



Draft Program Schedule – all times in ET
as of 3/29/2022

TUESDAY, APRIL 26, 2022

9:00 AM – 12:00 PM

Section 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 Annual Conference registrants.

1:00 – 5:00 PM

ABA Day at the Organization of American States (Non-CLE)

We welcome you to join ABA International Law Section leadership for our second ABA Day at the Organization of American States (OAS). In October 2017, the ABA and OAS entered into a Cooperative Agreement that established a framework through which the entities could develop cooperative relations to promote the rule of law and work for the development of international law within the Inter-American system. The first ABA Day at the OAS was held in 2019 and we continue this tradition in 2022. The day is open to all Annual Conference registrants, but pre-registration is required for security purposes, and space is limited.

At the ABA Day at the OAS, you will hear about important issues such as the state of democratic institutions, the rule of law and the role of the OAS in the upcoming Summit of the Americas which is hosted by the United States.

This year our members will meet with the top officials from the Organization of American States Secretariats specialized on areas such as International Law, Hemispheric Affairs, Rights and Equity, Strengthening Democracy, Women, Inter-American Human Rights, Integral Development, and Multidimensional Security.

Program Chair: Maximiliano J. Trujillo, MJT Policy LLC, Washington, DC

WEDNESDAY, APRIL 27, 2022

8:00 AM – 6:30 PM

Registration Open

8:00 AM – 9:00 AM

Committee Breakfast Meetings

9:00 AM – 10:30 AM

The Intersection of Public Policy, Education, Violence and Public Health (CLE)
(Human Rights Track)

In recent decades both extremist and drug cartel-associated violence have played roles in destabilizing societies in the Middle East, North Africa and Latin America. Members of our distinguished panel have worked to address the spread of violence in such societies and are now applying those methods to the risk of extremist violence in the United States. Two decades on from 9/11, the U.S. Department of Homeland Security considers domestic extremism a significant threat.

This panel will discuss applying lessons gleaned from using public health and ecosystemic approaches to violence outside the borders of the United States, to interrupt the spread of extremist violence within America. This work is multidisciplinary, drawing on expertise in data analysis, public health, mental health, community organizing, and the experience of those who have renounced extremist violence. The panel will discuss how a whole-of-society public health approach may be deployed.

Sponsoring Committee:
[Lawyers Abroad Committee](#)

Co-Sponsoring Committees:
[International Human Rights Committee](#); [International Ethics Committee](#)

Program Co-Chairs:
Cecilia Barrero, Managing Partner, CeBarrero, Boston, MA
Laurence Wiener, WSC Legal, Buenos Aires, Argentina

Moderator:
Thomas Valenti, Attorney, Arbitrator (FCIArb), Mediator, Facilitator, Valenti Law, Chicago, IL

Speakers:
Rachel Irura Head of the Witness Support and Protection Unit (WISP), United Nations Mechanism for International Criminal Tribunals ("Mechanism"), Arusha, Tanzania
Ryan Lo'Ree, Interventionist and Program Specialist, Parallel Networks, MI
Amy L. Sommers, Founder, Mourning Into Unity Project, Seattle, WA
Karen Volker, Executive Vice President, Cure Violence Global, Washington, DC

Nowhere to Hide, Except Under the Law (CLE)
(Hot Topics Track)

There is a constant effort to expand information disclosure and exchange among countries with respect to flow of money and the identity of beneficial owners, including KYC (Know Your Customer) checking and record-keeping by financial institutions and intermediaries. Extensive laws have been made and procedures put in place to speedily share information globally and track and trace the flow of funds. Yet, constitutional, evidentiary, and other legal constraints, particular to each jurisdiction have come to limit and shape tax authorities' use of information gathered by them, including under treaties for exchange of information.

Sponsoring Committees:
[International Private Clients](#); [South Asia/Oceania & India](#)

Program Co-Chairs:
Jaipat Singh Jain, Partner, Lazare Potter Giacobas & Moyle LLP, New York, NY
Rubens Scharlack, Founding Partner, Scharlack PLLC, Miami, FL

Moderator:
Aseem Chawla, Practice Leader, ASC Legal, Solicitors & Advocates, New Delhi, India

Speakers:
Sarah Collins, Wealth Advisor, Attorney, JP Morgan Chase, New York, NY

Robert Misesy, Shareholder, Reinhart's Tax and Corporate Law Practices, Chicago, IL
Michelle R. Phillips, Attorney, Internal Revenue Service, Washington, DC
Bruce Zagaris, Partner, Berliner, Corcoran & Rowe LLP, Washington, DC

