, Chicago, IL

**9:00 AM–10:30 AM**

**HOW HAS GLOBALIZATION CHANGED FREE TRADE?**

The North American Free Trade Agreement (NAFTA) is a mature agreement, and although controversial, is generally regarded as one of the first and most important FTA's that set a pattern for others. However, some have wondered how relevant NAFTA is today and if its importance has been diluted by subsequent FTA's that have been signed or are being negotiated. Early on Mexico signed FTA's with Europe and Japan. Canada recently signed an FTA with Europe. The US has one pending. Is NAFTA still a viable concept? Are the interests of the three countries still aligned as they originally were? Or is NAFTA effectively obsolete? In addition to policy issues, there will be an extensive discussion of rules of origin and how these differ between agreements and how conflicts might be resolved. Actual case studies and rulings under existing agreements will be discussed and panelists will give advice on the resolution of future problems. All three NAFTA countries are participants in the TransPacific Partnership Agreement (TPP) negotiations. To the extent this final TPP differs from NAFTA (such as the absence of Investor State Arbitration) will this de facto replace NAFTA in some areas?

**PRIMARY SPONSORING COMMITTEE:**

Customs Law Committee

**CO-SPONSORING COMMITTEES:**

International Trade Committee

**PANEL CHAIR & SPEAKER:**

**Daniel L. Kiselbach**, Deloitte Tax Law LLP, Vancouver, BC, Canada

**PANEL CHAIR & MODERATOR:**

**Les Glick**, Porter Wright Morris & Arthur, Washington DC

**SPEAKERS:**

**Gustavo Uruchurtu**, Urughurto Abogados, Mexico City, Mexico

**Tuan A. Phung**, VCI Legal, Ho Chi Min City, Vietnam

**Katherine Xilinas**, Couzin Taylor LLP, Vancouver, BC, Canada

**9:00 AM–10:30 AM**

**EVIDENCE IN INTERNATIONAL ARBITRATION AND IMPLICATIONS FOR CONFIDENTIALITY**

Once seen as a means to resolve disputes confidentially and to avoid the invasive and onerous discovery process associated with U.S. and English litigation, the reality of international arbitration today is quite different. Arbitral parties have an increasing array of tools at their disposal to obtain documentary and witness evidence from other disputing parties and even from non-parties. At the same time, the abilities of arbitral parties to protect the confidentiality of their sensitive information, including business plans, trade secrets and contracts are fraught with uncertainty. Relying on hypotheticals and real world examples, this panel examines a range of issues relating to evidence-gathering in international arbitration and the implications for confidentiality.

**PRIMARY SPONSORING COMMITTEE:**

International Arbitration Committee

**CO-SPONSORING COMMITTEES:**

International Investment and Development Committee, International M&A and Joint Venture Committee

**PANEL CHAIR & MODERATOR:**

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

**PANEL CHAIR & SPEAKER:**

**Mark McNeill**, Shearman & Sterling LLP, London, United Kingdom

**SPEAKERS:**

**Melida Hodgson**, Foley Hoag LLP, Washington, DC

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

**Annie Lespérance**, Cabinet Yves Fortier, Montréal, QC, Canada

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

**9:00 AM–10:30 AM**

**WHEN THE RUBBER HITS THE ROAD: BASICS AND HOT TOPICS IN INTERNATIONAL LAW ETHICS**

This program will be in two parts: a "back to basics" overview of key issues in international ethics relevant to practitioners both newer and experienced lawyers, by way of orientation and refresher. Topics will include choice of law, temporary practice, privilege and conflicts rules. The second part will build on the basics and discuss developing areas, such as certification of non-lawyer specialists (the Washington program), status of implementation of ABA 2020, developments in temporary practice by foreign lawyers, multidisciplinary practice, among others. Whether you are new or experienced, this program will highlight core issues that are often taken for granted by experienced lawyers, and necessary for newer lawyers to understand.

**PRIMARY SPONSORING COMMITTEE:**

International Ethics Committee

**PANEL CHAIR:**

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

**PANEL CHAIR & MODERATOR:**

**Steven Richman**, Clark Hill PLC, Philadelphia, PA

**SPEAKERS:**

**Lawrence Hanson**, The Law Office of Lawrence W. Hanson, P.C., Houston, TX

**Rachel K. Jones**, Mueller Law, PLLC, Austin, TX

**Patrick Goudreau**, DS Welch Bussieres, Montréal, QC, Canada

**Stephan Grynwajc**, Law Office of S. Grynwajc, PLLC, New York, NY

**Patricia (Trish) Refo**, Snell & Wilmer, Phoenix, AZ

**10:30 AM–11:00 AM**

**NETWORKING BREAK**

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Barristers and Solicitors



**11:00 AM–12:30 PM**

### **HEADACHES AND HOT SPOTS: A REVIEW OF THE CHANGING WORLD OF M&A IN THE GLOBAL AEROSPACE AND DEFENSE INDUSTRY**

Over the past year, the global market for military products and large-scale projects has seen an overall global decline in revenues and earnings while the commercial aerospace industry has continued to see growth; both see heightened competition for suitors for corporate transactions. In the face of this outlook, there have been major industry consolidations, mergers and transformation initiatives in North America, Europe and Asia, trends which will be highlighted in this program. Economies in certain “hot spots” have seen a sheltering of defense suppliers with greater M&A activity as a result. These hot spots are important for counsel to understand in order to properly advise their internal and external A&D client. These times produce new “headaches” for in-house counsel and their hired outside advisors. Globally, the role counsel plays in shepherding M&A during tougher times necessitates an understanding of emerging risks and related strategies as well as requires counsel to sharpen their intuition with respect to a myriad of ethical and professional practice issues. A panel of leading A&D investment bankers, advisors and counsel will have a lively round-table discussion on this timely topic.

#### **PRIMARY SPONSORING COMMITTEE:**

Aerospace and Defense Industries Committee

#### **CO-SPONSORING COMMITTEES:**

International Procurement Committee, International M&A and Joint Venture Committee, National Security Committee

#### **PANEL CHAIR:**

**Elisabeth S. Preston**, Lex Aegis LLP, Ottawa, ON, Canada

**11:00 AM–12:30 PM**

### **GAME OF THRONES: JOUSTING FOR POWER IN THE FAMILY ENTERPRISES – THE PLANNING AND LITIGATION OF CLOSELY HELD CORPORATIONS**

Dealing with family enterprises is like entering the world of George R.R. Martin. It requires strategic thinking, careful planning and often tough fighting – in the courtroom. Discover the world of complex family dynamics and corporate culture colliding. Don't miss this must-see program. This program is divided into two sections: (1) planning structures (corporate, estate, nuptial) related to family enterprises; and (2) leading the litigation of those family enterprises. Our planning panel will discuss everything from tax, family and estate planning for start-ups to shareholder schemes and agreements, family constitutions, and trust and estate agreements. Learn the important issues that leaders of the family business must think about and execute. Our litigation panel will discuss strategy and legal issues in a will fight and minority shareholder context and look at creative alternatives to emotionally energized litigation.

#### **PRIMARY SPONSORING COMMITTEE:**

International Private Client Committee

#### **CO-SPONSORING COMMITTEES:**

International Family Law Committee, International Litigation Committee, International Tax Committee, Canada Committee

#### **PANEL CHAIR & MODERATOR:**

**Caroline Abela**, WeirFoulds LLP, Toronto, ON, Canada

#### **SPEAKERS:**

**Carmina Y. D'Aversa**, Attorney at Law, Rosemont, PA

**Agnès Proton**, Cabinet d'Avocats, Cannes, France

**Dr. Thomas Rohner**, Pestalozzi, Zürich, Switzerland

**11:00 AM–12:30 PM**

### **COMPLIANCE MATTERS: HOW ANTI-CORRUPTION, ANTI-TRUST AND REGULATORY ENFORCEMENT IMPACTS BUSINESS IN OTHER COUNTRIES**

As businesses become more regulated, companies and counsel must put in place robust compliance programs. In addition to domestic fines and possible imprisonment, regulatory offences now carry extraterritorial implications. Panelists from the U.S., Germany, Brazil and Canada will explain how convictions relating to anti-corruption, antitrust, export control or other regulatory statutes by a company, or their foreign affiliates, can impede the ability of companies to do business domestically and abroad. The Panel will also provide practical tips on how to design a robust compliance program to avoid unforeseen extraterritorial implications, such as:

- Prohibitions on contracting with foreign governments
- Difficulties with merger and investment controls
- Revocation of government licenses, permits and security clearances, and,
- Refusal of import and export control licenses

#### **PRIMARY SPONSORING COMMITTEE:**

International Procurement Committee

#### **CO-SPONSORING COMMITTEES:**

International Trade Committee, Canada Committee, International Antitrust Law Committee, International Anti-Corruption Committee, International Commercial Transactions, Franchising and Distribution Committee

#### **PANEL CHAIR & MODERATOR:**

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

#### **PANEL CHAIR & SPEAKER:**

**Renata Andrade**, Fonseca Andrade Advocacia, São Paulo, Brazil

#### **SPEAKERS:**

**Louis-Martin Richer**, WSP Global Inc., Montréal, QC, Canada

**Bernd Janzen**, Akin Gump, Washington, DC

**Martin Raible**, Gleiss Lutz, Düsseldorf, Germany

**Brenda Swick**, Dickinson Wright LLP, Toronto, ON, Canada

**11:00 AM–12:30 PM**

### **PROMOTING THE DIVERSITY OF LEGAL CULTURES AND BRIDGING THE GAP BETWEEN CONTINENTAL LAW AND COMMON LAW (AND TRADITIONAL LAWS)**

How do we reconcile the needs for preservation of identity and diversity of legal cultures with those for efficiency and security in international transactions, in a ever more global economy? This question begs for a redefinition of the law based on its multiple sources. Imposing a one-size-fits-all legal model chosen from one system over the other has often proven defective as law is more than a set of raw techniques or methods. Rather, it carries with it values and culture which must be understood and respected. The dominance of Common Law in international contracting is regressing as international law is showing more diversity and developing its own culture. Undeniably, Civil Law and Common Law do not reveal the complex and various situations in a wide number of countries, notably in Africa, where legal systems are also based on traditional law and Muslim law. Our panel of experts will discuss bridging gaps between legal cultures, addressing issues of cross-pollination among legal systems, “hybridization” trends in cross-border contracts, law school reforms, the role of international conventions in the global harmonization

process, and regional/sectoral harmonization (e.g., Organisation pour l'Harmonisation en Afrique du Droit des Affaires).

**PRIMARY SPONSORING COMMITTEE:**

Foreign Legal Consultant Committee

**CO-SPONSORING COMMITTEES:**

Europe Committee, Transnational Legal Practice Committee, International Investment & Development Committee, Latin America & Caribbean Committee, Africa Committee, International Energy & Natural Resources Committee, International Arbitration Committee, International Litigation Committee, U.N. & International Organizations Committee, Privacy, E-Commerce and Data Security Committee, International Secured Transactions & Insolvency Committee, International Trade Committee, Canada Committee, International Judicial Affairs Committee, International Intellectual Property Rights Committee, International Legal Education and Specialist Certification Committee

**PANEL CHAIR & MODERATOR:**

**Brigitte R. Gambini**, Avocat à la Cour, Paris, France

**SPEAKERS:**

**Ambassador Paul Robert Tiendrébéogo**, Permanent Representative of the Organisation Internationale de la Francophonie to the United Nations, New York, NY

**Thierry Lauriol**, Jeantet Associés, Paris, France

**Pierre Emmanuel Moysé**, McGill University, Montréal, QC, Canada

**Olivier Moreteau**, Louisiana State University - Paul M. Hebert Law Center, Baton Rouge, LA

**Elisa Henry**, McMillan, Montréal, QC, Canada

**11:00 AM–12:30 PM**

**NAFTA AT 21: SUCCESSES, CONTROVERSIES, AND LESSONS LEARNED**

Since entering into effect in January 1994, the North American Free Trade Agreement (NAFTA) has been the source of considerable success and occasional controversy. During this interactive program, a panel comprised of practitioners from Canada, Mexico, and the United States will discuss hypothetical fact patterns in which key NAFTA issues are raised, including ones relating to trade remedies, investor-state arbitration, intellectual property rights protection, and country of origin determinations and verification audits. In doing so, the panelists will provide an overview of seminal rulings in these areas and offer recommendations on how companies can effectively conduct trade and investment under NAFTA today.

