



NEW YORK STATE BAR ASSOCIATION
INTERNATIONAL SECTION

International Bridging the Gap

Monday, June 17 - Tuesday, June 18, 2019

Fordham School of Law | NYC

Costantino Room

www.nysba.org/IntlBTG2019

International Bridging the Gap

June 17–18, 2019 | New York City

Fordham University School of Law

150 W 62nd Street (between Amsterdam and Columbus Avenues),
New York, NY 10023

www.nysba.org/IntlBTG2019

16.0 MCLE Credits:

7.0 Areas of Professional Practice; 6.0 Skills; 3.0 Ethics

Have you started an international legal career or are you interested in expanding your skill set to include international law? It can be challenging to develop the knowledge and experience necessary to represent clients in international legal affairs such as cross-border mergers and acquisitions, international litigation and arbitration, and international corporate law. In the increasingly globalized and interconnected world, legal work often requires a multidisciplinary, cross-border approach. Issues may be complex and varied, and it often takes years to learn about the many aspects of international practice. Organized by the New York State Bar Association's International Section ("NYSBA International"), this course covers critical aspects of international law for those entering or practicing in this diverse and complex area. Join a distinguished and experienced NYSBA International faculty and learn about the fundamental underlying areas of cross-border practice and other critical aspects of international law, and receive sixteen (16) Mandatory Continuing Legal Education credits, including three (3) ethics credits.

16.0 MCLE Credits

This course is approved for MCLE credit in New York for all attorneys, including those newly admitted.

New York: 16.0 Total Credits: 7.0 Areas of Professional Practice, 6.0 Skills, 3.0 Ethics

California and Pennsylvania: 10.5 Substantive Law, 2.5 Ethics

New Jersey: 16.0 Total Credits: 3.0 Ethics/Professionalism, 0.0 towards certification in civil trial law, criminal trial law, workers compensation law and/or matrimonial law

Uniform Certificates of Attendance can be issued for use in other jurisdictions.

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

For information about the CLE Rules, visit www.nycourts.gov/attorneys/cle

Information and Policies

Cancellation Policy: Receive a full refund or credit towards another program. Registrations cancelled less than five business days from the program date will be assessed a cancellation fee of \$100.

Tuition Assistance: Any attorney may apply for tuition assistance to attend this program based on financial hardship. Learn more at www.nysba.org/TuitionAssistance.



Accommodations for Persons with Disabilities: NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services, or if you have any questions regarding accessibility, please contact Cindy O'Brien at cobrien@nysba.org.

For more information about NYSBA program policies, please visit www.nysba.org/CLEProgramPolicies.

Section Chair

Diane E. O'Connell, Price Waterhouse Cooper

International Bridging the Gap Chair

Neil A. Quartaro, Watson Farley & Williams LLP

Bridging the Gap Faculty

Michael W. Galligan, Partner, Phillips Nizer LLP
Mark F. Rosenberg, Partner, Sullivan & Cromwell LLP
Robert J. Leo, Partner, Meeks, Sheppard, Leo & Pillsbury
Mark Stagliano, Wachtell, Lipton, Rosen & Katz
L. Donald Prutzman, Partner, Tannenbaum Helpers Syracuse & Hirschtritt LLP
Oren J. Warshavsky, BakerHostetler
Philip Berkowitz, Partner, Littler Mendelson (New York)
Daniel Pilarski, Partner, Watson Farley & Williams LLP
Andre R. Jaglom, Partner, Tannenbaum Helpers Syracuse & Hirschtritt LLP
Allen E. Kaye, Of Counsel
Aurora Cassirer, Partner, Troutman Sanders LLP
Neil A. Quartaro, Watson Farley & Williams LLP
Nancy M. Thevenin, F.C.I.Arb., Thevenin Arbitration LLC
Samaa Haridi, Partner, Hogan Lovells
Gerald J. Ferguson, Partner, BakerHostetler
Glenn G. Fox, Partner, Baker & McKenzie LLP
Janis M. Meyer, Partner, Hinshaw & Culbertson LLP

Why Join the International Section?