What if You Don't Have a "Burner Phone" Option? – Implications of China's Social Credit System, Health QR Codes & Apps, and Digital RMB for its Global BRI Network and Western Countries Alike (CLE)

(Technology/Cyber/Social Media Challenges Track)

As the unparalleled ability of big data to capture and process real-time information signals a revolution in public administration, countries around the world have begun to explore the application of the technology to a broad array of government functions. At the forefront of these efforts is China, which is planning to launch its social credit system (SCS), a data-powered project to monitor, assess, and shape the behavior and thought of its citizens and enterprises. Related to the development of the SCS system is the rise of China's new digital RMB and its Health QR Codes and Apps. Variations of the latter have already been adapted or contemplated by a number of counties in the midst of the ongoing Covid crisis.

This program explores the legal implications and application of this new frontier of digital surveillance and influence upon the many countries within China's global Belt & Road network. It also includes parallel developments within Western countries in privacy law and data protection. Finally, this program addresses the questions about how the United States will incorporate data technology into its own politics, economy, and citizen oversight and the potential issues for data protection and privacy.

Sponsoring Committee:

China Belt & Road Task Force

Co-Sponsoring Committee:

National Security

Program Co-Chairs:

David F. Day, Law Offices of David F. Day, Honolulu, HI
Geoffrey Goodale, Partner, Duane Morris, Washington, DC

Moderator/Speaker:

Megan Barnhill, Partner, Bryan Cave, Washington, DC

Speakers:

Dr. Elizabeth G. Chan, CEO, Global Risk Mitigation Foundation, Honolulu, HI
Karl Ho, Professor, University of Texas, Flower Mound, TX
Neil Wiley, Deputy Director (Retired), Office of Naval Intelligence, Alexandria, VA

Bar Associations and the Pursuit of Diversity and Inclusion – Tactics for Moving the Profession Forward (ELIMINATION OF BIAS CLE CREDIT)

(Legal Practice/Ethics Track)

This program aims to report on the situation in Japan, U.S. and other jurisdictions regarding diversity in the legal profession and practice of law and to discuss successful tactics for improving diversity and inclusion. Some focus will be made on the distinction between simply diversity in numbers and the methods that facilitate true inclusion of various voices and ideas to improve our profession and practice.

Sponsoring Organization:

Japan Federation of Bar Associations (JFBA)

Program Chair/Moderator:

Yoshimichi Makiyama, Partner, Ripple Partners, Tokyo, Japan

Speakers:

Masako Banno, IBA Diversity & Inclusion Council Member, Japan Federation of Bar Associations Gender Equality Promotion Center Member, and Partner, Okuno & Partners, Tokyo, Japan (virtual)

Kimitoshi Yabuki, Immediate Past President, Tokyo Bar Association, Immediate Past Vice President, Japan Federation of Bar Associations, and Chair, International Bar Association Bar Issues Commission, Partner, Yabuki Law Offices, Tokyo, Japan (virtual)

10:30 AM – 11:00 AM**Networking Break****11:00 AM – 12:30 PM****The Impact of ESG Criteria on Private M&A Transactions - The Anatomy of Green Deals (CLE)**

(Climate Change/Immigration/Migration/ESG and Corporate Commercial Tracks)

Environmental, Social and Governance (ESG) aspects are increasingly becoming driving factors of M&A deals. Targets for acquisitions are selected with a view to increasing the acquirer's sustainability compliance. In any event a target's ESG compliance has become an important aspect in assessing an M&A transaction. Thus, beyond impacting the target selection, ESG-related aspects have an impact on valuation, due diligence, warranty provisions in acquisition agreements and also on conditions to close.

But what are ESG criteria – who establishes them, what kind of international harmonization exists and how can they be measured in the context of M&A Deals?

To present a most comprehensive understanding and take-away to the attendees the panel will consist of an investment banker and experienced practitioners from the US, South America and China. They will contribute their local expertise which allows attendees to better handle the often seemingly impermeable jungle of proposed set of rules.