**PRIMARY SPONSORING COMMITTEE:**

International Trade Committee

**CO-SPONSORING COMMITTEES:**

Canada Committee, Customs Law Committee, International Corporate Counsel Committee, International Procurement Committee, Mexico Committee

**PANEL CHAIR & MODERATOR:**

**Geoffrey M. Goodale**, Trade Law Advisors, PLLC, Washington, DC

**SPEAKERS:**

**Cyndee Todgham Cherniak**, LexSage, Toronto, ON, Canada

**Francisco J. Cortina**, Chevez, Ruiz, Zamarripa, Mexico City, Mexico

**Melissa Stear Gorsline**, Jones Day LLP, Washington, DC

**Cortney O. Morgan**, Husch Blackwell LLP, Washington, DC

**11:00 AM–12:30 PM**

**GREXIT AND BEYOND: DRACHMA DRAMA DEJA VU AND WHAT REALLY HAPPENS ANYWAY**

This program examines the private financial sector implications of a prospective withdrawal of Greece, or any Euro Zone member, from the Euro and/or further Euro Zone financial crises. This will entail a discussion of anticipated default on Greece's (or any other exiting state's) various outstanding debt instruments, likely outcomes for private sector creditors and ways in which they may be able to mitigate and/or plan for the inevitable restructuring impact(s). In addition, the panel will discuss how financial stakeholders who may find themselves insolvent as a result of Grexit (or further Euro Zone financial crises) should plan for and position themselves—whether for a bankruptcy or insolvency filing or otherwise. What can they and their advisors do now to best preserve important business assets under such circumstances where the affected entity is an internationally-run global enterprise. The panel will also debate the overall systemic risks posed by Greece's potential exit from the European Union comparing the views of the International Monetary Fund (IMF) with those of private stakeholders.

**PRIMARY SPONSORING COMMITTEE:**

International Secured Transactions & Insolvency Committee

**CO-SPONSORING COMMITTEES:**

Europe Committee

**PANEL CHAIRS:**

**Kevin P. Ray**, Greenberg Traurig LLP, Chicago, IL

**David Barrack**, Polsinelli, New York, NY

**PANEL CHAIR & MODERATOR:**

**Richard Walsh**, Global Risk Solutions LLC, Southampton, NY

**SPEAKERS:**

**Hans Humes**, Greylock Capital, New York, NY

**Yan Liu**, International Monetary Fund, Washington, DC

**Jeanne C. Olivier**, Shearman & Sterling LLP, New York, NY

**Charles D. Schmerler**, Norton Rose Fulbright, New York, NY

**12:45 PM–2:15 PM**

**COMMITTEE NETWORKING LUNCHEON**

*Ticketed Event—\$25*

*Proudly Sponsored By:*

**Arnall  
Golden  
Gregory LLP**

Come and join your committee, or a committee that interests you, at the Committee Networking Luncheon. This is the perfect opportunity for networking, relationship building, and spending time with others at the meeting who work in your practice area and share similar interests. If you have any questions about planning for this event at the Fall Meeting, please contact Sophie Wilmot at [Sophie.Wilmot@americanbar.org](mailto:Sophie.Wilmot@americanbar.org).

2:30 PM–4:00 PM

### PRIVATE INTERNATIONAL LAW: THE LATEST DEVELOPMENTS AND WHAT TO EXPECT

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In virtually every area of the law, practitioners encounter practical issues that involve the transnational application of law. This roundtable will explore recent developments in private international law, including cross-border legal cooperation, international commercial law, electronic commerce, electronic dispute resolution, international consumer law, international civil litigation, and international family law. The discussion will also review the current private international law agendas of the Hague Conference on Private International Law, UNCITRAL, UNIDROT, the Organization of American States, and the European Union. The panelists are winners of the section's prestigious Leonard J. Theberge Award for Private International Law, an award honoring those persons who have made distinguished, long-standing contributions to the development of private international law.

**PRIMARY SPONSORING COMMITTEE:**  
International Courts Committee

**PANEL CHAIR & MODERATOR:**

**Mark Wojcik**, The John Marshall Law School, Chicago, IL

**SPEAKERS:**

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

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

**Peter Winship**, Southern Methodist University School of Law, Dallas, TX

2:30 PM–4:00 PM

### THE PRICE IS RIGHT?: CANADA'S PRICE TRANSPARENCY ACT AND COMPETITION LAWS LIMITING EXCESSIVE PRICING

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This program will look at the proposed Price Transparency Act pending in Canada's Parliament and at competition laws in representative countries that are intended to prevent or remedy excessive pricing in the sale of goods. In addition to the geographic price discrimination targeted in the Price Transparency Act—suppliers selling goods in Canada at prices higher than those charged for the same goods in the U.S.—the speakers will consider how geographic price discrimination between Member States has been addressed in the EU. They will also consider other competition law limitations on excessive pricing, including laws in China and other jurisdictions prohibiting no-discounting agreements between suppliers and their dealers (resale price maintenance agreements) and laws in South Africa and other competition regimes aimed at excessive pricing by dominant firms.

**PRIMARY SPONSORING COMMITTEE:**  
International Commercial Transactions, Franchising and Distribution Committee

**CO-SPONSORING COMMITTEES:**  
International Antitrust Law Committee

**PANEL CHAIR & MODERATOR:**

**Thomas J. Collin**, Thompson Hine LLP, Cleveland, Ohio

**SPEAKERS:**

**Janine MacNeil**, McMillan LLP, Toronto, ON, Canada

**John Oxenham**, Nortons Inc., Sandton, South Africa

**Laura Parret**, Houthoff Buruma, Brussels, Belgium

**Paul Jones**, Jones & Co. Law Office, Toronto, ON, Canada

2:30 PM–4:00 PM

### DOING JUSTICE TO COMBATING CORRUPTION: FORMING AN INTERNATIONAL ANTI-CORRUPTION COURT

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Article 5 (1) of the Rome Statute establishes the jurisdiction of the International Criminal Court (ICC) over only the most serious crimes of concern to the international community as a whole. Corruption, a crime that costs society more than 5% of global GDP and that serves as one of the primary obstacles to sustainable economic growth, political stability and social development was not contemplated under the ICC. Countries around the world are promulgating anti-bribery laws and increasing anti-corruption enforcement efforts, but each state has unique rules and its own way of settling corruption cases. This patchwork approach can result in unequal justice for the same defendants or even allow for the most egregious violators to go unpunished. Many in the anti-corruption community believe the time has arrived for the creation of a stand-alone international corruption court. Join us as we examine what it will take to create such a court; jurisdictional challenges and considerations in its establishment; how prosecutors, investigators and judges might be selected; what form of law would govern; the pros and cons of the creation of such a court; and what the future of anti-corruption enforcement may look like.

**PRIMARY SPONSORING COMMITTEE:**  
International Anti-Corruption Committee

**CO-SPONSORING COMMITTEES:**

U.N. & International Organizations Committee, International Courts Committee

**PANEL CHAIR & MODERATOR:**

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

**SPEAKERS:**

**Pascale Hélène Dubois**, The World Bank & Georgetown University Law Center, Washington, DC

**Matthew Stephenson**, Harvard Law School, Cambridge, MA

**Hon. Mark L. Wolf**, U. S. District Court, District of Massachusetts, Boston, MA

2:30 PM–4:00 PM

### FILM + CREATIVE EXPRESSION: IS IT TIME FOR A GLOBAL NORM?

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From Hollywood to Bollywood, do filmmakers still enjoy the liberty to freely pursue artistic expression? Most of us take for granted the fact that we can choose to watch a variety of films in any genre at any time. We assume that filmmakers are allowed to freely create and express their ideas to entertain us, provoke thought, or examine a social concern such as in a documentary. However, economics, culture and the law intertwine to regulate the film industry. Sometimes, the arbitrary enforcement of a law stifles creativity. Sometimes, it is those with economic power that dictate what we are allowed to see. Sometimes, cultural norms are a stronger prohibition than any written law. From Charlie Hebdo to North Korea, we have seen the chilling effect of religious beliefs and cultural norms extending their reach across the globe. We have witnessed how the freedom of expression that many of us have taken for granted is not sacrosanct. How do we respect cultural norms and support a vibrant film industry? What is the proper role of government in the regulation of film? And, how should regulations be enforced across borders? Join this distinguished panel for an examination of how legal regulations work parallel to cultural norms and economic controls to stifle the freedom of expression that is needed to support successful, vibrant and creative filmmaking.

Hear, firsthand, a proposed set of recommendations on what those regulations should be. Join the discussion on how those regulations could be enforced on a global scale. Join us, and become a vibrant part of the solution!

**CO-SPONSORING COMMITTEES:**

Mexico Committee, International Human Rights Committee

**PANEL CHAIR & MODERATOR:**

**Susan Burns**, Susan Burns LLC, Minneapolis, MN

**SPEAKERS:**

**Erik Huey**, Entertainment Software Association, Washington, DC

**Jennifer Jonas**, New Real Films, Toronto, ON, Canada

**German Mendez**, Shaman Entertainment, Mexico City, Mexico

**Robert Raben**, The Raben Group, Washington, DC

**2:30 PM–4:00 PM**

**THE JOURNEY SO FAR: WOMEN'S RIGHTS 20 YEARS AFTER THE BEIJING WORLD CONFERENCE**

The year 2015 marks the 20th anniversary of the Beijing Declaration and Platform for Action, a major milestone for women's rights throughout the world. But how might we assess the journey so far, and better understand forthcoming priorities for action? This unique session features a conversation between two leaders in the field. Their exchange will yield valuable cross-cultural insights on the realization of women's rights in principle, policy and practice. Attention will be given to gender-related issues at the United Nations, notably within the new Sustainable Development Goals. Time will be allocated for audience engagement, including suggestions to enhance ABA initiatives.

**PRIMARY SPONSORING COMMITTEE:**

International Model's Project on Women's Rights (IMPOWR)

**PANEL CHAIR:**

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

**2:30 PM–4:00 PM**

**NATIONAL SECURITY AND FOREIGN DIRECT INVESTMENT: RECENT DEVELOPMENTS IN LEGAL AUTHORITIES**

Increasing foreign direct investment is a policy priority for many governments worldwide. But many countries—including the United States and Canada—also review certain inbound foreign investments for consistency with other policy priorities, including national security. The past year has seen important, even unprecedented, developments in the laws governing such national security reviews. In the first ruling by a federal circuit court on a CFIUS case, the U.S. Court of Appeals for the D.C. Circuit held that the President deprived a Chinese investor of a constitutionally protected property interest without due process of law. In China, the Ministry of Commerce recently promulgated a draft law regulating foreign investment. This program will focus on recent developments in the law concerning investment and national security, the appropriate scope of national security reviews, and the legal limitations on such reviews.