Joining the International Section Allows You Many Opportunities:

- The opportunity to represent the Section at meetings and conferences sponsored by NYSBA International's network of Chapters throughout the world.
- The opportunity to serve as a member of more than thirty Committees covering almost every area of international private practice as well as major areas of international public law.
- If working abroad, opportunity to become a member of the NYSBA International Chapter in your country.
- Subscriptions to the *International Law Practicum*, the *New York International Law Review*, and the *New York International Chapter News*.
- Discounts for registration at NYSBA International CLE programs such as "Fundamentals of International Practice" and "International Practice Institute."
- Invitations to breakfast and lunch meetings sponsored by NYSBA International Committees at which speakers address important and breaking issues of international practice and jurisprudence.
- Access to current information about all NYSBA International programs and select announcements about programs offered by other international bar groups through the Section's online community.
- Participate in web-based NYSBA International Membership Directory – an especially important referral mechanism for NYSBA International members living outside of New York State.

Network with international law practitioners throughout the world by joining the International Section! With members located throughout the United States and in many foreign countries, more than 50 Chapters in major cities around the world, and regular annual meetings in major foreign capitals and international business centers that are jointly hosted with major foreign bar associations, the Section provides important resources to attorneys who practice law internationally.

To be eligible for membership in the Section, you must **first join NYSBA** but do not have to be admitted to practice in New York. To be a NYSBA member, you must be admitted to the practice of law in a state or foreign jurisdiction and be in good standing in that jurisdiction. New members must include proof of your admission/good standing to the practice of law. (Usual proof is a certificate of admission from the jurisdiction in which you are admitted, with an English translation, if necessary).

To join this Section by phone, call the Member Resource Center at (800) 582-2452.

International Bridging the Gap – June 17-18, 2019

Agenda

Monday, June 17

8.5 MCLE Credits: 5.5 Areas of Professional Practice; 2.0 Skills; 1.0 Ethics

8:30 a.m. – 9:00 a.m.

Registration

9:00 a.m. – 9:50 a.m.

Framework of International Practice, Part One

Faculty:

Michael W. Galligan, Partner, Phillips Nizer LLP

Mark F. Rosenberg, Partner, Sullivan & Cromwell LLP

Robert J. Leo, Partner, Meeks, Sheppard, Leo & Pillsbury

Hear from experienced international lawyers and learn about the basic considerations of the international practice of law. Explore the relationships between public and private international law, and between common and civil law jurisdictions. Speakers will cover the role of treaties in international practice and the international regulatory regimes that must be considered in cross-border practice.

(1.0 Areas of Professional Practice)

9:50 a.m. – 10:00 a.m.

Break

10:00 a.m. – 10:50 a.m.

Framework of International Practice, Part Two

Faculty:

Michael W. Galligan, Partner, Phillips Nizer LLP

Mark F. Rosenberg, Partner, Sullivan & Cromwell LLP

Robert J. Leo, Partner, Meeks, Sheppard, Leo & Pillsbury LLP

(1.0 Areas of Professional Practice)

10:50 a.m. – 11:00 a.m.

Break

11:00 a.m. – 11:50 a.m.

Cross-Border M&A: Buying and Selling Companies Around the World

Faculty:

Mark Stagliano, Wachtell, Lipton, Rosen & Katz

Additional Faculty TBA

The sale and purchase of businesses around the world is a significant international practice area. Nearly every lawyer with internationally sourced work will advise on business acquisitions at some point. Learn the basics from seasoned international M&A practitioners, including the common elements of cross-border M&A, typical legal issues, and due diligence challenges.

(1.0 Skills)

11:50 a.m. – 12:00 p.m.

Break

12:00 p.m. – 12:50 p.m.