Sponsoring Committees:

[International Private Equity & Venture Capital](#); [International Energy, Natural Resources and Environmental](#)

Program Co-Chair:

Jason Saltzman, Partner, Borden Ladner Gervais LLP, Toronto, ON Canada

Program Co-Chair/Moderator:

Dr. Hermann Knott, Partner, Kunz Law, Cologne, Germany

Speakers:

Jennifer R. Downing, Managing Director, Senior Counsel, Group Dispute Resolution, BNP Paribas, New York, NY

Carmen X.W. Lu, Counsel, Wachtell, Lipton, Rosen & Katz, New York, NY

Alessandra Nascimento S.F. Mourão, Founding Partner, Nascimento e Mourão, São Paulo, Brazil

José-Félix Zaldívar, Partner, Uría Menéndez, New York, NY

ADR and Family Disputes: Advances and Setbacks in Using Cutting-Edge Techniques in International Family Law (CLE)

(Dispute Resolution Track)

Join our panelists for an overview on how arbitration is being used across jurisdictions to solve family law matters, lessons learned and where arbitration can be used to overcome disputes on jurisdiction. For international high networth families, private judging is an important factor in deciding where matters concerning their divorce should be decided. This panel will explore the benefits of arbitration in determining family cases for international families and case studies from jurisdictions using arbitration and private judging to good effect.

Sponsoring Committee:

International Family Law Committee

Program Chair/Moderator:

Frances Goldsmith, Partner, Libra Avocats, Paris, France

Speakers:

Suzanne Todd, Partner, Withers Worldwide, London, United Kingdom

Carolyn Zack, Partner, Momjian Anderer, Philadelphia, PA

Après moi, le deluge (After me, the flood): A Multi-Jurisdictional Analysis of Agreements Involving Future Inheritance Rights and Legal Alternatives (CLE)

(Legal Practice/Ethics Track)

Family-owned companies are common ground not only in LATAM but the world. COVID-19 has brought an alarm on financial and sustainability aspects of companies but also on the future of companies excessively dependent on the founder or the "family leader". Throughout history different legislations have banned all agreements involving future inheritance rights mainly for moral reasons. In the last years, the survival of the company and the conservation of wealth have mined that paradigm by questioning such alleged moral precepts. Across jurisdictions, assorted approaches are taken to inheritance rights: some countries provide a donor with full discretion as to who can receive assets or interests, with others mandating distributions to specified persons. Join us in an exciting debate on the possibilities of different jurisdictions, their requirements and an issue that demands a balance between creativity and the rule of law. Expert panelists from different jurisdictions will develop this exciting program, treating law, case law and doctrine. We will also analyze alternatives such as unilateral trusts and differences between Continental Law and Common Law Countries. They will also share their experience, explaining practical cases and most common difficulties and challenges. We seek an active interaction with the audience and expect to walk away full of new ideas and alternatives.

Sponsoring Committee:

International Contracts

Co-Sponsoring Committees:

International Private Clients; Latin America & Caribbean

Program Chair/Moderator:

Rafael Pereyra Zorraquin, Partner, BC | F | PZ Abogados, Buenos Aires, Argentina

Speakers:

Eduardo Benavides, Partner, Berninzon & Benavides Abogados, Lima, Peru

Sunita Doobay, Partner, Blaney & McMurtry, Toronto, Canada

Olivia Lischetti, Partner, Lexhelp, Aix-en-Provence, France

Patrick J. McCormick, Principal, Offit Kurman, Philadelphia, PA

The Voice and Role of Women in the Work of the United Nations - the Next Level (Non-CLE)**Program Chair:**

Michelle Keith, Co-Chair, UNIOOC, North Dartmouth, MA

Speakers:

Lana Baydas, Senior Program Manager, ABA Center for Human Rights, Washington, D.C.

Zeke Cohen, Baltimore City Council Representative, Baltimore, MD

Ann Coy, Educator, Baltimore city Schools, Baltimore, MD

Lashonia Thompson, Co-Chief of Violence Reduction, DC Office of the Attorney General, Washington, D.C.

Jennifer Velarde, Managing Attorney, The Law Office of Jennifer Velarde, New Bedford, MA

12:45 PM – 2:15 PM

Ticketed Luncheon

A Conversation on Civility – with Rev. Robin Griffith-Jones, and ABA President-Elect Deborah Enix-Ross

Sponsored by **WACHTELL, LIPTON, ROSEN & KATZ**

In a time of heightened disrespectful rhetoric in politics and business, we bring you a conversation about the art of civility.

Robin Griffith-Jones is the Reverend and Valiant Master of the Temple at the Temple Church, and a Senior Lecturer in Theology at King's College London. The Temple Church is considered "the mother-church of the Common Law," playing a central role in the gestation of the Magna Carta and the spread of its principles globally. Rev. Griffith-Jones is the author of several books, including *The Da Vinci Code and the Secrets of the Temple*.

Deborah Enix-Ross is a Senior Advisor to Debevoise & Plimpton's International Disputes Resolution Group, President-Elect of the ABA, and a former Chair of the International Law Section and Vice-Chair of the World Justice Project. An ardent supporter of women's rights, President-Elect Enix-Ross founded the Section's Women's Interest Network (WIN) as well as the International Bar Association's Women's Interest Group.