**PRIMARY SPONSORING COMMITTEE:**

International M&A and Joint Venture Committee

**CO-SPONSORING COMMITTEES:**

Aerospace and Defense Committee, Export Controls and Economic Sanctions Committee, International Antitrust Law Committee, National Security Committee, China Committee, Europe Committee

**PANEL CHAIRS & SPEAKERS:**

**Steven Klemencic**, PwC, McLean, VA

**Jonathan Wakely**, Covington & Burling LLP, Washington, DC

**MODERATOR:**

**Sylvia Lis**, Baker & McKenzie, Washington DC

**SPEAKERS:**

**Susan Xuanfeng Ning**, King & Woods Mallesons, Beijing, China

**Susan Hutton**, Stikeman Elliott LLP, Ottawa, ON, Canada

**4:00 PM–4:30 PM**

**NETWORKING BREAK**

**4:30 PM–6:00 PM**

**SAVING THE PLANET (AND TAXES): ACCESSING GREEN ENERGY INCENTIVES**

Countries around the world are torn in two directions in regard to natural resources. On the one hand, the energy and production addicted developed culture is constantly hungry for new sources of energy and raw materials. On the other hand, increasing concern over global climate change and destruction of the natural environment has caused many jurisdictions to put in place restrictions on consumption and outputs as well as incentives to pursue alternative energy or green production methods or products. This program will explore different incentives, tax restrictions and penalties that countries have put in place either to assist or encourage exploration and development of natural resources or to encourage alternative energy or green production methods or products. This program will also discuss ways in which consumers, investors and the planet may benefit from these measures.

**PRIMARY SPONSORING COMMITTEE:**

International Tax Committee

**CO-SPONSORING COMMITTEES:**

Corporate Social Responsibility Committee, International Energy & Natural Resources Committee, International Environmental Law Committee

**PANEL CHAIR & MODERATOR:**

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

**SPEAKERS:**

**Bruce A. Bedwell**, Chapman and Cutler, LLP, Chicago, IL

**Sunita D. Doobay**, Tax Chambers LLP, Toronto, ON, Canada

**Catalina Hoyos Jiménez**, Godoy & Hoyos Abogados, Bogotá, Colombia

**Gagan Kumar**, Krishnomics Legal, New Delhi, India

**4:30 PM–6:00 PM**

**TEN YEARS OF SAME-SEX MARRIAGE IN CANADA: A REALITY CHECK**

This program marks the 10th anniversary of Canada's adoption of the Civil Marriage Act which granted marriage rights to same-sex couples across Canada. The program will look back in time at arguments made supporting and opposing the Act's passage, reveal how those arguments have played out in the 10 years since the Act's passage, and peer into the future, as the Act moves into its second decade. This program will also look at the current situation with same-sex marriage in Canada's neighbor to the south.

**PRIMARY SPONSORING COMMITTEE:**  
Sexual Orientation and Gender Identity Network (GIN)

**CO-SPONSORING COMMITTEES:**  
International Human Rights Committee, International Family Law Committee

**PANEL CHAIR:**  
**Mark Wojcik**, The John Marshall Law School, Chicago, IL

**PANEL CHAIR & MODERATOR:**  
**Sharon James**, Washington State Office of the Attorney General, Tacoma, WA

**SPEAKERS:**  
**Kirstin Dodge**, Homburg AG, Zurich, Switzerland  
**Robert Leckey**, McGill University, Montréal, QC, Canada  
**Alexander Pless**, Office of the Attorney General of Canada, Montréal, QC, Canada

**4:30 PM–6:00 PM**  
**WHEN MANAGEMENT MISBEHAVES:  
PRACTICAL PERSPECTIVES ON DEALING WITH  
EMPLOYMENT AND ETHICS ISSUES IN ASIA**

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The mechanisms and procedures for managing, addressing and protecting a company from unscrupulous and misbehaving executives are always a challenge, and such behavior, when it occurs, almost inevitably rises to the level of board room discussion. These issues are of particular concern and relevance in much of Asia, where a combination of distance from headquarters and variations in local practices could lead to a disconnect between head-office expectations and local management implementation. This panel, which is made up of attorneys working in four Asian countries and a U.S.A. based moderator also familiar with legal representation involving the Asia region, will address and dissect some of the very real concerns facing companies and their management and in-house counsel in the region, and offer practical advice and recommendations for companies to implement going forward. The format will be a hypothetical and will also address ethical issues that are a challenge when doing business in Asia.

**PRIMARY SPONSORING COMMITTEES:**  
China Committee and Asia Pacific Committee

**CO-SPONSORING COMMITTEES:**  
International Trade Committee, International Employment Committee, International Litigation Committee, Russia Eurasia Committee

**PANEL CHAIR:**  
**Robin Gerofsky Kaptzan**, Haworth & Lexon Law Firm, Shanghai, China

**PANEL CHAIR & MODERATOR:**  
**Malcolm S. McNeil**, Arent Fox LLP, Los Angeles, CA

**SPEAKERS:**  
**Lesli Ligorner**, Simmons & Simmons, Shanghai, China  
**Shikhil Suri**, Suri & Suri Law Offices, New Delhi, India  
**Nicola Yeomans**, Herbert Smith Freehills, Singapore  
**Paul Hyun Cho**, Lee & Ko, Seoul, South Korea

**4:30 PM–6:00 PM**  
**“REEL” JUSTICE: COMPARATIVE TRIAL PRACTICE  
THROUGH THE LENS OF U.S. AND CANADIAN CINEMA**

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Hollywood has long had a love affair with lawyers, judges, and trials, both civil and criminal. But much of the U.S. movie-making industry actually shoots in Canada, which boasts its own rich cinematic tradition. And the acclaimed Toronto International Film Festival (“TIFF”) is second-to-none. Against this backdrop, we will screen a series of brief clips from a number of documentary and

feature films (and possibly TV shows as well) to engage and entertain the audience, and to serve as a basis for a comparative analysis of trial practice and procedure. A panel of esteemed U.S. and Canadian judges, among others, will comment on matters such as whether or not each clip realistically depicts trial practice and procedure in their respective countries, to critique the lawyer(s) and/or the judge(s) in each scene, and to highlight any ethical issues that may be presented. In addition, the panel will probe the extent to which popular culture reflects society, as well as the extent to which popular culture shapes society, and what the depictions of lawyers, judges, and the law in popular culture mean for society as a whole. Lights! Camera! Action!

**PRIMARY SPONSORING COMMITTEE:**  
International Judicial Affairs Committee

**PANEL CHAIR & MODERATOR:**  
**Hon. Delissa A. Ridgway**, U.S. Court of International Trade, New York, NY

**SPEAKER:**  
**The Honourable Madame Justice Suzanne Côté**, Supreme Court of Canada, Ottawa, ON, Canada

**4:30 PM–6:00 PM**  
**THE INTERNATIONAL FAMILY: ADDRESSING  
IMMIGRATION AND EMPLOYMENT CONSEQUENCES  
OF LINGUISTIC AND CULTURAL DIFFERENCES**

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Linguistic and cultural differences carry powerful implications for immigration, employment, private client, taxation and family law. As the importance of global mobility on the corporate and the individual levels continues to increase, so does the likelihood that these implications will appear in the form of substantive legal conflicts. This program will examine strategies for both preventing and resolving such conflicts.

**PRIMARY SPONSORING COMMITTEE:**  
International Family Law Committee

**CO-SPONSORING COMMITTEES:**  
Immigration and Naturalization Law Committee, International Employment Law Committee, Diversity Committee, Sexual Orientation and Gender Identity Network (GIN), Women’s Interest Network (WIN)

**PANEL CHAIR:**  
**Annie Jacobs**, Alexandria, VA

**MODERATOR:**  
**Neil A.J. Sullivan**, International Tax Compliance Strategy, Scarsdale, NY

**SPEAKERS:**  
**Grant Gold**, Ricketts Harris LLP, Toronto, ON, Canada  
**Eliza Hebditch**, Farrer & Co., London, United Kingdom  
**Audrey Lustgarten**, Lustgarten Global, Atlanta, GA  
**Markus Zwicky**, Zwicky Windlin & Partners, Zug, Switzerland

**4:30 PM–6:00 PM**  
**ADVISING ADVISORS IN CROSS-BORDER  
M&A TRANSACTIONS**

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Two recent decisions by the Delaware Chancery Court imposing multi-million dollar liability on a financial advisor for its role in the sale of a public company, Rural/Metro Corporation, have provoked intense conversation about how courts should view the responsibilities of financial advisors in M&A deals and what steps lawyers for financial advisors should recommend to mitigate the risk of liability. While the Rural/Metro case is the catalyst for the current concern, in fact it is not the first U.S. case in which

judges have criticized the behavior of financial advisors in M&A transactions. Meanwhile, outside the United States financial advisors in M&A deals are also subject to potentially significant liability under applicable law. In this program, a distinguished international panel of litigators and transactional lawyers discuss the current state of the law, the likely course for future developments and what steps lawyers representing either financial advisors or principals in M&A deals should advise to minimize financial exposure and deal risk.

**PRIMARY SPONSORING COMMITTEE:**  
International M&A and Joint Venture Committee

**CO-SPONSORING COMMITTEE:**  
International Antitrust Law Committee

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

**PANEL CHAIR & MODERATOR:**  
**Joe Basile**, Foley Hoag, LLP, Boston, MA

**SPEAKERS:**  
**Eva Das**, Stibbe, New York, NY  
**Franziska Ruf**, Davies Ward Phillips & Vineberg LLP,  
Montréal, QC, Canada

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

**The Honorable Myron T. Steele**, Former Chief Justice of  
the Supreme Court of Delaware, Wilmington, DE

**7:00 PM–9:00 PM**  
**RECEPTION AT THE DALHOUSIE STATION,  
HEADQUARTERS OF CIRQUE ÉLOIZE**

CIRQUE  
**ÉLOIZE**  
EVENTS – ÉVÉNEMENTS

Come prepared to be wowed at the home of Cirque Éloize. The evening will include performances, music, and plenty of networking space. *Heavy hors d'oeuvres & drinks will be served.*

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



## Friday, October 23, 2015

**8:00 AM–7:00 PM**  
**REGISTRATION AREA AND EXHIBIT HALL OPEN**

**8:00 AM–8:50 AM**  
**CONTINENTAL BREAKFAST**

*A selection of pastries, fruits, juices, coffee and tea will be provided for all conference attendees.*

**8:00 AM–8:50 AM**  
**WOMEN'S NETWORKING BREAKFAST**

Join the women of the ABA Section of International Law for a networking breakfast and learn more about the ABA Women to Women International Business Initiative launched by Past ABA President Laurel Bellows. *A selection of pastries, fruits, juices, coffee and tea will be provided.*

**9:00 AM–10:30 AM**  
**FLYING OVER THE 800 POUND GORILLA: CANADA AND MONTRÉAL LEAD THE FLOCK OF FDI INTO MEXICO'S BOOMING AEROSPACE INDUSTRY**

Mexico has been one of the most attractive targets for recent foreign direct investment (FDI) in aerospace. Since 2006, the industry has grown at an average annual rate of 18%, with exports tripling from \$2 billion to an estimated \$7 billion in 2014. Montréal's own Bombardier invested US\$250 million in building its Lear Jet 85 facility in Queretaro state, which opened in 2010. The keys to Mexico's success have been (1) a well-established shelter (maquiladora) program, originally founded in 1965, (2) robust laws and treaties protecting intellectual property, (3) near-shore location, (4) availability of investment and export financing and (5) free trade and investment protection under NAFTA. Industry, however, is clamoring for a new regulatory regime that will further incentivize Canadian, US, Brazilian and other aerospace manufacturers and suppliers to open shop in Mexico. Industry and legal experts from the Canada and Mexico will discuss how these factors have contributed to the burgeoning Mexican industry and the steps to successfully finance, develop, set up and operate an aerospace facility in Mexico.