International IP: Copyrights, Trademarks and Patents

Faculty:

L. Donald Prutzman, Partner, Tannenbaum Helpert Syracuse & Hirschtritt LLP

Oren J. Warshavsky, BakerHostetler

The explosive growth in transnational commerce poses special challenges to the protection of intellectual property rights. Led by experienced IP counsel, explore the international aspects of patent, trademark and copyright registration and protection, including common law rights and registration. One of the fastest growing areas of international law, don't be caught unprepared when your client is desperate to protect its hard-earned IP rights.

(1.0 Areas of Professional Practice)

1:00 p.m. – 2:00 p.m.

Lunch (on your own)

2:10 p.m. – 3:00 p.m.

International Employment Law

Faculty:

Philip Berkowitz, Partner, Littler Mendelson (New York)

People cross borders for work all the time. However, every jurisdiction has different rules regarding the treatment of employees, and understanding the basic elements of international employment law can be critical. Explore the many aspects of this central area of international practice and learn from a leading employment lawyer with years of international experience.

(1.0 Areas of Professional Practice)

- 3:00 p.m. – 3:10 p.m. **Break**
- 3:10 p.m. – 4:00 p.m. **International Tax**
Faculty: Daniel Pilarski, Partner, Watson Farley & Williams LLP
Sometimes overlooked, many transactions are driven by tax concerns and structured accordingly. Learn about the underlying considerations in this important area and how it impacts the transnational practice of law.
(1.0 Areas of Professional Practice)
- 4:00 p.m. – 4:50 p.m. **Marketing and Distribution in the U.S. and Around the World**
Faculty: Andre R. Jaglom, Partner, Tannenbaum Helpner Syracuse & Hirschtritt LLP
The sale of goods and services is the basic economic exchange underlying most economies. Learn about the international legal issues involved in marketing and distributing goods in the U.S. and globally, including many common legal issues and challenges arising in the cross-border context. From the basic “dos and don’ts” to the tricks of the trade, this program will provide a solid background in this critical area.
(1.0 Skills)
- 4:50 p.m. – 5:10 p.m. **Break**
- 5:10 p.m. – 5:40 p.m. **Immigration Law**
Faculty: Allen E. Kaye, Of Counsel
Pollack, Pollack, Isaac & DeCicco
The international movement of people across borders creates many challenges and issues for immigrants, their places of origin, and their destination country. Learn the basics of U.S. immigration law, including the current posture and likely future developments and the most commonly used visa programs, to better advise your clients in this important area.
(0.5 Areas of Professional Practice)
- 5:40 p.m. – 6:30 p.m. **Business and Human Rights: The U.N. Guiding Principles**
Faculty: TBA
The U.N. Guiding Principles on business and human rights seek to extend human rights law into the corporate realm. The growing consensus that business interests should consider the impact of policies and development on more than just the bottom line has taken a big step forward with this important development. Explore the background and application of the Guiding Principles with recognized thought leaders in this area and better advise your clients in this developing area.
(1.0 Ethics)

Tuesday, June 18

7.5 MCLE Credits: 4.0 Skills; 2.0 Ethics; 1.5 Areas of Professional Practice

- 8:30 a.m. – 9:00 a.m. **Registration**
- 9:00 a.m. – 10:15 a.m. **International Corporate Compliance**
Faculty: Aurora Cassirer, Partner, Troutman Sanders LLP
Doing business in some jurisdictions raises the risk of illicit payment to facilitate local commerce. Learn about the controlling U.S. statute in this area and the central aspects of advising clients how to avoid an unwelcome call from the DOJ. Businesses of any size have corporate compliance departments to ensure that applicable laws and regulations are followed. However, corporate compliance requires familiarity with a wide range of topics and issues, and the penalty for getting it wrong can be onerous. Learn about the major corporate compliance issues facing U.S. and foreign companies operating internationally.
(1.0 Ethics; 0.5 Areas of Professional Practice)
- 10:15 a.m. – 10:25 a.m. **Break**
- 10:25 a.m. – 11:15 a.m. **International Litigation Basics**
Faculty: Neil A. Quartaro, Watson Farley & Williams LLP
The pace of globalization has led to more cross-border disputes than ever before. A dispute may be capable of being heard in more than one jurisdiction, and there may be pros and cons to each.