Rev. Griffith-Jones and President-Elect Enix-Ross speak on the issue of civility in the legal profession and in professional discourse at large.

Luncheon tickets available for purchase

2:30 PM – 4:00 PM

No Room at the Inn: Revisiting Refugee Rights versus National Responsibilities (CLE)
(Human Rights Track)

As people are forced to flee their homes due to violence, persecution, or disaster, host nations grapple with the unprecedented global refugee crisis which was aggravated by COVID-19. The 1951 Refugee Convention has never been more important in establishing minimum standards and obligations for countries on refugee and asylum seeker's rights than now. As the need to protect refugees increases, some countries have been closing their borders to these vulnerable set of individuals! What then is the fate of persons on the move, when their homes are the mouth of sharks, and they are left with little or no other option for refuge?

This topical program will address the most pressing challenges that clog the ability of persons on the move to enjoy the right to seek asylum and find safe refuge in countries of their choice. Specifically, this program scrutinizes a concerning trend: the tendency for world leaders to respond to the global refugee crisis by enacting domestic laws and implementing policies that are designed to deter individuals from lawfully seeking asylum. The various rationales behind such laws and policies vis-à-vis States' obligations to protect asylum seekers and refugees under international laws will be scrutinized by our erudite speakers. The underlying problems that drive refugees to flee will also be critically examined.

Our carefully selected speakers from around the globe will discuss recent trends in policies and treatment of refugees that deviate from the 1951 Convention. They will suggest ways in which the international community can better protect individuals and uphold international refugee law globally.

Sponsoring Committee:
[International Refugee Law](#)

Co-Sponsoring Committees:
[International Immigration and Naturalization](#); [International Human Rights](#)

Program Co-Chair:
Hillary Kipnis, Co-Vice Chair, ABA ILS Refugee Law Committee, Washington, DC

Program Co-Chair/Speaker:

Banke Victoria Olagbegi-Oloba, Co-Chair/Doctoral Student, ABA ILS Refugee Law Committee/Stellenbosch University, South Africa

Moderator:

Steven Richman, Member, Clark Hill, Princeton, NJ

Speakers:

Professor Seyla Benhabib, Professor of Law, Yale University, New Haven, CT

Emmanuel Daoud, Partner, Vigo Avocats, Paris, France

Niko de Bremaeker, Human Rights Attorney, Mensenrechtenadvocaat avocat Droits de l'Homme, Belgium/USA

Nikola Kovačević, Human Rights Attorney, Union University School of Law, Serbia

Ethical Considerations When Representing State Clients in International Disputes (ETHICS CLE CREDIT)

(Legal Practice/Ethics and Dispute Resolution Tracks)

As standards shift domestically within the U.S. with respect to decisions about which clients, lawsuits and strategies that lawyers as advocates can take in the age of social media and disinformation, it is equally timely to revisit the voluntary and binding ethical standards that govern the conduct of advocates in proceedings before international courts and tribunals. What ethical considerations apply to lawyers and law firms when evaluating whether to represent a State client? What ethical rules should be considered when preparing claims on behalf of governments, and defending State actors in international courts and tribunals? Drawing on examples from both commercial and inter-State proceedings, this program will review the sources of such standards in order to define the client-facing and court-facing duties (if any) of loyalty, zealous advocacy, and candor in arbitral proceedings.

Sponsoring Committee:

International Investment and Development

Program Chair:

Levon Golendukhin, Associate, Eversheds Sutherland (US) LLP, New York, NY

Moderator:

Grant Hanessian, Arbitrator, Hanessian ADR, New York, NY

Speakers:

Meriam Al-Rashid, Partner, Eversheds Sutherland (US) LLP, New York, NY

Marney Cheek, Partner, Covington, Washington, DC

Chiara Giorgetti, Professor, University of Richmond School of Law, Richmond, VA

Christina Hioureas, Partner, Foley Hoag LLP, New York, NY

Cannabis Hospitality & Tourism: Growing Global (CLE)

(Corporate/Commercial Track)

From Amsterdam to California to Thailand, the cannabis hospitality and tourism business is a rapidly expanding industry that adds a major boost to revenues for those jurisdictions in which it is legal. Join us for this panel discussion on industry-related legal aspects of cannabis hospitality and tourism. Learn about guidelines for on-site consumption, use and sale of cannabis, and related products such as cannabis-infused massages, edibles, coffee shops, and haute cuisine -- and how regulations can help or hurt cannabis tourism.