**PRIMARY SPONSORING COMMITTEE:**  
Mexico Committee

**CO-SPONSORING COMMITTEES:**  
Aerospace and Defense Committee, Canada Committee, Customs Law Committee, International Trade Committee

**PANEL CHAIR & MODERATOR:**  
**Ben Rosen**, Rosen Law, Los Cabos, Mexico

**PANEL CHAIR & SPEAKER:**  
**Ernesto Velarde Danache**, Matamoros, Mexico

**SPEAKERS:**  
**Christian Poupart**, Bombardier, Montréal, QC, Canada  
**Judith Wilson**, Bryan González Vargas & González Baz, Tijuana, Mexico

**9:00 AM–10:30 AM**  
**PALE, MALE AND STALE: WOMEN IN THE BOARDROOM AND THE CASE FOR GOOD GOVERNANCE**

Recent studies have shown that companies perform better when they have a diverse board of directors, including women and minorities. Gender parity in the boardroom is a matter of good corporate governance. Various countries have taken different approaches to address the challenge of increasing gender parity in the boardroom. Norway led the change in 2002 by mandating that 40% of corporate directors had to be women. Other European jurisdictions, notably France and Germany, have followed Norway's lead and have adopted mandatory quotas. The U.S., Australia and Canada have adopted disclosure requirements, while stock exchanges have issued guidance for listed companies. Which approaches have been more effective? What are the historical and cultural reasons that favor certain approaches? What benefits does a diverse board bring to a corporation? What are the pending initiatives and where do we go from here? A distinguished panel of international practitioners will address these questions and outline the current state of the law in multiple jurisdictions. If you want to ensure you are up to date on the current state of the law or if you act in an advisory capacity to corporations on corporate governance matters and want to be on the cutting edge of the latest trends regarding board diversity, this panel is for you.

**PRIMARY SPONSORING COMMITTEE:**  
Women's Interest Network (WIN)

**CO-SPONSORING COMMITTEE:**  
International Corporate Counsel Committee

**PANEL CHAIR:**  
**Peggy Mevs**, GE Capital, Norwalk, CT

**MODERATOR:**  
**Tara Giunta**, Paul Hastings, Washington, DC

**SPEAKERS:**  
**Marc Andre Blanchard**, McCarthy Tétrault LLP, Toronto/Montréal, ON/QC Canada  
**Phyllis James**, MGM International Resorts, Las Vegas, NV  
**Dr Sabine C. Klett**, Noerr LLP, Munich, Germany  
**Anne Sheehan**, California State Teachers' Retirement System (CalSTRS), Sacramento, CA  
**Helen J. Wesley**, Spencer Stuart, Calgary, AB, Canada

**9:00 AM–10:30 AM**  
**INS AND OUTS OF INTERNATIONAL SPORTS LAW**

Which language and culture is more globalized and international than that of sport? This distinguished panel will focus on the social justice aspect of this powerful tool in promoting peace and tolerance. The role of the lawyer in representing athletes and resolving disputes within the dispute resolution and governing bodies such as The Court of Arbitration for Sport and the World Anti-Doping Agency will be examined. Speakers will also explain the process of representing national and international athletes in such organizations and discuss current issues in the exciting world of international sports law.

**PRIMARY SPONSORING COMMITTEE:**  
Young Lawyers Interest Network (YIN)

**CO-SPONSORING COMMITTEES:**  
International Arbitration Committee, Canada Committee, Law Student, LLM & New Lawyer Outreach Committee

**PANEL CHAIR & SPEAKER:**

**Miganoush Megardichian**, Lawson Clark & Oldman, Toronto, ON, Canada

**MODERATOR:**

**Melissa C. Pallett-Vasquez**, Bilzin Sumberg, Miami, FL

**SPEAKERS:**

**Dr. Emir Crowne**, Founder of Crowne Sports Law, Windsor, ON, Canada

**Paul Greene**, Founder of Global Sports Advocates, LLC, Portland, ME

**Richard Pound**, Stikeman Elliott LLP, Olympian and Former Vice President of the International Olympic Committee, Montréal QC, Canada

**9:00 AM–10:30 AM**

**DOING THE MATH: UNDERSTANDING HOW TO CALCULATE DAMAGES IN INTERNATIONAL INVESTMENT TREATY DISPUTES**

The regime of investment treaty arbitration, where international arbitral tribunals decide investment disputes brought by investors against host States where they made their investments, has come under criticism from States, non-government organizations and civil society. One frequent criticism is that developing States cannot afford to pay the large damages being awarded by some arbitral tribunals. Examples of recent, “sizable” awards: U.S. \$1.6 billion awarded to ExxonMobil in October 2014 for Venezuela’s nationalization of its assets; U.S. \$50 billion awarded to the Yukos Oil Company in July 2014 for Russia’s expropriation of its investments; and U.S. \$1.77 billion awarded to Occidental Petroleum Corporation in October 2012 for expropriatory measures adopted by Ecuador. Lawyers may not like numbers, but clients want lawyers to understand damages. In this panel, speakers will demonstrate how to “do the math” to arrive at damages figures in high-stakes international disputes between investors and States.

**PRIMARY SPONSORING COMMITTEE:**

International Investment and Development Committee

**CO-SPONSORING COMMITTEES:**

International Arbitration Committee, International Courts Committee, International Energy & Natural Resources Committee

**PANEL CHAIR:**

**Rachel Howie**, Dentons Canada LLP, Calgary, AB, Canada

**PANEL CHAIR & MODERATOR:**

**Viren Mascarenhas**, King & Spalding LLP, New York, NY

**SPEAKERS:**

**Julie Bédard**, Skadden, Arps, Slate, Meagher & Flom LLP, São Paulo, Brazil

**Andrea Menaker**, White & Case LLP, Washington DC

**Greig Taylor**, FTI Consulting, New York, NY

**9:00 AM–10:30 AM**

**WHEN FAILING GOVERNMENTS FAIL (PART ONE): HUMAN RIGHTS AND RULE OF LAW CONSEQUENCES**

This program consists of two parts—Part One will review how donor governments and their private and public entities assess and address the human impact of aid to governments and designated recipients that fail in their international human rights obligations. Using a multi-media panel presentation, this panel will present specific examples of how aid has been misused by failing governments to the detriment of the human rights of their citizens and will discuss the international legal obligations of donor and donee states.

**PRIMARY SPONSORING COMMITTEES:**

Seasoned Lawyers Interest Network (SIN), International Human Rights Committee

**PANEL CHAIR:**

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

**PANEL CHAIR & MODERATOR:**

**Greg Mackenzie**, The Hurley Firm, Albuquerque, NM

**9:00 AM–10:30 AM**

**PRIVILEGE, PRIVACY AND ETHICAL MINEFIELDS: CONDUCTING DUE DILIGENCE AND INTERNAL INVESTIGATIONS IN DIFFERENT LEGAL SETTINGS**

Whether conducting due diligence or internal investigations in different legal settings, ethical issues relating to the application of the attorney-client privilege or privacy law can pose a minefield of problems to the unwary. These problems can arise in countless contexts ranging from mergers and acquisitions, employment matters, and anti-trust, anti-competition and money laundering investigations as well as investigations involving the Foreign Corrupt Practices Act (FCPA), the Corruption of Foreign Public Officials Act (CFPOA) and other anti-bribery legislation. Among different jurisdictions, how and when the attorney-client privilege applies can vary. Similar complications can arise in the application of privacy laws and regulations. All too often attorneys do not understand the ethical and other obligations or restrictions imposed by other jurisdictions. Even for attorneys accustomed to different legal systems, serious misunderstandings and unforeseen consequences can result. At the same time, cultural, practical and legal realities may inhibit what can be done. Experienced practitioners from a number of jurisdictions will flesh out the range of issues that can serve as a basis for misunderstandings with a view to providing insight on how to overcome these challenges in carrying out the obligations associated with different legal settings.

**PRIMARY SPONSORING COMMITTEE:**

International Anti-Money Laundering Committee

**CO-SPONSORING COMMITTEES:**

International Anti-Corruption Committee, International Antitrust Committee, International Corporate Counsel Committee, Foreign Legal Consultant Committee, Transnational Legal Practice Committee, International Ethics Committee

**PANEL CHAIRS & SPEAKERS:**

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

**Roberto P. Bauza**, Rattagan, Macchiavello, Arocena & Pena Robirosa, Buenos Aires, Argentina

**MODERATOR:**

**Michelle Blaine**, Blaine & Maney, Houston, TX

**SPEAKERS:**

**Vivian Robinson QC**, McGuire Woods London LLP, London, United Kingdom

**Celina Ozorio**, L.O. Baptista Schmidt Valois Miranda Ferreira Agel, Rio de Janeiro, Brazil

**10:30 AM–11:00 AM  
NETWORKING BREAK**



**11:00 AM–12:30 PM**

## **MANAGING CROSS CULTURAL FIRES BETWEEN ASIAN CULTURE AND WESTERN CULTURE**

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With the frequent international exchange, the world is getting smaller. As an international attorney, you'll face cross cultural differences on a daily basis, while interacting with your colleagues or your clients. Misunderstandings from cultural differences can turn into a cross-culture fire and knowledge and cultural sensitivity is the solution. Awareness of differences from one values, mores and attitudes will assist you to improve your personal relationships with colleagues and/or clients and guide you to counsel clients at a more professional level. The panelists have extensive experience involving business, law and cultural differences in the U.S.A. as well as in China, Germany, Korea and Canada. The panel will employ an interactive approach to encourage audience involvement in discussing and evaluating two cultural models (high context and low context) as they relate to and impact cultural differences in relationship development, contract negotiations, time and space concept, verbal or non-verbal communication, direct or indirect communication, face-saving, formality, etc. This program will show you how to manage or even overcome cultural barriers, avoid cross-culture fires, acquire cultural sensitivity and achieve win-win results.

### **PRIMARY SPONSORING COMMITTEE:**

Asia Pacific Committee

### **CO-SPONSORING COMMITTEES:**

China Committee, Russia/Eurasia Committee, Immigration and Naturalization Law Committee, India Committee, International M&A and Joint Venture Committee

### **PANEL CHAIR:**

**Robin Gerofsky Kaptzan**, Haworth & Lexon Law Firm, Shanghai, China

### **MODERATOR:**

**Hon. Deanne M Wilson (ret.)**, Resolutions, LLC, Mendham, NJ

### **SPEAKERS:**

**Dominique Babin**, BCF Business Law, Montréal, QC, Canada

**Qiang Bjornbak**, Law Offices of Qiang Bjornbak, Los Angeles, CA

**Matthew Kho**, Fincon Co. Ltd, Seoul, South Korea

**Dixon Miller**, Porter Wright Morris & Arthur LLP, Columbus, OH

**11:00 AM–12:30 PM**

## **THE DOUBLE-EDGED SWORD: CORPORATE SOCIAL RESPONSIBILITY AND CORRUPTION RISK**

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Corporate social responsibility (CSR) programs are sometimes presented as a means to ensure that local communities provide the "social license" that businesses need to operate. When the local community is invested in the CSR project, businesses can operate more transparently and ethically, helping to mitigate the risk that a business will be subjected to bribe solicitations or adverse consequences when bribe solicitations are refused. However, CSR projects can themselves also be a source of corruption risk if the benefits of the project are "directed" to particular individuals. Join this panel of experts for a frank and candid discussion about what lawyers can do to spot the dangers, avoid the pitfalls, and reap the benefits of well-designed CSR initiatives.