Differences in evidence collection, substantive laws, and court practice require international lawyers to recognize a different set of priorities and to be aware of numerous traps for the unwary. Add to this differing standards of evidence production and legal ethics, and international litigation can become a minefield for the unwary. Learn how to spot and identify many of the important issues at the beginning of a case and how strategic legal decisions can impact the outcome of a case many years after the initial decision.

(1.0 Skills)

11:15 a.m. – 11:25 a.m.

Break

11:25 a.m. – 12:15 p.m.

International Arbitration

Faculty:

Nancy M. Thevenin, F.C.I.Arb., Thevenin Arbitration LLC
Samaa Haridi, Partner, Hogan Lovells

Many international contracts and disputes are subject to arbitration in one of the major arbitral venues. Learn about these major centers for arbitration, their rules, and how to craft effective arbitration clauses. Explore the differences between the leading institutions, and hear from an experienced panelist and arbitrator about the intricacies of this critical area.

(1.0 Skills)

12:15 p.m. – 12:25 p.m.

Break

12:25 p.m. – 1:15 p.m.

International Bankruptcy Basics

Faculty:

Faculty TBA

The U.S. bankruptcy regime claims expansive jurisdiction, and has been emulated around the world. This critical part of the program covers the main features of the U.S. bankruptcy regime in the context of certain foreign jurisdictions, and explores the impact of offshore filings on U.S. creditors. Whether or not you plan to practice in this area, insolvency is a part of the business cycle and a critical area of the law. Hear from a highly experienced bankruptcy professional and up your game in an area sure to arise in your practice.

(1.0 Areas of Professional Practice)

1:15 p.m. – 2:15 p.m.

Lunch (on your own)

2:15 p.m. – 3:05 p.m.

Cross-Border Data Protection and Cyber-security

Faculty:

Gerald J. Ferguson, Partner, BakerHostetler

The security and protection of electronic data is an increasingly crucial area of practice. Protecting data is often key to a successful business, and data breaches can have devastating effects on a business. Hear from one of the most experienced legal minds and learn what to do and what not to do in this increasingly central practice area.

(1.0 Skills)

3:05 p.m. – 3:15 p.m.

Break

3:15 p.m. – 4:05 p.m.

Introduction to Cross Border Estate Planning

Faculty:

Glenn G. Fox, Partner, Baker & McKenzie LLP

Trusts and estates frequently cross borders, and it is common to field inquiries covering numerous jurisdictions. Off-shore trusts and other protective structures have multiplied in recent years, and the handling of a multi-jurisdictional estate raises its own unique issues. Learn from experienced international counsel and be prepared to field inquiries about this central, but often misunderstood, area of international law.

(1.0 Skills)

4:05 p.m. – 4:15 p.m.

Break

4:15 p.m. – 5:05 p.m.

Ethics in the International Practice of Law

Faculty:

Janis M. Meyer, Partner, Hinshaw & Culbertson LLP

Differing legal and business cultures can be a trap for the unwary international lawyer. Learn about the ethical practice of law in international transactions and cases, including common issues when advising a client active in emerging economies. This “can’t miss” presentation by one of the leading speakers on ethics will help build your skill set and identify some of the most common traps and pitfalls for the unwary.

(1.0 Ethics)

5:05 p.m.

Adjournment

NEW YORK STATE BAR ASSOCIATION

PROGRAM REGISTRATION FORM

Name _____

Company/Law Firm _____

Address _____

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Country _____

PERSONAL INFORMATION:

Phone _____ Fax _____

E-mail address _____

INTERNATIONAL BRIDGING THE GAP PROGRAM FEES:

NYSBA Member Attorney fee: \$495.00 \$ _____

**International Section members
and Fordham Alumni:** \$295.00 \$ _____

Newly Admitted: \$295.00 \$ _____

Non NYSBA Member Attorney fee: \$695.00 \$ _____

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Payment for registration fees will be accepted by credit card only.

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4 Easy Ways You Can Register

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Albany, NY 12207

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