Practitioners and industry professionals will also explore the parallels between the gay rights movement and cannabis legalization movement, and provide their insight and predictions for the direction of this industry - including legal hurdles preventing expansion.

Sponsoring Committee:

Food, Agriculture and Cannabis

Co-Sponsoring Committees:

Latin America & Caribbean; Mexico; Canada

Program Co-Chair:

Rene Alva, Partner, EC Rubio, Ciudad Juarez, Mexico

Program Co-Chair/Speaker:

Susan Burns, S Burns Legal PLLC, St. Paul, MN

Moderator:

Lisa Pittman, Partner, Zuber Lawler, Austin, TX

Speaker:

Scott Schmidt, Executive Director, Emerald Village West Hollywood, West Hollywood, CA

Game Change: The Regulation of Social Media (CLE)

(Technology/Cyber/Social Media Challenges Track)

More than one-half of the world actively uses some form of social media. Its growth has been like wildfire. In the past 10 years, for instance, active Facebook users have grown from 372 million to 2 billion, and active WhatsApp users have grown from 10 million to over 2 billion. The expansion of social media has spawned many new and controversial issues surrounding intermediary liability; free speech; privacy and data protection; surveillance; and societal and political disturbances. Laws have not kept pace with the change, and have taken different directions in different jurisdictions. Countries, including largest consumers of social media such as the U.S., UK, and India – have responded with an unsatisfactory mix of benign neglect, light touch and heavy hand. The program will raise these issues particularly in the context, in the United States, in the context of Section 230 of the Communications Act of 1934 which has been interpreted to foreclose a wide variety of lawsuits and to preempt laws that would make providers liable for third-party content; in the UK, in the context of Cambridge Analytica and its aftermath, and its approach vis-à-vis the EU approach in the proposed Digital Services Act; and in India, in the context of recent aggressive governmental intervention to control social media content. The panel comprises of experts in their field.

Sponsoring Committee:

South Asia/Oceania & India

Co-Sponsoring Committee:

Privacy, Cybersecurity & Digital Rights

Program Co-Chairs:

Jonathan Blank, New York, NY

Poorvi Chithani, Partner, LawQuest International, Miami, FL

Jaipat Singh Jain, Partner, Lazare Potter Giacobvas & Moyle LLP, New York, NY

Linda Priebe, Partner, Culhane Meadows PLLC, Washington, DC

Moderator:

Prashant Mara, Managing Partner, BTG LEGAL, Mumbai, India

Speakers:

Nehaa Chaudhari, Partner, Ikigai Law, New Delhi, India

Emma Llanos, Director, Free Expression Project, Center for Democracy and Technology, Washington, DC

N.S. Nappinai, Founder, Cyber Sathi, Advocate, Supreme Court, Mumbai, India (virtual)

Daniel Tench, Partner, CMS Cameron McKenna Nabarro Olswang LLP, London, United Kingdom

4:00 PM – 4:30 PM

Networking Break

4:30 PM – 6:00 PM

Using International Arbitration to Resolve Climate Change Disputes: A Look Ahead (CLE)

(Climate Change/Immigration/Migration/ESG; Dispute Resolution and Human Rights Tracks)

This program will examine how international arbitration can assist parties efficiently resolve disputes arising from climate change related projects. The panel will examine how States have addressed climate change related issues in investment treaties and how investors could respond to such regulations, including by potentially invoking treaty protections available to foreign investors. The panel will assess both investment treaty and international commercial arbitration cases relating to climate change, including in the renewable energy sector. The program will also include an overview of the steps taken by leading arbitral institutions to adapt their rules to facilitate the resolution of climate change related disputes. Finally, the program will assess the impact of climate change on indigenous populations and the role that human rights may play in the issuance and enforcement of arbitral awards.

Sponsoring Committee:

International Investment and Development

Co-Sponsoring Committee:

International Arbitration

Program Chair/Moderator:

Karthik Nagarajan, Senior Associate, White & Case LLP, Washington, DC

Speakers:

Barry Appleton, Managing Partner, Appleton & Associates International Lawyers LP, Toronto, ON Canada

Annette Magnusson, Co-Founder, Climate Change Counsel, Stockholm, Sweden (Virtual)

Lauren Mandell, Special Counsel, WilmerHale, Washington, DC

Wendy Miles QC, Solicitor, England & Wales, Twenty Essex, London, United Kingdom (Virtual)

Ethics - Global Pro Bono Opportunities Through the ABA (ETHICS CLE CREDIT)

(Hot Topics and Legal Practice/Ethics Tracks)

Thinking about how you can make an impact while furthering your international legal career and cross-border legal practice? For thirty years, ABA members have provided pro bono legal services in 100+ countries through the ABA and its global programs. Discover how you can align and leverage your pro bono work at any stage of your legal career and in diverse fields of legal practice. Learn about virtual and in-person pro bono opportunities for lawyers and judges, in-house legal departments, and law firms. This session will cover Rule 6.1 and its comments, as well as frequently encountered questions related to pro bono practice, ethics rules, and reporting requirements. Alumni will share insights on how these opportunities can help you make a difference while also opening doors to new jurisdictions and networks.

