

NYSBA

International Section

Seasonal Meeting 2010

New York to Sydney: Navigating Currents in International Law

October 26-30, 2010 Shangri-La Hotel Sydney, Australia

NYSBA

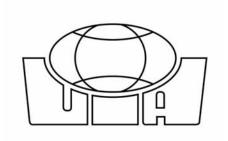
In Memoriam Steven C. Krane

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Richard A. Gelski, Program Co-ChairJohnson Winter & Slattery

David Russell QC, Program Co-ChairGround Floor Wentworth Chambers

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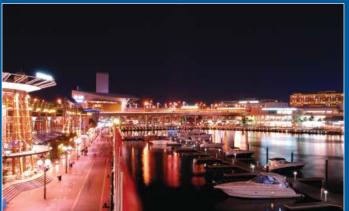
Larry Magid

Allens Arthur Robinson, Sydney

Kaviraj Singh Trustman & Co., New Delhi











INTRODUCTION



Section Chair

Carl-Olof Bouveng, Advokatfirman Lindahl KB, Stockholm

Program Co-Chairs:

Andrew D. Otis, Curtis, Mallet-Prevost, Colt & Mosle LLP, New York City Richard A. Gelski, Johnson Winter & Slattery, Sydney David Russell QC, Ground Floor Wentworth Chambers, Sydney

Important CLE Information

Members of The New York State Bar Association

The New York State MCLE Board requirement for Attorneys in practice beyond the first two years after admission to the Bar is 24 credit hours per biennial registration cycle, with four hours of these credit hours earned in the area of ethics and professionalism. *This program will satisfy up to 18 MCLE credit hours including up to 4 hours in ethics and/or up to 14 hours in the general category.* The ethics portion of this program will qualify for MCLE credit for newly admitted attorneys; however, the balance of the program will not qualify since it is not a basic practical skills program.



NYSBA International Section Seasonal Meeting 2010' has been accredited with 1 CPD point per hour of attendance (excluding breaks), with a maximum of 6 points to be claimed in total. These points are not allocated to any particular strand. The onus would be on the attendees to allocate the points to whichever strands they deem appropriate.



If this particular educational activity is relevant to your immediate or long term needs in relation to your professional development and practice of the law, then you should claim one "unit" for each hour of attendance, refreshment breaks not included.

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Social Programs

Tours for spouses and guests to be advised.

Discounts and Scholarships

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, not later than 20 working days prior to the start of the program, explaining the basis of his/her hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. To apply, please send your request in writing to Linda L. Castilla at: New York State Bar Association, One Elk Street, Albany, New York 12207.





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Tuesday, October 26

7:00 pm Dinner – Executive Committee and the leaders of the New South Wales Bar Association and

Law Society of New South Wales – Doyles on the Beach

Wednesday, October 27

9:30-6:00 p.m. Registration

Chapter Chair Luncheon Meeting – Shangri-La Hotel 10:00-2:00 p.m.

3:00-5:00 p.m. **Executive Committee Meeting** – Shangri-La Hotel

5:45 p.m. Guided Walk - from Shangri-La Hotel

6:00-9:00 p.m. Welcome Reception and Dinner Buffet – Museum of Contemporary Art

Walk or Bus Transfer – to the Shangri-La Hotel 9:00 p.m.

Thursday, October 28

7:30-8:30 a.m. **Breakfast Buffet** – Shangri-La Hotel

8:30-9:00 a.m. Welcoming Remarks – Shangri-La Hotel

Stephen P. Younger, President, New York State Bar Association,

Patterson, Belknap Web & Tyler LLP, New York

Carl-Olof E. Bouveng, Section Chair, Advokatfirman Lindahl KB, Stockholm Richard A. Gelski, Program Co-Chair, Johnson Winter & Slattery, Sydney

Andrew D. Otis, Program Co-Chair, Curtis, Mallet-Prevost, Colt & Mosle LLP, New York

Thursday Program Tracks

9:00 - 10:15 am **Track One** – Corporate

Panel 1

Insider Trading, Compliance and Ethics: Navigating Risk in the

Global Capital Markets

Co-Chairs:

Rebecca Maslen-Stannage

Freehills, Sydney

Rick F. Morris

Goldman Sachs & Co., New York

Speakers:

Belinda Gibson

Australian Securities and Investments

Commission, Sydney

Luke Hastings

Freehills, Sydney

Track Two – Litigation/Arbitration Panel 2

Enforcement of Arbitration Awards Co-Chairs:

Jia ("Jessica") Fei

Fullbright & Jaworski LLP, Hong Kong

Bronwyn Lincoln

Freehills, Melbourne

Speakers:

Benjamin Hughes

Shin & Kim, Seoul

Sudhir Mishra

FoxMandal Little, Delhi

Jonathon Redwood

Banco Chambers, Sydney

Track Three – General Panel 3 **Doing Business in Asia** Co-Chairs: **Geoffrey Grice** Freehills, Singapore James P. Duffy, III

Berg and Duffy, Manhasset

10:15-10:35 a.m. Coffee Break

10:35 - 11:50 am Plenary Session One – Shangri-La Hotel

Cross Border Litigation

Introduction

David G. Russell QC, Ground Floor Wentworth Chambers, Sydney

The Honorable James J. Spigelman, Chief Justice of New South Wales, Sydney

The Honorable Jonathan Lippman, Chief Judge, New York State Court of Appeals, Albany Via Video Conference

Plenary Session One Sponsored by: Johnson Winter & Slattery

Thursday Program Tracks (cont'd)

12:00-1:15 pm

Panel 4

Public Mergers and Acquisitions – Trends in a Volatile Market

Carl-Olof E. Bouveng

Advokatfirman Lindahl KB, Stockholm

David Friedlander

Mallesons Stephen Jaques, Sydney

Gregory E. Ostling

Wachtell, Lipton, Rosen & Katz New York

Speakers:

Guy Alexander

Allens Arthur Robinson, Sydney

Jing Gang

King & Wood, Beijing

Abhiiit Joshi

AZB & Partners, Mumbai

Panel 5

International Arbitration -**Navigating the Arbitral Institutions**

and Venues

Co-Chairs:

Jia ("Jessica") Fei

Fullbright & Jaworski LLP, Hong Kong

David L. Kreider

Vodafone, Auckland

Jonathon Redwood

Banco Chambers, Sydney

Speakers:

Professor Doug Jones

China International Economic and Trade Arbitration Commission, Beijing

Ajay Thomas

London Court of International Arbitration India, Delhi

Jie Wang

China International Economic and Trade Arbitration Commission, Beijing Panel 6

Compliance and Trade Issues Affecting Multinationals and Counsel

Co-Chairs:

Robert J. Leo

Meeks, Sheppard, Leo & Pillsbury, New York

Lisa Spagnolo

Monash University, Melbourne

Speakers:

Greg d'Arville

crgESSENTIALS, Melbourne

Jay L. Eizenstat

Miller & Chevalier Chartered, Washington, DC

Uche Okereke-Fisher

Avaya, North Hyde

Iain Sandford

Minter Ellison, Canberra

1:15-3:00 p.m. **Lunch** – Shangri-La Hotel

3:00-4:15 p.m.

Panel 7

Financial Regulatory Reform: Post-GFC Perspectives from

Australia and the United States

Co-Chairs:

Waldo D. Jones, Jr.

Sullivan & Cromwell LLP, Sydney

Karolina Popic

Allen & Overy, Sydney

Speakers:

Stuart S. Carruthers

Stikeman Elliott LLP, Toronto

David J. Gilberg

Sullivan & Cromwell LLP, New York

Donald J. Toumey

Sullivan & Cromwell LLP, New York

Mark J. Menting

Sullivan & Cromwell LLP, New York

Panel 8

Libel Tourism

Co-Chairs:

Kevin Lynch

Johnson Winter & Slattery, Sydney

Eric J. Stenshoel

Curtis, Mallet-Prevost, Colt &

Mosle LLP, New York

Speaker:

Richard Potter

Wentworth Chambers, Sydney

Panel 9

International Tax Planning for Investment and Trading of Natural

Resources

Chair:

Larry Magid

Allens Arthur Robinson, Sydney

Speakers:

Marco A. Blanco

Curtis, Mallet-Prevost, Colt & Mosle LLP **Paris**

Julie H. Cheng

Jun He Law Offices, Shanghai

Prashanth Kainthaje

Johnson Winter & Slattery, Sydney

Pieter de Ridder

Loyens & Loeff, Singapore

Thursday, October 28 (con't)

4:25-5:40 p.m.