### **PRIMARY SPONSORING COMMITTEE:**

Corporate Social Responsibility Committee

### **CO-SPONSORING COMMITTEE:**

International Anti-Corruption Committee

### **PANEL CHAIR:**

**Jessica Horwitz**, Bennett Jones LLP, Toronto, ON, Canada

### **PANEL CHAIR & MODERATOR:**

**Sabrina A. Bandali**, Bennett Jones LLP, Toronto, ON, Canada

### **SPEAKERS:**

**France Chain**, OECD, Paris, France

**Babajide O. Ogundipe**, Sofunde, Osakwe, Ogundipe & Belgore, Lagos, Nigeria

**Alison Taylor**, Business for Social Responsibility (BSR), New York, NY

**Sheldon Vanderkooy**, Toronto, ON, Canada

**11:00 AM–12:30 PM**

## **WHEN FAILING GOVERNMENTS FAIL (PART TWO): TOOLS FOR LEGAL AND BUSINESS PROFESSIONALS**

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Continuing the theme of "When Failing Governments Fail," Part Two of this two-part program will focus on the practicing transnational lawyer and business persons and the types of situations raising ethical and human rights concerns in rule of law-challenged countries and failed governments. The Panel—representing a range of practicing perspectives—will offer advice, strategies and tools for addressing the myriad of challenges confronting the transnational legal professional and businessman.

### **PRIMARY SPONSORING COMMITTEES:**

Seasoned Lawyers Interest Network (SIN), International Human Rights Committee

### **CO-SPONSORING COMMITTEES:**

Foreign Legal Consultant Committee, International Ethics Committee, International Legal Education and Specialist Certification Committee, Transnational Legal Practice Committee

### **PANEL CHAIR:**

**Greg Mackenzie**, The Hurley Firm, Albuquerque, NM

### **PANEL CHAIR & MODERATOR:**

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

### **SPEAKERS:**

**Don De Amicis**, Former General Counsel of the Overseas Private Investment Corporation, Washington, DC

**Jennifer Eggsgard**, Sills & Eggsgard, Toronto, ON, Canada

**Carol Mates**, International Finance Corporation (ret.) & Georgetown University Law Center, Washington, DC

**John Pate**, Attorney at Law, Caracas, Venezuela

**Stephen Powell**, University of Florida (ret.), and author, "Human Rights, Trade and the Environment," Gainesville, FL

**11:00 AM–12:30 PM**

## **IS SOMEONE WATCHING ME?: BALANCING CITIZENS' RIGHTS AND FREEDOMS IN A DANGEROUS WORLD**

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Terrorism, state-sponsored cyber-attacks and other perceived security threats have prompted some governments to extend the electronic surveillance of their citizens to lengths hitherto unimagined. However, as the Internet grows and means of electronic communication and data collection expands exponentially democratizing information yet increasing its value, governments are struggling to control the flow of such information. The careful balance of freedom of information, the right to privacy and the need to monitor for security has in the past few years tipped to extremes of both ends. Online and citizen journalism, ever-increasing use of social media and countless digital trace all over the world leads us to contemplate the outcomes of surveillance; which

in the most extreme cases, could result in human rights violations. This panel brings together experts from Canada, Turkey and the U.S. and compares and contrasts both responses and challenges to data security, data privacy and effect of surveillance on freedom of expression. Are governments too aggressive or just expanding in keeping up with the cyber-universe? Where does the commercial ownership of critical data and pressure of governments on commercial entities for surveillance fall?

**PRIMARY SPONSORING COMMITTEE:**  
National Security Committee

**PANEL CHAIRS:**  
**Mikhail Reider-Gordon**, Navigant, Los Angeles, LA  
**Danielle Camner Lindholm**, Whitehorse Technologies, McLean, VA

**PANEL CHAIR & SPEAKER:**  
**Göneç Gürkaynak**, ELIG, Attorneys-at-Law, Istanbul, Turkey

**SPEAKERS:**  
**Vincent Gautrais**, Centre de Recherche en Droit Public (CRDP), Montréal, QC, Canada  
**Brent J. McIntosh**, Sullivan and Cromwell LLP & Former Deputy Assistant to the President of the United States, Washington, DC  
**Kirsten Thompson**, McCarthy Tétrault LLP, Toronto, ON, Canada  
**Wendy J. Wagner**, Gowlings, Ottawa, ON, Canada

**11:00 AM–12:30 PM**  
**MESMERIZING NORTH AMERICAN INVESTORS: KEY ISSUES TO FACE IN CROSS-BORDER INVESTMENT IN LATIN AMERICA**

Latin America has been, historically, a region in which investors felt comfortable and found an appropriate environment to develop their projects. However, these elements are not enough to captivate modern investors, especially from the other side of the continent, i.e. North America. They need a perfect combination of factors to feel comfortable in the region, nowadays, and essentially: political and economic stability, transparency, legal security and absence of corruption. There is not a unique formula to create a correct “environment” for global investors, being key legal, institutional and regulatory factors indispensable to achieve this target. In this context it is necessary to explore issues such as: (1) whether or not governmental measures in Latin America are aligned with these principles; (2) current investments from North America in banking, manufacturing, mining, etc. are evidence of correct decisions; (3) considering that many Latin American countries have similar conditions in terms of land, weather, temperature, etc., are they currently competing for the same investors in North American markets?

**PRIMARY SPONSORING COMMITTEE:**  
Latin America & Caribbean Committee

**CO-SPONSORING COMMITTEE:**  
International Investment and Development Committee

**PANEL CHAIR:**  
**Hector Ferreira**, Hughes & Hughes, Montevideo, Uruguay

**MODERATOR:**  
**Eduardo Benavides**, Berninzon & Benavides, Lima, Peru

**SPEAKERS:**  
**Karla Würth**, Würth, Kim & Costa Du Rels, Santa Cruz, Bolivia

**Juan Pablo Moreno**, Mayer Brown LLP, Chicago, IL  
**Juan Enrique Allard**, Guerrero Olivos, Santiago, Chile

**Mario Piana**, Chadbourne & Parke, S.C., Mexico City, Mexico

**11:00 AM–12:30 PM**  
**RESOLVING DISPUTES ON YOUR TERMS: THE ENFORCEABILITY OF FORM CONTRACT CHOICE OF LAW AND JURISDICTION CLAUSES IN CROSS-BORDER TRANSACTIONS**

Mandatory choice of law and jurisdictional forum clauses exist in many contracts, including transportation contracts such as bills of lading and Internet retailer terms and conditions. Whether these clauses are enforceable often depends on the court and jurisdiction. The law is also changing as a result of deregulation and the increased use of the Internet to incorporate by reference standard contractual terms. This panel will discuss whether contractual choice of forum and law clauses in standardized terms and conditions are enforceable, examining the issue from the perspective of international transportation contracts and Internet retail sales agreements. Speakers will provide perspectives on the United States, Canada, South America, Europe and Asia.

**PRIMARY SPONSORING COMMITTEE:**  
International Transportation Committee

**CO-SPONSORING COMMITTEES:**  
International Mediation Committee, International Commercial Transactions, Franchising and Distribution Committee, International Trade Committee

**PANEL CHAIR & MODERATOR:**  
**Andrew M. Danas**, Grove, Jaskiewicz and Cobert LLP, Washington, DC

**SPEAKERS:**  
**Luis Augusto Roux Azevedo**, De Luca, Derenusson, Schuttoff e Azevedo, São Paulo, Brazil

**Gordon Hearn**, Fernandes Hearn LLP, Toronto, ON, Canada  
**Dr. Marco Remiorz**, Dabelstein & Passehl, Hamburg, Germany



**12:45 PM–2:15 PM  
LUNCHEON WITH  
THE RIGHT HONOURABLE  
BEVERLEY McLACHLIN, P.C.,  
CHIEF JUSTICE OF CANADA**



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Chief Justice McLachlin spent her formative years in Pincher Creek, Alberta and was educated at the University of Alberta, where she received a B.A. (Honours) in Philosophy in 1965. She pursued her studies at the University of Alberta and, in 1968, received both an M.A. in Philosophy and an LL.B. She was called to the Alberta Bar in 1969 and to the British Columbia Bar in 1971 and practised law in Alberta and British Columbia. Commencing in 1974, she taught for seven years in the Faculty of Law at the University of British Columbia as a tenured Associate Professor. Her judicial career began in April 1981 when she was appointed to the Vancouver County Court. In September 1981, she was appointed to the Supreme Court of British Columbia. She was elevated to the British Columbia Court of Appeal in December of 1985 and was appointed Chief Justice of the Supreme Court of British Columbia in September 1988. Seven months later, in April 1989, she was sworn in as a Justice of the Supreme Court of Canada. On January 7, 2000, she was appointed Chief Justice of Canada. She is the first woman in Canada to hold this position. In addition to her judicial duties at the Supreme Court, the Chief Justice chairs the Canadian Judicial Council, the Advisory Council of the Order of Canada and the Board of Governors of the National Judicial Institute. The Chief Justice is the author of numerous articles and publications.

**2:30 PM–4:00 PM  
“DIVERSITY” JURISDICTION: THE IMPACT  
OF JUDGES’ GENDER AND RACE/ETHNICITY  
ON JUDICIAL DECISION-MAKING**

Is a judge’s gender and race/ethnicity a factor in judicial decision-making? A new and growing body of empirical research documents that, in U.S. court cases alleging racial harassment in employment, plaintiffs are three times more likely to survive employers’ motions for summary judgment if the judge is African-American, rather than white. And, in appeals involving allegations of sex discrimination, a male judge is three times more likely to rule for the plaintiff if a female judge is on the three-judge appellate panel. This panel will explore this research and its relevance for the judiciaries in Canada, the U.S., and beyond, as well as its significance for international tribunals and international arbitrators and mediators, in light of existing statistics and trends on judicial diversity around the globe. The new studies prove that judicial diversity can significantly affect case outcomes. But the research also raises difficult questions about the rule of law, which assumes that similar cases are treated

similarly (whether the judge is male or female, white or not). The bottom line? When it comes to judges, justice in fact is neither color-blind nor gender-neutral.

**PRIMARY SPONSORING COMMITTEE:**  
International Judicial Affairs Committee

**PANEL CHAIR:**  
**Hon. Delissa A. Ridgway**, U.S. Court of International Trade, New York, NY

**SPEAKERS:**  
**Prof. Pat Chew**, University of Pittsburgh School of Law, Pittsburgh, PA

**2:30 PM–4:00 PM  
DRONES, GMOs, AND BIO-TECH: CAN TECHNOLOGY  
SAVE NATURE? OR DOES THE LAW GET IN THE WAY?**

Over 50% of wildlife species have disappeared over the last 50 years. In the face of this shocking loss, cutting-edge technologies are emerging that offer great potential to support conservation efforts or enhance sustainable use of biodiversity. At the same time, adoption of these new technologies raise novel legal issues that resonate across a broad array of sectors—from pharmaceuticals and agribusiness, to aerospace. Panel experts will explore the evolution of laws in response to developing technologies, including: (1) Drones: unmanned aircraft systems offer an innovative way to monitor threats to wildlife and ecosystems – yet regulation of this new technology remains at its nascence. (2) GMOs: the use of genetically-modified organisms in agriculture promises to reduce the extent of habitat needed for farming but raises concerns about impacts on biodiversity. Are existing laws doing a good job of balancing the potential risks and rewards of this new technology? (3) Intellectual property rights for biodiversity: the recent entry into force of the Nagoya Protocol to the Convention on Biological Diversity, which establishes new international guidance for sharing of benefits from the use of genetic resources and components of biodiversity, shapes economic incentives for those conserving biodiversity. It also affects key industries with international operations, such as pharmaceutical, biotechnology and seed companies that use biodiversity as a source material for development of new products.