Program Chair:

Renee Dopplick, Rule of Law Officer, Washington, DC

Moderator:

Sara Sandford, Mediator, Benchmark National ADR, LLC and Board Member, ABA Rule of Law Initiative, Seattle, WA

Speakers:

Ginna Anderson, Senior Counsel, ABA Center for Human Rights, Washington, DC

David Dettman, Director of Outreach and Communications, ABA Center for Global Programs, ROLI Washington, DC

Adonia Simpson, Director of Policy and Pro Bono, ABA Commission on Immigration, Washington, DC

Tech M&A and Foreign Direct Investment Controls: Will the Futures of Tech M&A Brings Us Back to Protectionism? (CLE)

(Developments in Trade, Investment and National Security and Technology/Cyber/Social Media Challenges Tracks)

M&A activity has set records since the fourth quarter of 2020, especially Tech-M&A activity, which is expected to drive the M&A market in the years to come.

At the same time, foreign direct investment controls have strengthened throughout the world, becoming even more stringent, particularly regarding critical technologies. The policy changes may be seen as the re-emergence of protectionism.

The panel will discuss approaches to Tech-M&A across various jurisdictions, how foreign investments are scrutinized and handled, and relevant strategies for investors to navigate the foreign investment regimes.

Using an interactive approach, the panel will feature lawyers from across the world and will include a U.S. Treasury Department official with considerable experience on CFIUS matters.

Sponsoring Committee:

International M&A and Joint Ventures

Co-Sponsoring Committees:

Private Equity and Venture Capital; National Security; International Trade; Europe

Program Co-Chair:

Geoffrey Goodale, Partner, Duane Morris LLP, Washington, DC

Program Co Chair/Moderator:

Raphaël Dalmas, Partner, Astura AARPI, Paris, France

Speakers:

Ute Mueller, Partner, Duane Morris, LLP, London, UK

Jessica Sanchez, Attorney-Advisor, U.S. Department of the Treasury, Washington, DC

Tina Shaughnessy, Vice President for International Trade Controls, Panasonic, Washington, DC

Lawyers in the Crosshairs! Navigating the Legal, Ethical & Practical Impact of Recent U.S. & Foreign Beneficial Ownership Disclosure Laws to Combat Corruption, Crypto Crime and Tax Evasion (ETHICS CLE CREDIT)

(Corporate/Commercial and Legal Practice/Ethics Tracks)

The Pandora Papers focused public attention, once again, on the role of some lawyers in forming trusts, shell and other corporate structures that mask beneficial ownership and facilitate financial malfeasance, corruption and tax evasion schemes.

Proposed regulations under the 2020 U.S. Corporate Transparency Act (CTA) and foreign laws mandating beneficial ownership disclosure, proposed reforms to the ABA Model Rules, and Financial Action Task Force (FATF) guidance will affect lawyers in advising clients. Panelists will discuss these evolving measures, the Enablers Act, misuse of Interest on Lawyer's Trust Accounts (IOLTA) accounts as well as new global tax reporting regimes, IRS tax-attorney standards and the use of cryptocurrency to evade transparency requirements. Join this timely discussion of lawyers' legal, ethical and professional obligations, potential liability and compliance practice tips for upholding the rule of law.

Sponsoring Committees:

International Anti-Corruption; International Tax

Co-Sponsoring Committees:

International Anti-Money Laundering; International Human Rights; International Criminal Law; International Private Client

Program Co-Chairs:

Nancy Boswell, AU Washington College of Law, Washington, DC

Pamela A. Fuller, Senior Counsel Tax, M&A, International, Zahn Law Group, New York, NY

Moderator:

John Coogan, Principal, John Regis Coogan Law Office PLLC, Washington, DC

Speakers:

Zoë Arnautov, Partner, Simmons & Simmons, Bristol, UK

Mikhail Reider-Gordon, Managing Director, International Ethics & Integrity, Affiliated Monitors, Los Angeles, CA

Jonathan Rusch, Co-Director & Adjunct Professor, AUWCL Anti-Corruption Law Program, Washington, DC

6:00 PM – 8:00 PM

The Welcome Reception at the Capital Hilton will officially start the festivities and culminate a day of learning, engaging and re-acquainting with old friends and new ones as we re-emerge from COVID!