Track One – Corporate

Panel 10

Australia, United States and China – Lawyers' Role in the Resources Supercycle

Co-Chair: Robert Chu

Sullivan & Cromwell LLP, Melbourne

Lawrence A. Darby, III

Peridot Asia Advisors LLC, New York

Speakers: Peter Cook

Gilbert + Tobin, Sydney

Tony Damian Freehills, Sydney **Ren Jiang**

King & Wood, Beijing

Track Two – Litigation/Arbitration

Panel 11

Hedge Fund Litigation

Co-Chairs:

Noel Hutley SC

Fifth Floor St. James' Hall, Sydney

David R. WingfieldWeirFoulds, LLP, Toronto

Speakers:

Tim D. Castle

Atanaskovic Hartnell, Sydney

Michael Lee

Barrister-at-law, Sydney

Dean Jordan

Clayton Utz, Sydney

Track Three – General

Panel 12

Transfer Pricing

Co-Chairs:

Richard A. Gelski

Johnson Winter & Slattery, Sydney

Michael Schwartz

Weiser Mazars LLP

New York

Lawrence E. Shoenthal

Lawrence Shoenthal, Spring Valley

Speaker:

Martin Feil

Firmstone & Feil, Melbourne

David G. Russell QC

Ground Floor Wentworth Chambers, Sydney

6:30-9:00 p.m. Cocktail/buffet - Hosted by Mallesons Stephen Jaques

Level 61, Governor Phillip Tower, 1 Farrer Place, Sydney

Friday, October 29

7:15-7:30 a.m. Bus Transfer - to the Supreme Court, New South Wales

7:30-8:00 a.m. Continental Breakfast – Banco Court Foyer

8:00-9:40 a.m. Plenary Session Two – Banco Court

The Role of Sovereign Immunity in Allegations of Torture: A Moot Court Demonstration of A Proceeding for Damages Alleging State Sponsored Torture

Judges of the Moot Court

The Honorable David Jackson OC

Seven Wentworth Chambers

Sydney

The Honorable Kevin Lindgren QC

Sydney

The Honorable L. J. (Bill) Priestley QC

Frederick Jordan Chambers

Sydney

Advocates

Andrew S. Bell SC

Eleven Wentworth Chambers

Sydney

Mark H. Alcott

Dayl Maiss Pifkind Wharton & Carrison III

Paul, Weiss, Rifkind, Wharton & Garrison LLP

New York

Christopher Withers

Banco Chambers

Sydney

Stephen P. Younger

Patterson, Belknap, Webb & Tyler LLP

New York

Plenary Session Two Sponsored by: Allen & Overy

9:40-10:00 a.m. Bus Transfer – to the Shangri-La Hotel

Friday Program Tracks

10:00-11:15 a.m. Track One – Corporate

Panel 13

Private Equity Acquisitions, Dispositions and Financing – The Australia-U.S. Connection

Co-Chairs:

Lawrence Goodman

Curtis, Mallet-Prevost, Colt & Mosle LLP, New York

Deborah Chew

Hall and Wilcox, Melbourne

Speakers:

Marco Amorese

Studio Legal Amorese, Bergamo

Vishal Gandhi

Gandhi & Associates, Mumbai

Track Two – Litigation/Arbitration

Panel 14

International Debt Collection

Co-Chairs:

David Franklin

Franklin & Franklin, Montreal

David Bennett QC

Five Wentworth Chambers, Sydney

Speaker:

Steve Ng

Ng & Shum, Hong Kong

Track Three – General

Panel 15

Navigating Franchise Regulation in International Business

Co-Chairs:

Andre R. Jaglom

Tannenbaum Helpern Syracuse & Hirschtritt LLP, New York

Professor Andrew Terry

University of Sydney, Sydney

Speaker:

Rudi Selles

Gloria Jean's Coffee International, Sydney

11:25-12:15 p.m. Track One – Corporate

Panel 16

Global Executives: Legal Headaches for International

Employers Co-Chairs:

Aaron J. Schindel

Proskauer Rose LLP, New York

Chris Barton

Freehills, Sydney

Speaker:

Andrew Gray

Mallesons Stephen Jaques, Sydney

Track Two – Litigation/Arbitration

Panel 17

Insurance/Reinsurance and

Arbitration: Reining in the Process: The Claims, Regulation and Dispute Resolution Atmosphere Post-GFC

Co-Chairs:

Michael J. Pisani

Garden City

John Edmond

Allens Arthur Robinson, Sydney

Speakers:

Lori Callahan

Allianz Australia Insurance Limited,

Sydney

Stuart Carruthers

Stikeman Elliott LLP, Toronto

Edward K. Lenci

Hinshaw & Culbertson LLP, New York

Track Three – General

Panel 18

International Perspectives on the Use of Invisible Trademarks

Speakers:

L. Donald Prutzman

Tannenbaum Helpern Syracuse & Hirschtritt LLP, New York

Andrew Wiseman

Allens Arthur Robinson, Sydney

12:15-1:15 p.m. Lunch – Shangri-La

The Honorable Jeffrey L. Bleich, United States Ambassador to Australia

Friday, October 29 (con't)

1:15-2:30 p.m.