**PRIMARY SPONSORING COMMITTEE:**  
International Environmental Law Committee

**CO-SPONSORING COMMITTEES:**  
India Committee, International Transportation Committee

**PANEL CHAIRS:**  
**Fatima Ahmad**, American Wind Energy Association, Washington, DC

**Alicia Cate**, U.S. Department of State, Washington, DC

**MODERATOR:**  
**Anna Mance**, University of California, Berkeley, CA

**SPEAKERS:**  
**Anastasia Telesetsky**, University of Idaho School of Law, Moscow, ID

**David Zilberman**, University of California, Berkeley, CA

**Valerie Normand**, Center for Biological Diversity Secretariat, Montréal, QC, Canada

2:30 PM–4:00 PM

**CHALLENGES IN CONDUCTING CROSS-BORDER REAL ESTATE TRANSACTIONS DUE TO DIFFERENCES IN LEGAL PRACTICES, LANGUAGE AND CULTURE**

If an American company purchases property in Mexico, can the property purchase agreement be in English? In Québec can a court find the parties reached an agreement before the parties have signed a final purchase agreement? Can you purchase property in China without establishing a Chinese entity or having a residence permit? If the buyer is French and the seller is Spanish does it make a difference if they negotiate in French, Spanish or another language? If the investor has a western cultural background and the seller an eastern cultural background, will they conduct a negotiation in the same manner? How is involvement of a notary and other professionals appropriately managed? A diverse and experienced panel of cross-border experts, including authors of three books published by the ABA (Del Duca, *Choosing the Language of Transnational Deals*; Sommers, *Real Property Law in China*; and Selzer, *Cross Border Real Estate Practice*) will discuss these and related questions.

**PRIMARY SPONSORING COMMITTEE:**

Cross-Border Real Estate Practice Committee

**CO-SPONSORING COMMITTEES:**

Canada Committee, Europe Committee, International Investment & Development Committee, International Private Client Committee, India Committee, Latin America and Caribbean Committee, Mexico Committee

**PANEL CHAIR & MODERATOR:**

**Terry Selzer**, Author, *Cross Border Real Estate Practice*, Copenhagen, Denmark

**SPEAKERS:**

**Amy Sommers**, K&L Gates, Shanghai, China  
**Patrick Del Duca**, Zuber Lawler & Del Duca, Los Angeles, CA  
**Gerard Hernández-Colet**, Cuatrecasas Goncalves Pereira, Barcelona, Spain  
**Adriana Ryes**, Procopio, Cory, Hargreaves & Savitch, LLP, Austin, TX

2:30 PM–4:00 PM

**THE INTERSECTION BETWEEN THE COMPREHENSIVE ECONOMIC & TRADE AGREEMENT (CETA) AND THE TRANSATLANTIC TRADE & INVESTMENT PARTNERSHIP (TTIP): LESSONS LEARNED**

The program will examine the current TTIP negotiations through the lens of the recently completed CETA negotiations and the differences and similarities in how the two agreements address issues related to technical barriers to trade, trade in services, and rules of origin. For example, the CETA expressly provides for the use of GIs, it is an open question as to whether the TTIP will include similar provisions. Further, the CETA appears to allow for a substantial transformation test when determining rules of origin. This is different than the tariff shift test in the North American Free Trade Agreement (NAFTA). It is not clear how TTIP will address the issue of rules of origin. The EU negotiating documents only provide very general guidelines on this issue. The panel will explore the issues such as these and whether the CETA negotiations provide useful guidance for future TTIP negotiations.

**PRIMARY SPONSORING COMMITTEE:**

International Trade Committee

**CO-SPONSORING COMMITTEES:**

Canada Committee, Europe Committee

**PANEL CHAIR & SPEAKER:**

**Robert E. DeFrancesco**, Wiley Rein LLP, Washington, DC

**MODERATOR:**

**Geoffrey Kubrick**, McMillan LLP, Ottawa, ON, Canada

**SPEAKERS:**

**Matthew Kronby**, Bennett Jones LLP, Toronto, ON, Canada  
**Karsten Mecklenburg**, Counsellor Head of the Trade and Economic Section, Delegation of the European Union to Canada, Ottawa, ON, Canada

2:30 PM–4:00 PM

**A CHINESE MEGA-IPO GOES PUBLIC IN A GLOBALIZED CAPITAL MARKET: LESSONS AND CHOICES (A FICTIONALIZED DRAMATIZATION)**

This fictional dramatization highlights the current trend in the internationalization of the world's capital and securities markets, examining some of the major practical issues facing foreign issuers, market professionals and regulatory regimes in diverse jurisdictions, particularly where foreign based issuers seek to make large public offerings on U.S. exchanges and to U.S. investors. Some of the major issues that may be involved in these efforts: 1) How listing requirements (e.g. Hong-Kong vs. NYSE) influence the choice of markets. For example, the use of dual classes of shares (eg, voting/non-voting) resulting in retention of control over the issuer by its founders and initial investors; 2) How "haven jurisdictions" (eg, BVI, the Caymans, Ireland and The Netherlands) may be used to ensure continuance of a control group's powers; provide the ability to fend off hostile takeover bids and/or avoid US taxes; 3) the responsibilities of lawyers, accountants and investment bankers in the IPO process (including pricing, adequacy of disclosure, certification of management's numbers, use of proceeds, and related issues; 4) taking advantage of the differences in the applicable regulatory regimes (the home of the issuer, situs of the platform on which the issue will be listed and the enforcement and disclosure requirements of the home jurisdiction and the venues in which the issue is sold.

*Note: The facts and names have been altered to make clear that the conversations depicted are for the sake of dramatizing the issues and are not meant to imply that these discussions did in fact take place as depicted by the actors.*

**PRIMARY SPONSORING COMMITTEE:**

International Securities and Capital Markets Committee

**PANEL CHAIR & AUTHOR:**

**Meyer "Mike" Eisenberg**, Columbia Law School, New York, NY

**MODERATOR:**

**Adam Farlow**, Baker & McKenzie, London, United Kingdom

**SPEAKERS:**

**Marie Elena Angulo**, Jones Day, Miami, FL  
**Steve Crimmins**, K&L Gates, Washington, DC  
**Edward F. Greene**, Columbia Law School and Cleary Gottlieb, New York, NY  
**Jeffrey Rubin**, Financial Accounting Foundation, Norwalk, CT

**2:30 PM–4:00 PM**

### **A PRACTICAL GUIDE TO MAKING A DIFFERENCE: FINDING MEANINGFUL INTERNATIONAL PRO BONO OPPORTUNITIES**

Many of us would welcome the chance to make a difference by contributing our time and talents to projects that promote justice and the rule of law. But how do you find exciting, high-impact international pro bono opportunities? Here are some possibilities: (1) a representative of The International Senior Lawyers Project (ISLP) will discuss their many volunteer projects around the world that protect the vulnerable, build institutions and stimulate development. One recent example involved helping to create the Jerusalem Arbitration Center (JAC), a new institution for the neutral adjudication of Israeli-Palestinian commercial dispute; (2) a veteran volunteer will talk about his experiences with the Center for International Legal Studies (CILS), which arranges for short term guest professorships in Central and Eastern Europe and countries of the former Soviet Union; (3) a Montréal solicitor will describe his international pro bono experiences with Lawyers Without Borders and the International Bureau of Children's Rights; and (4) a German attorney will tell about his pro bono experiences obtaining recompense for a Holocaust survivor for forced labor during World War II.

**PRIMARY SPONSORING COMMITTEE:**

International Pro Bono Committee

**CO-SPONSORING COMMITTEE:**

Seasoned Lawyers Interest Network (SIN)

**PANEL CHAIR & MODERATOR:**

**Michael Blechman**, Kaye Scholer LLP, New York, NY

**SPEAKERS:**

**Sébastien Caron**, LCM Avocats inc., Montréal, QC, Canada

**Tom Jersild**, Mayer Brown, Chicago, IL

**Andra Moss**, International Senior Lawyers Project (ISLP), New York, NY

**Harald Rieger**, Member of the Frankfurt Bar, Frankfurt, Germany

**4:00 PM–4:30 PM**  
**NETWORKING BREAK**

**4:30 PM–6:00 PM**

### **DATA PRIVACY IN OUR CONNECTED WORLD: EXAMINING DEVELOPMENTS IN DATA MINING AND COUNTER-TERRORISM EFFORTS**

This panel will provide an overview and explanation of data mining in the current global environment as it is used for marketing, research and entertainment purposes. The panel will then shift to focus on the use of data mining to detect potential terrorist activities and the potential for infringements on the privacy and civil liberties of the individual through that process. While data mining may be an effective tool for consumerist uses, it is questionable as to whether the results from data mining as a counter-terrorism effort are effective at predicting terrorist activity both financially and economical and when weighed against privacy and personal liberty.

**PRIMARY SPONSORING COMMITTEE:**

Privacy, E-Commerce & Data Security Committee

**CO-SPONSORING COMMITTEE:**

International Criminal Law Committee

**PANEL CHAIR & MODERATOR:**

**Jennifer Mozweck**, Shams, Rodriguez & Mozweck P.C., Chicago, IL

**SPEAKERS:**

**Julia Bars**, Office of the Privacy Commissioner of Canada, Toronto, ON, Canada

**Andrew Levchuk**, Bulkley Richardson, Springfield, MA

**David McCluskey**, Peters & Peters Solicitors LLP, London, United Kingdom

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

**4:30 PM–6:00 PM**

### **ACCESS TO PHARMACEUTICALS AND NEW MODELS OF IP PARTNERSHIPS**

It is widely known that the public health systems, particularly those of developing countries, face serious challenges in order to finance the public purchases of expensive pharmaceutical drugs. Instead of using the compulsory licensing mechanism, certain countries have tried to work around this problem by strategically harnessing the centralized purchasing power of the Federal government. In Brazil, for instance, the Ministry of Health instituted in 2009 a program called Productive Development Partnerships (or PDPs). Under a PDP, a private company that owns a given technology of a strategic drug undertakes to transfer the manufacturing technology of the drug to an official public lab and, during the technology transfer term, the private company receives a right to supply the drug on an exclusive basis to the Federal government. Upon completion of the technology transfer term, the official lab would begin to manufacture and supply a local version of the drug to the Federal government.

There are more than 100 PDPs already announced by the Brazilian Government, out of which a considerable number refers to highly complex drugs, such as monoclonal antibodies, fusion proteins and recombinant factors in order to illustrate a few. In most of these PDPs, foreign private entities are involved as the technology suppliers.

The purpose of this program is to discuss aspects of the new Brazilian model, as well as to make a comparative analysis of such model with other innovative ways used in other developing countries, including Brazil, Russia, India, China and South Africa (BRICS). Some of the issues to be discussed include: the antitrust aspects of this model, the warranties that can be negotiated to give some comfort to the technology suppliers, the duty of the technology supplier to completely transfer (and not license) the technology, as well as the obligation created in 2014 to transfer the master cell bank in case of biological drugs.

**PRIMARY SPONSORING COMMITTEE:**

International Intellectual Property Committee

**PANEL CHAIR & MODERATOR:**

**Carlos Eduardo Eliziário de Lima**, Dannemann Siemsen Advogados, São Paulo, Brazil

**SPEAKERS:**

**Felipe Alves**, Janssen, São Paulo, Brazil (*Invited*)

**Francisco Velasco**, AbbVie, Chicago, IL (*Invited*)

**Jane Clark**, Gowling Lafleur Henderson LLP, Ottawa, ON, Canada (*Invited*)

4:30 PM–6:00 PM

**TREATING THE MEDICAL TOURIST: ISSUES FOR HEALTHCARE PROVIDERS AND THEIR COUNSEL**

Every year, more and more individuals are traveling outside their home countries for a variety of healthcare treatments ranging from dental care, cosmetic surgery, complex medical procedures as well as services not available in their home countries. These healthcare consumers are challenging providers, governments and other service providers to deliver high quality medical care in a safe environment. Medical travelers present international legal issues that are outside the bounds of traditional legal principles exposing gaps in laws and regulations. The international legal community is called upon to demonstrate leadership and innovative approaches to complex ethical questions for this growing sector. In this session, issues will be identified and clarified as well as legal options and ethical ramifications explored based on case studies and experience in the sector.