THURSDAY, APRIL 28, 2022**8:00 AM – 6:30 PM**

Registration Open

8:00 AM – 9:00 AM

Committee Breakfast Meetings

9:00 AM – 10:30 AM

Impact of the COVID-19 Pandemic on Women's Health and Human Rights in Latin America: Achieving Health, Economic Wellbeing Policy and Law Reform for Gender Mainstreaming in Post COVID-19 Pandemic Preparedness and Response (CLE)

(Hot Topics and Human Rights Tracks)

COVID-19 disproportionately puts women's physical, decision-making and economic autonomy at risk. When Latin American women leave employment and undertake home care duties, income is lost, domestic violence risk increased, and long term economic, social, civil and political rights are endangered. Panelists will discuss regional and global initiatives e.g., promoting investments in care, application of international and regional human rights instruments, international labor standards, national and subnational legislation and policies – designed to strengthen women's autonomy including in connection with women in migration; consequently, mitigating risk and advancing beneficial long-term health, social, civil and political outcomes. COVID-19 interconnections with – and lessons learned from – the HIV/AIDS pandemic will be discussed.

Sponsoring Committees/ABA Entities:

Latin America and Caribbean; International Human Rights; UN & International Organizations; Women's Interest Network; Latin America & the Caribbean Law Initiative Council

Program Co-Chair:

Vanessa Balda, Vitale, Manoff & Feilbogen, Buenos Aires, Argentina

Program Co-Chair/Moderator:

Wm Lane Porter, Liaison to the World Health Organization; Liaison to the Joint United Nations Programme on HIV/AIDS, Portland, OR

Speakers:

Marcela Huaita Alegre, President, Committee of Experts, Follow-up Mechanism of the Convention of Belém do Pará (MESECVI), Lima, Peru

Paola Bergallo, Associate Professor, School of Law Universidad Torcuato Di Tella Ciudad de Buenos and Adjunct Researcher, National Council for Scientific and Technical Research (CONICET), Buenos Aires, Argentina

Luisa Cabal, Director, UNAIDS Regional Support Team for Latin America and the Caribbean, Geneva, Switzerland and Panama City, Panama

Same Term – Different Meaning; Traps for the Unwary in Using U.S. Form M&A Documentation in Transactions Carried Out Outside the U.S. (CLE)

(Corporate/Commercial Track)

It is a common occurrence. A draft – or signed – stock purchase agreement (SPA) sits on your desk. You represent the sellers of a company located in your country, a civil law jurisdiction. While the SPA says your country's law governs, it is heavily based on U.S.-style SPAs, replete with 40+ pages of representations and warranties and indemnity clauses, with numerous definitions and legal standards foreign to your law, and deal process provisions clunkily imported from the U.S.

If you are negotiating the deal or are a litigator being called to enforce or defend, what are the traps for the unwary? What provisions are superfluous? Which don't work? Which may even violate local law?

Join our panel as we examine how to handle US-style SPA language used outside the U.S.

Sponsoring Committee:

International M&A Joint Venture

Co-Sponsoring Committee:

International Contracts

Program Co-Chair:

Santiago Concha, Partner, C&R Law, Bogota, Colombia

Program Co-Chair/Moderator:

Eric D. Kuhn, Partner, Becker, Glynn, Muffly, Chassin & Hosinski LLP, New York, NY

Speakers:

Pablo F. Ferraro-Mila, Partner, Gonzalez & Ferraro Mila - Abogados, Buenos Aires, Argentina

Christopher C. King, Of Counsel, Kellerhals Carrard, Berne, Switzerland

Sarah J. Schwartz, Partner, Across Legal, S.L.P., Madrid, Spain

Next-Day Service of Process Using Amazon Prime? Ethics and Alternative Service under Rule 4(f)(3) in the Digital Age (ETHICS CLE CREDIT)

(Legal Practice/Ethics and Dispute Resolution Tracks)

Under Federal Rule of Civil Procedure 4(f)(3), an individual in a foreign country may be served by other means committed to a court's discretion that are not prohibited by an international agreement. In recent years, federal courts have permitted service of foreign defendants by email, Facebook, and even Amazon. The courts' amenability to such creative modes of service under Rule 4(f)(3) raises several questions. Should there be a

limit to how a foreign defendant is served? How have foreign courts reacted? Should this permissive view of Rule 4(f)(3) continue to be adopted by federal courts? This panel explores the origins of Rule 4(f)(3), recent trends for its use in alternate service, practical implications to consider for litigants contemplating these types of service, and the ethical implications for practitioners to consider when asking a court to permit alternative types of service on an ex parte basis without notice to the defendant.