Track One – Corporate

Panel 19

Anti-Tax Avoidance Regimes for Business Entities and Trusts

Co-Chairs:

Glenn G. Fox

Alston & Bird LLP. New York

David G. Russell OC

Ground Floor Wentworth Chambers. Sydney

Speakers:

Michael W. Galligan

Phillips Nizer LLP, New York

John W. Hart

Chairman, Society of Trusts and Estates Practitioners, Auckland

Michael A. Heimos

Dean & Heimos LLC, Denver

Track Two – Litigation/Arbitration Panel 20

European United States Insolvency Cocktail

Co-Chairs:

Stewart Maiden

Owen Dixon Chambers West,

Melbourne

Leslie N. Reizes

Boynton Beach

Thomas O. Verhoeven

Grimaud, France

Speakers: **Patrick Ang**

National University of Singapore

Scott Barker

Buddle Findlay, Auckland

Neil A. Quartaro

Watson Farley & Williams LLP,

New York

Track Three – General Panel 21 Reserved

2:40-3:55 p.m.

Panel 22 Micro Finance

Co-Chairs:

Eberhard H. Rohm

Duane Morris LLP, New York

Barclay O'Brien

Opportunity International Network, Sydney

Speaker:

Stephane Karolczuk

Arendt & Mendernach, Hong Kong

Panel 23 **Immigration Panel**

Speakers:

Lauren Levin

Levin Immigration Law, Sydney

Arnold Conyer

Diamond Pesiah, Sydney

Panel 24

International Estate Planning

Co-Chairs:

Michael W. Galligan

Phillips Nizer LLP, New York

David Raphael

Five Wentworth Chambers, Sydney

Speakers:

Michael A. Heimos

Dean & Heimos LLC, Denver

John W. Hart

Chairman, Society of Trust and Estates

Practitioners, Auckland

Panel 24 sponsored by: Phillips Nizer LLP

4:05-4:55 p.m.

Panel 25 **Islamic Finance**

Co-Chairs:

Eberhard H. Rohm

Duane Morris LLP, New York

Tim Kyle

Greenwoods & Freehills, Sydney

Speaker:

Mohamed Zaanouni

Zaanouni Law Firm, Tunisia

Panel 26

Corporate Governance: Standards from Recent Litigation

Chair:

Tim Bowley

Johnson Winter & Slattery, Sydney

Co-Chair to be confirmed

Speakers:

Panel 27

Following up on Kyoto and

Copenhagen

Co-Chairs:

Andrew D. Otis

Curtis, Mallet-Prevost, Colt & Mosle LLP, New York

Ilona Millar

Baker & McKenzie, Sydney

Speakers:

Elisabetta Cicigoi

Romano Cicigoi, Milan

Sudhir Mishra

FoxMandal Little, Delhi

Friday, October 29 (con't)

5:55 p.m. Guided Walk - to Cocktail Cruise to Manly

6:15 p.m. Cocktail Cruise - to Manly

6:45 p.m. Bus Transfer - to International College of Management Sydney

7:45 p.m. Dinner – International College of Management Sydney

Speaker: The Honorable Michael Kirby AC CMG

10:30 p.m. Bus Transfer – to the Shangri-La Hotel



International College of Management Sydney

Saturday, October 30

8:00-9:00 a.m. Breakfast Buffet – Shangri-La Hotel

9:00-10:40 a.m. Plenary Session Three

Ethics: Failed States and the Rule of Law

Speakers: James P. Duffy, III

Berg and Duffy, Manhasset

Professor Charles Sampford

Institute for Ethics, Governance and Law, Brisbane

10:40-6:00 p.m. Tours

6:45 p.m. Bus Transfer or walk - to the Sydney Opera House

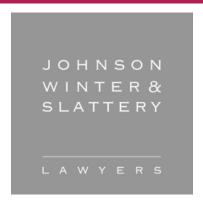
7:00 p.m. Gala Dinner

Guillaume at Bennelong Sydney Opera House

11:00 p.m. Bus Transfer – to the Shangri-La Hotel

Mallesons Stephen Jaques

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- Insolvency & Reconstruction
- Intellectual Property & Information Technology
- Taxation

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New York State Bar Association International Section Seasonal Meeting 2010

"New York to Sydney: Navigating Currents in International Law"

Sydney, Australia October 26-30, 2010

Scheduled Speakers

Lawrence Goodman, Partner (New York)

Panel 13

Private Equity Acquisitions, Dispositions and Financings-The Australia-U.S. Connection

Eric Stenshoel, Counsel (New York)

Panel 8

Libel Tourism: Balancing Freedom of Speech,
Jurisdiction and Comity

Andrew D.Otis, Partner (New York)

Panel 27

Following up on Kyoto and Copenhagen

Andrew D. Otis
2010 Seasonal Program Co-Chair