**PRIMARY SPONSORING COMMITTEE:**  
International Life Sciences and Health Law Committee

**PANEL CHAIR & MODERATOR:**  
**Elizabeth Ziemba**, Medical Tourism Training, Inc., Newport, RI

**SPEAKERS:**  
**Maureen Bennett**, Jones Day, Boston, MA  
**Michele Forzley**, Forzley & Associates, Washington DC  
**Stephen M. Weiner**, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., Boston, MA

4:30 PM–6:00 PM

**CALL YOUR NEXT WITNESS, AVATAR: ON-LINE DISPUTE RESOLUTION**

Traditional civil courts continue to contend with the “Catch-22” of rising number of claims and the saturation of court dockets in the face of diminishing resources. Governments around the world look to new technology to alleviate the strain by offering more options for civil dispute resolution through the Internet. How will this “brave new digital world” affect dispute resolution when matters are increasingly resolved without personal appearances? Will judgments of such tribunals be honored by other countries? Will litigators be required to alter their styles of advocacy before a camera that never blinks? The future has arrived, at least in small steps, in the form of online dispute resolution projects in Canada and the European Union. This program will consider the viability and possible effects of these new dispute resolution experiments on the wider issue of cross-border civil disputes, enforcement of judgments across borders and due process safeguards.

**PRIMARY SPONSORING COMMITTEE:**  
International Litigation Committee

**CO-SPONSORING COMMITTEE:**  
International Arbitration Committee

**PANEL CHAIR & MODERATOR:**  
**Brendan Berne**, Piton Gillespie Berne, Paris, France

**SPEAKERS:**  
**Hon. Carol Cohen**, Superior Court of Québec, Montréal, QC, Canada  
**Robert Deane**, Borden Ladner Gervais LLP, Vancouver, BC, Canada  
**Kenneth Rashbaum**, Barton LLP, New York, NY  
**Sharon Salter**, Civil Resolution Tribunal, Vancouver, BC, Canada

4:30 PM–6:00 PM

**AROUND THE WORLD IN 90 MINUTES: THE PRACTICE OF LAW IN THE INTERNATIONAL TRAVEL INDUSTRY AND CAREERS YOU NEVER CONSIDERED**

Take a trip with us around the issues, challenges and adventures of practicing law in the travel industry. This panel brings together legal counsel from a variety of travel-related entities and private practice to tell a globetrotting story full of legal issues. The panelists will discuss the types of work faced by lawyers in the travel industry and substantive legal issues. Consumer rights, risk management, litigation and regulatory hurdles are some of the legal topics to be addressed.

**PRIMARY SPONSORING COMMITTEE:**  
Law Student, LLM, and New Lawyer Outreach Committee

**CO-SPONSORING COMMITTEES:**  
Young Lawyers Interest Network, International Corporate Counsel Forum

**PANEL CHAIR & MODERATOR:**  
**Stephen George**, Three Names Travel, Charlotte, NC

**SPEAKERS:**  
**Rodney E. Gould, Esq.**, Rubin, Hay & Gould, P.C., Framingham, MA

**Timothy J. Law**, Heifetz, Crozier, Law, Toronto, ON, Canada

**Louise-Hélène Sénécal**, Air Canada, Montréal, QC, Canada

7:00 PM–9:00 PM

**CHAIR’S CLOSING RECEPTION AT THE BELVEDERE AT THE MONTRÉAL SCIENCE CENTRE**

Say farewell to colleagues—new and old—after an excellent week of networking. During the evening you will enjoy panoramic views of Old Montreal, the old port and the St. Lawrence River. Heavy hors d’oeuvres & drinks will be served.

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

10:00 PM–1:00 AM

**AFTER-HOURS RECEPTION**

Not quite ready to say goodbye to your fellow attendees? Continue to network with your new colleagues at our after-hours reception. Stay tuned for the when and where of this popular After-Hours event!

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



# General Information

## REGISTRATIONS/EARLY BIRD DISCOUNTS

Registrations must be postmarked no later than **September 8, 2015**, to receive the early bird discount. Registrations must be received by the Section office by **October 5, 2015**, for registrants to be included in the List of Attendees on the meeting website.

## REFUND POLICY

- Cancellations must be made in writing and received by the Section office by **October 9, 2015** for a full refund of fees, less a \$100.00 administrative fee.
- Those who notify the Section of cancellation between **October 10-15, 2015** will receive a full refund of fees less a \$250 administrative fee. No refund of registration or fee for a ticketed event will be granted after that date except in the case of medical emergency or similarly extenuating circumstances approved by the Section in its sole discretion. At this point the Section has had to guarantee guest number and total fee to the caterer/event venue. Individuals are, however, afforded the opportunity to re-sell their purchased tickets/registration to other meeting attendees.
- When a completed registration form and payment have been submitted to the Section office either by mail, fax, e-mail or through our online registration system, the registration is considered to be a firm commitment and you will be expected to pay the registration and any ticketed event fees, unless a written cancellation is received as set forth above.
- Individuals may re-sell their purchased lunch & guest tickets to other meeting attendees unless the ticket is indicated to be “non-transferable.”
- Any refunds issued will be processed to the credit card on file for individuals who made the payment via credit card.

## EVENT TICKETS

All evening receptions are included with your registration fee with the exception of the Tuesday Hospitality Night which is complimentary but subject to availability prior to September 8th. Tickets for guests/spouses and luncheons may be purchased in advance on the registration form or on-site up until **the day before the event is scheduled to take place**. We regret that because we must guarantee our final numbers with the hotel and venues in advance of the event, we can not sell same-day tickets. However, there will be a board in the Registration Area and Exhibition Hall where meeting attendees may exchange and gift tickets.

## HOTEL ACCOMMODATIONS

The host hotel for the 2015 Fall Meeting is the **Fairmont The Queen Elizabeth**. We have reserved a special nightly rate of \$205 (CAD) plus applicable daily tax per room for single/double occupancy. This rate includes free wifi and fitness center access. Information on how to reserve your room may be found on our meeting website at <http://shopaba.org/ILfall2015>. The number of rooms available at this special rate is limited and subject to selling out, so early booking is recommended.

For a comprehensive list of alternative hotels and their location relative to **the Fairmont The Queen Elizabeth**, please visit the Travel Information tab of our website: [shopaba.org/ILFall2015](http://shopaba.org/ILFall2015).

## TRAVEL INFORMATION

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

**The Official Canadian Airline for the 2015 Fall Meeting is Air Canada.** Receive special discounts on your flight with the promo code **E2G8DCT1**.

## VISA CONSIDERATIONS

All inquiries regarding visa requirements should be directed to your local consulate or travel agent; please ensure that you apply for your visa at your earliest convenience should you require one. Once you have registered and completed payment for the meeting, the Section can issue an official invitation letter which

## General Information (continued)

can be used in the visa application process. Unfortunately the Section is unable to intervene on behalf of meeting participants in the visa process.

Please note that Canada does not allow persons with DUI's to enter the country. For full information, please visit [https://help.cbp.gov/app/answers/detail/a\\_id/402/~/-entering-the-u.s.-and-canada-with-dui-offenses](https://help.cbp.gov/app/answers/detail/a_id/402/~/-entering-the-u.s.-and-canada-with-dui-offenses).

## DRESS CODE

For the 2015 Fall Meeting, business attire is appropriate for programs and meetings as well as the planned social networking events. The only exception is the Wednesday night reception at 8Queen where the attire is casual (jeans accepted).

## MANDATORY CONTINUING LEGAL EDUCATION CREDIT (MCLE)

Accreditation has been requested for the 2015 Fall Meeting programs by the ABA MCLE Division from most states with general mandatory continuing legal education requirements for all lawyers admitted in that state. All appropriate paperwork will be available at the CLE Counter next to the Registration counter.

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. The expected number of credit hours will be posted to the 2015 Fall Meeting website <http://ambar.org/ILfall2015> under the CLE Events and Information tab approximately six weeks before the meeting. This transitional program is approved for both newly admitted and experienced attorneys in NY. For more information about CLE accreditation in your state, visit [http://www.americanbar.org/cle/mandatory\\_cle.html](http://www.americanbar.org/cle/mandatory_cle.html).

*Scholarships are available for this program. For more information please contact [intlawmeetings@americanbar.org](mailto:intlawmeetings@americanbar.org).*

**CANADIAN CLE CREDIT:** The Section will be applying for CPD Credit in Québec, Ontario, British Columbia, New Brunswick, and Saskatchewan prior to the commencement of the conference. More details about claiming Canadian CPD credit will be included in the onsite meeting guide.

## EXHIBITION AREA

The Exhibitors and Sponsors exhibition area will be open from Wednesday, October 21 through Friday, October 23 at the Fairmont The Queen Elizabeth. Representatives from a variety of service providers catering to the legal community will showcase their latest products and services to aid you in your practice. All meeting attendees are encouraged to visit the displays of the Section's partners throughout the meeting and in particular during the twice daily networking breaks.

If you are interested in partnering with the Section to be an exhibitor or sponsor, please contact [intlawmeetings@americanbar.org](mailto:intlawmeetings@americanbar.org) or at +1-202-662-1660 for additional details and information.

## 15% MEETING DISCOUNT ON SECTION PUBLICATIONS

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

## ADDITIONAL SPECIAL EVENTS

**Hospitality Night:** Members of the Montréal legal community will host Fall Meeting foreign attendees at their homes and local venues for a "Hospitality Night." Attendees may bring along accompanying guests, spouses, and/or significant others. Coordination and transportation will be agreed among host and guests closer to the event. Light hors d' oeuvres will be served. There is a limited capacity so please register early! The deadline for registration is **September 8**.

**CBA Program:** The Canadian Bar Association, National Section on International Law will be hosting a Pre-Meeting Program on Tuesday, October 20th from 4:00-6:00 pm entitled "*Negotiating the Canada-EU Trade Agreement: A Prologue of Things to Come*" at the Fairmont The Queen Elizabeth. This program is included with your full meeting registration, but please check the box on the registration form to confirm your attendance.



