NYSBA

International Section

Seasonal Meeting 2010

New York to Sydney: Navigating Currents in International Law

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

In Memoriam Steven C. Krane
Carl-Olof Bouveng, Section Chair  
Advokatfirman Lindahl KB, Stockholm 

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

Richard A. Gelski, Program Co-Chair  
Johnson Winter & Slattery 

David Russell QC, Program Co-Chair  
Ground Floor Wentworth Chambers 

NEW YORK STEERING COMMITTEE 

Carl-Olof Bouveng  
Advokatfirman Lindahl KB, Stockholm 

Andrew D. Otis  
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Richard A. Gelski, Australia Co-Chair  
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Sullivan Cromwell LLP, Melbourne 

Jia (Jessica) Fei  
Fullbright & Jaworski LLP, Hong Kong 

Angela Flannery  
Allen & Overy, Sydney 

Bronwyn Lincoln  
Freehills, Melbourne 

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.

Members of The New South Wales Bar Association
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.

Members of The New South Wales Law Society
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.

Don’t miss your chance to earn these CLE/CPD credits. Sign up now!

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.

Accommodations for Persons with Disabilities: NYSBA will make reasonable modifications/accommodations to allow participation in its services, programs, or activities by persons with disabilities. NYSBA will provide auxiliary aids and services upon request. NYSBA will remove architectural barriers and communication barriers that are structural in nature where readily achievable. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Linda Castilla at 518-487-5562.
**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

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**Wednesday, October 27**

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

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

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

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

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**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

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**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

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

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**Track Three** – General Panel 3

**Doing Business in Asia**

Co-Chairs:
**Geoffrey Grice**
Freehills, Singapore

**James P. Duffy, III**
Berg and Duffy, Manhasset

**Speaker:**
**Pieter de Ridder**
Loyens & Loeff, Singapore
SCHEDULE OF EVENTS

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

Co-Chairs:
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
Abhijit 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

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

Cross Border Litigation

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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:
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. Wingfield
WeirFoulds, 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 QC  The Honorable Kevin Lindgren QC
Seven Wentworth Chambers  Sydney

The Honorable L. J. (Bill) Priestley QC
Frederick Jordan Chambers
Sydney

Advocates
Andrew S. Bell SC  Christopher Withers
Eleven Wentworth Chambers  Banco Chambers
Sydney  Sydney

Mark H. Alcott  Stephen P. Younger
Paul, Weiss, Rifkind, Wharton & Garrison LLP  Patterson, Belknap, Webb & Tyler LLP
New York  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 QC
      - 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:**
  - John W. Hart
    - Chairman, Society of Trust and Estates Practitioners, Auckland
  - Michael A. Heimos
    - Dean & Heimos LLC, Denver

**Panel 25**
- Immigration Panel
- **Speakers:**
  - Lauren Levin
    - Levin Immigration Law, Sydney
  - Arnold Conyer
    - Diamond Pesiah, Sydney

**Panel 26**
- Corporate Governance: Standards from Recent Litigation
- **Chair:**
  - Tim Bowley
    - Johnson Winter & Slattery, Sydney

**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
                The Honorable Edward W. McCarty III
                Adjunct Professor of Law, Hofstra Law School, Hempstead
                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
Allen & Overy is the first top tier integrated global firm to establish offices in Australia. Our partners in Sydney and Perth have established reputations and a proven track record in Australia. This strong local presence, combined with our international network, enables us to offer our clients outstanding service delivery throughout our offices in 36 major centres worldwide and broad and seamless international coverage for offshore and cross-border transactions by a single team of lawyers. Allen & Overy saw an opportunity to offer the Australian market a unique, new alternative in the legal sector. Now see the opportunity in us.
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Lindahl offers specialized legal skills and thorough knowledge and understanding of the business sectors in which our clients operate. The firm provides advice in all areas of business law to a broad client base of multinationals as major Swedish and international companies, including financial institutions.

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Allens Arthur Robinson

**CLEAR THINKING**

Alston & Bird is a leading national AmLaw 100 firm and has offices in Atlanta, Charlotte, Dallas, Los Angeles, New York, Research Triangle Park, Silicon Valley, Ventura County and Washington, D.C. The firm’s 900 attorneys provide a full range of services to domestic and international clients conducting business around the world. The firm’s core practice areas are intellectual property, complex litigation, corporate and tax, with national industry focuses in energy and sustainability, health care, financial services and public policy. The firm has built a reputation as one of the country’s best employers, appearing on FORTUNE magazine’s ranking of the “100 Best Companies to Work For” 10 consecutive years, an unprecedented accomplishment among law firms in the United States.
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