



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



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OF AUSTRALIA



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Andrew D. Otis, Program Co-Chair

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David Russell QC, Program Co-Chair

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Larry Magid

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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.



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SCHEDULE OF EVENTS

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**

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

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
Speaker:
Pieter de Ridder
Loyens & Loeff, Singapore

10:15-10:35 a.m.

Coffee Break

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

crgeSSSENTIALS, 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:

Julie H. Cheng

Jun He Law Offices, Shanghai

Prashanth Kainthaje

Johnson Winter & Slattery, Sydney

Pieter de Ridder

Loyens & Loeff, Singapore

SCHEDULE OF EVENTS

Thursday, October 28 (con't)

- 4:25-5:40 p.m.**
- | | | |
|---|--|--|
| <p>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</p> | <p>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</p> | <p>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</p> |
|---|--|--|
- 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
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

Christopher Withers
Banco Chambers
Sydney

Mark H. Alcott
Paul, Weiss, Rifkind, Wharton & Garrison LLP
New York

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

SCHEDULE OF EVENTS

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 Helpert 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 Helpert 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*

SCHEDULE OF EVENTS

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:

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

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

SCHEDULE OF EVENTS

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

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- Energy & Natural Resources
- Insolvency & Reconstruction
- Intellectual Property & Information Technology
- Taxation

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Allens Arthur Robinson



CLEAR THINKING

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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

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