# Programs by Topic

## BUSINESS

Event Title	Day	Start Time	End Time
Workplace Diversity Around the Globe: A Multi-Region Perspective	Wednesday, October 21	11:00 AM	12:30 PM
The Treacherous Road to a Global Workforce: The Complex Intersection of Export Controls, Employment, Immigration and Data Privacy Laws	Wednesday, October 21	2:30 PM	4:00 PM
Heightened Activism in Antitrust Merger Review	Thursday, October 22	9:00 AM	10:30 AM
Headaches and Hot Spots: A Review of the Changing World of M&A in the Global Aerospace and Defense Industry	Thursday, October 22	11:00 AM	12:30 PM
The Price Is Right?: Canada's Price Transparency Act and Competition Laws Limiting Excessive Pricing	Thursday, October 22	2:30 PM	4:00 PM
Advising Advisors in Cross-Border M&A Transactions	Thursday, October 22	4:30 PM	6:00 PM
Pale, Male and Stale: Women in the Boardroom and the Case for Good Governance	Friday, October 23	9:00 AM	10:30 AM
Is Someone Watching Me?: Balancing Citizens' Rights and Freedoms in a Dangerous World	Friday, October 23	11:00 AM	12:30 PM
Resolving Disputes on Your Terms: The Enforceability of Form Contract Choice of Law and Jurisdiction Clauses in Cross-Border Transactions	Friday, October 23	11:00 AM	12:30 PM
Challenges in Conducting Cross-Border Real Estate Transactions Due to Differences in Legal Practices, Language and Culture	Friday, October 23	2:30 PM	4:00 PM
Data Privacy in Our Connected World: Examining Developments in Data Mining and Counter-Terrorism Efforts	Friday, October 23	4:30 PM	6:00 PM
Around the World in 90 Minutes: The Practice of Law in the International Travel Industry and Careers You Never Considered	Friday, October 23	4:30 PM	6:00 PM

## CULTURAL

Event Title	Day	Start Time	End Time
Developing and Implementing Global Legal Compliance Systems in a Multicultural World	Wednesday, October 21	9:00 AM	10:30 AM
Inherent Cultural Biases and the Use of Culturally Aware Outside Counsel	Wednesday, October 21	2:30 PM	4:00 PM
Promoting the Diversity of Legal Cultures and Bridging the Gap Between Continental Law and Common Law (and Traditional Laws)	Thursday, October 22	11:00 AM	12:30 PM
The International Family: Addressing Immigration and Employment Consequences of Linguistic and Cultural Differences	Thursday, October 22	4:30 PM	6:00 PM
Managing Cross Cultural Fires Between Asian Culture and Western Culture	Friday, October 23	11:00 AM	12:30 PM

## Programs by Topics (continued)

### DISPUTE RESOLUTION

Event Title	Day	Start Time	End Time
Promoting Gender-Related Domestic Asylum Rights Through International Litigation	Wednesday, October 21	11:00 AM	12:30 PM
The Wide World of Sports Mediation	Wednesday, October 21	2:30 PM	4:00 PM
The Role of Ethics in International Courts	Wednesday, October 21	4:30 PM	6:00 PM
Evidence in International Arbitration and Implications for Confidentiality	Thursday, October 22	9:00 AM	10:30 AM
Game of Thrones: Jousting for Power in the Family Enterprises – The Planning and Litigation of Closely Held Corporations	Thursday, October 22	11:00 AM	12:30 PM
Private International Law: The Latest Developments and What to Expect	Thursday, October 22	2:30 PM	4:00 PM
“Reel” Justice: Comparative Trial Practice Through the Lens of U.S. and Canadian Cinema	Thursday, October 22	4:30 PM	6:00 PM
Ins and Outs of International Sports Law	Friday, October 23	9:00 AM	10:30 AM
Doing the Math: Understanding How to Calculate Damages in International Investment Treaty Disputes	Friday, October 23	9:00 AM	10:30 AM
Resolving Disputes on Your Terms: The Enforceability of Form Contract Choice of Law and Jurisdiction Clauses in Cross-Border Transactions	Friday, October 23	11:00 AM	12:30 PM
“Diversity” Jurisdiction: The Impact of Judges’ Gender and Race/Ethnicity on Judicial Decision-Making	Friday, October 23	2:30 PM	4:00 PM
Call Your Next Witness, Avatar: On-Line Dispute Resolution	Friday, October 23	4:30 PM	6:00 PM

### ETHICS

Event Title	Day	Start Time	End Time
Legal Ethics as Shown on Movies and Television Shows	Wednesday, October 21	11:00 AM	12:30 PM
Doing Business Ethically in Africa: Success Stories and Challenges	Wednesday, October 21	2:30 PM	4:00 PM
The Role of Ethics in International Courts	Wednesday, October 21	4:30 PM	6:00 PM
When the Rubber Hits the Road: Basics and Hot Topics in International Law Ethics	Thursday, October 22	9:00 AM	10:30 AM
When Management Misbehaves: Practical Perspectives on Dealing with Employment and Ethics Issues in Asia	Thursday, October 22	4:30 PM	6:00 PM
Privilege, Privacy and Ethical Minefields: Conducting Due Diligence and Internal Investigations in Different Legal Settings	Friday, October 23	9:00 AM	10:30 AM

## FINANCE

Event Title	Day	Start Time	End Time
How Far Have We Come from Société Générale and Lehman Brothers?: A Look at What Government Oversight and Laws Have Been Instituted in U.S., Canada and Europe	Wednesday, October 21	11:00 AM	12:30 PM
Hyper-Complex FX Regulations and FX Controls: The New International “Trap for the Unwary?”	Wednesday, October 21	4:30 PM	6:00 PM
Sovereign Wealth Funds: A Globalization Player or a Threat to National Sovereignty?	Thursday, October 22	9:00 AM	10:30 AM
Game of Thrones: Jousting for Power in the Family Enterprises – The Planning and Litigation of Closely Held Corporations	Thursday, October 22	11:00 AM	12:30 PM
Grexit and Beyond: Drachma Drama Deja Vu and What Really Happens Anyway	Thursday, October 22	11:00 AM	12:30 PM
National Security and Foreign Direct Investment: Recent Developments in Legal Authorities	Thursday, October 22	2:30 PM	4:00 PM
Saving the Planet (and Taxes): Accessing Green Energy Incentives	Thursday, October 22	4:30 PM	6:00 PM
Flying over the 800 Pound Gorilla: Canada and Montréal Lead the Flock of FDI into Mexico’s Booming Aerospace Industry	Friday, October 23	9:00 AM	10:30 AM
Mesmerizing North American Investors: Key Issues to face in Cross-Border Investment in Latin America	Friday, October 23	11:00 AM	12:30 PM
A Chinese Mega-IPO Goes Public in a Globalized Capital Market: Lessons and Choices (A Fictionalized Dramatization)	Friday, October 23	2:30 PM	4:00 PM
Access to Pharmaceuticals and New Models of IP Partnerships	Friday, October 23	4:30 PM	6:00 PM

## HUMAN RIGHTS

Event Title	Day	Start Time	End Time
Promoting Gender-Related Domestic Asylum Rights Through International Litigation	Wednesday, October 21	11:00 AM	12:30 PM
Restitution and Repatriation of Indigenous Cultural Items: The U.S., Canadian and International Perspectives	Wednesday, October 21	2:30 PM	4:00 PM
No Woman, No Peace!: The Role of Gender In Global Peace & Security	Wednesday, October 21	4:30 PM	6:00 PM
The Journey So Far: Women’s Rights 20 Years after the Beijing World Conference	Thursday, October 22	2:30 PM	4:00 PM
Ten Years of Same-Sex Marriage in Canada: A Reality Check	Thursday, October 22	4:30 PM	6:00 PM
When Failing Governments Fail (Part One): Human Rights and Rule of Law Consequences	Friday, October 23	9:00 AM	10:30 AM
When Failing Governments Fail (Part Two): Tools for Legal and Business Professionals	Friday, October 23	11:00 AM	12:30 PM
“Diversity” Jurisdiction: The Impact of Judges’ Gender and Race/Ethnicity on Judicial Decision-Making	Friday, October 23	2:30 PM	4:00 PM

## Programs by Topics (continued)

### LEGAL & REGULATORY

Event Title	Day	Start Time	End Time
Developing and Implementing Global Legal Compliance Systems in a Multicultural World	Wednesday, October 21	9:00 AM	10:30 AM
Balancing Aboriginal Rights with the Regulatory State: Are We Closer to Never Land or Just Confusing Everybody?	Wednesday, October 21	11:00 AM	12:30 PM
Doing Business Ethically in Africa: Success Stories and Challenges	Wednesday, October 21	2:30 PM	4:00 PM
Canada, Corruption and the Canuck Crackdown	Wednesday, October 21	4:30 PM	6:00 PM
Crimes Without Borders: Increasing Cooperation in White Collar Enforcement	Thursday, October 22	9:00 AM	10:30 AM
Compliance Matters : How Anti-Corruption, Anti-Trust and Regulatory Enforcement Impacts Business in Other Countries	Thursday, October 22	11:00 AM	12:30 PM
Doing Justice to Combating Corruption: Forming an International Anti-Corruption Court	Thursday, October 22	2:30 PM	4:00 PM
When Management Misbehaves: Practical Perspectives on Dealing with Employment and Ethics Issues in Asia	Thursday, October 22	4:30 PM	6:00 PM
Privilege, Privacy and Ethical Minefields: Conducting Due Diligence and Internal Investigations in Different Legal Settings	Friday, October 23	9:00 AM	10:30 AM
The Double-Edged Sword: Corporate Social Responsibility and Corruption Risk	Friday, October 23	11:00 AM	12:30 PM
Drones, GMOs, and Bio-tech: Can Technology Save Nature? Or Does the Law Get in the Way?	Friday, October 23	2:30 PM	4:00 PM
Treating the Medical Tourist: Issues for Healthcare Providers and Their Counsel	Friday, October 23	4:30 PM	6:00 PM

### LEGAL PROFESSION

Event Title	Day	Start Time	End Time
Vive la Evolution – Or How the World of Legal Practice Will Never Be the Same Again, From Canada and Around the World	Wednesday, October 21	9:00 AM	10:30 AM
It's a Sister Act: Cultivating "Sister" Bar Association Relationships in a Globalized World	Wednesday, October 21	11:00 AM	12:30 PM
Disruptive vs. Sustaining Innovation: Will Lawyers Cope with Unprecedented Change?	Wednesday, October 21	2:30 PM	4:00 PM
A Practical Guide to Making a Difference: Finding Meaningful International Pro Bono Opportunities	Friday, October 23	2:30 PM	4:00 PM
Around the World in 90 Minutes: The Practice of Law in the International Travel Industry and Careers You Never Considered	Friday, October 23	4:30 PM	6:00 PM

## SPORTS, ART AND ENTERTAINMENT

Event Title	Day	Start Time	End Time
Legal Ethics as Shown on Movies and Television Shows	Wednesday, October 21	11:00 AM	12:30 PM
The Wide World of Sports Mediation	Wednesday, October 21	2:30 PM	4:00 PM
When the Rubber Hits the Road: Basics and Hot Topics in International Law Ethics	Thursday, October 22	9:00 AM	10:30 AM
Film + Creativity Expression: Is It Time For A Global Norm?	Thursday, October 22	2:30 PM	4:00 PM
“Reel” Justice: Comparative Trial Practice Through the Lens of U.S. and Canadian Cinema	Thursday, October 22	4:30 PM	6:00 PM
Ins and Outs of International Sports Law	Friday, October 23	9:00 AM	10:30 AM

## TRADE

Event Title	Day	Start Time	End Time
A Brave New World For Doing Business in Cuba: Plus Ça Change...?	Wednesday, October 21	4:30 PM	6:00 PM
How has Globalization Changed Free Trade?	Thursday, October 22	9:00 AM	10:30 AM
NAFTA at 21: Successes, Controversies, and Lessons Learned	Thursday, October 22	11:00 AM	12:30 PM
The Intersection Between the Comprehensive Economic & Trade Agreement (CETA) and the Transatlantic Trade & Investment Partnership (TTIP): Lessons Learned	Friday, October 23	2:30 PM	4:00 PM





# THE WAY NORTH CAN BRING SOME ROUGH WATERS

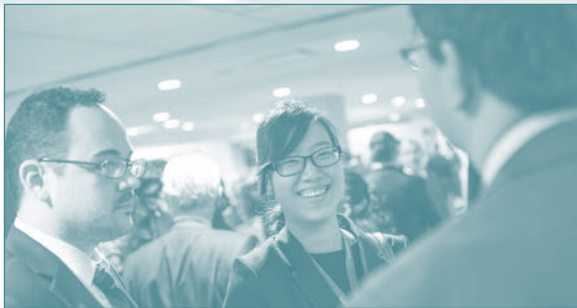
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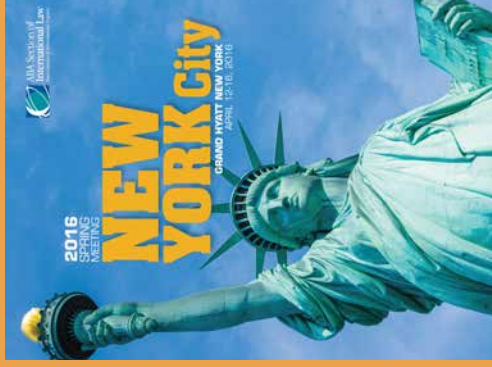


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