Sponsoring Committee:

[International Ethics](#)

Program Co-Chairs:

Sergio Karas, Attorney, Karas Immigration Law, Toronto, ON Canada

Program Co-Chair/Moderator:

David M. Levine, Partner, Sanchez Fischer Levine, LLP, Miami, FL

Program Co-Chair/Speaker:

Amy M. Bowers, Attorney, Stumphauzer Foslid Sloman Ross & Kolaya, PLLC, Miami, FL

Speakers:

Juliana De Valdenebro Garrido, Senior Associate, Hogan Lovells US LLP, Miami, FL

Justyna Matuszak-Lesny, Partner, esb Advocates & Legal Advisors, Warsaw, Poland (virtual)

Mark Tan, Director, Focus Law Asia LLC, Singapore, Singapore (virtual)

Targeting the Oligarchs: New Tax Transparency Initiatives, Sanctions, Seizures, and Freezes (CLE)

(Corporate/Commercial and Legal Practice/Ethics Tracks)

Tax transparency is omnipresent and ever increasing, replacing financial privacy. Today, there is automatic exchange of information, financial, transactional and ultimate beneficial ownership information reporting, unilateral and multilateral investigations and international cooperation. These initiatives have resulted primarily because of governmental needs for revenue and the recognition that information can curb international tax evasion scandals. Now, with the horrific events in Ukraine, governments are taking an even more proactive approach, not only seeking to sanction bad actors, but also seeking to freeze and seize assets, and ultimately, to establish a global wealth register. Our program will cover these developments from the perspective of the US, the UK and the EU.

Sponsoring Committee:

[International Tax](#)

Program Chair:

Pamela A. Fuller, Counsel, Zahn Law Group, New York, NY

Moderator:

Alan Winston Granwell, Of Counsel, Holland and Knight LLP, Washington, DC

Speakers:

Caroline Ciraolo, Partner, Kostelanetz & Fink, LLP, Washington, DC

Nicola Saccardo, Partner, Maisto e Associati, London, United Kingdom (virtual)

Emma-Jane Weider, Managing Partner, Maurice Turnor Gardner LLP, London, United Kingdom (virtual)

10:30 AM – 11:00 AM

Networking Break

Sponsored by:



**ArentFox
Schiff**

The Role of Laws and Social Norms: How to Eradicate Female Genital Mutilation/Cutting (CLE)
(Human Rights Track)

Under international law, female genital mutilation/cutting (FGM/C) is a human rights violation, torture, and discrimination against girls and women around the world, including in western countries like the United States. It is most often carried out on girls between infancy and age 15. The COVID-19 pandemic is increasing the risk of FGM/C, with the UN predicting an additional two million girls will be subjected to the practice in the coming years. The panel discussion will bring together a legal practitioner, a journalist, and an activist working towards gender equality and the elimination of FGM/C and will discuss some legal initiatives and other measures that have been taken to effectively put an end to the practice and support the children.

The panel will introduce the World Bank's 5th edition of the Compendium of International and National Legal Frameworks on Female Genital Mutilation and some of the FGM/C legal manuals that have been produced through the World Bank FGM Legal Working Group.

Sponsoring Committee:
International Human Rights

Co-Sponsoring Committee:
Women's Interest Network; Canada

Program Chair:
Sandrine Siewe, Georgetown Law, Washington, DC

Moderator:
Bayor Chantal Ngoltoingar, Anti FGM Advocate and Finance & Marketing Professional, Chad

Speakers:
Isabella Micali Drossos, Senior Counsel, World Bank, Washington, DC
Giselle Portenier, Journalist, End FGM Canada Network, Vancouver, BC Canada
Mariya Taher, Sahiyo, Boston, MA

A Global Trend: The Introduction of Deferred Prosecution Agreement Regimes Across the World (CLE)
(Dispute Resolution Track)

Jurisdictions across the globe have been reforming their corporate criminal liability frameworks to introduce deferred prosecution agreements (DPAs). The USA, the United Kingdom, France, Canada and Singapore allow corporate entities to enter into DPAs, but not all of these countries have done so to date. The speakers will compare and contrast these procedural tools and consider the potential improvements to encourage their use, including ways to improve their interaction with individual guilty pleas.

Sponsoring Committee:
International Criminal Law

Program Chair/Moderator:
Stéphane de Navacelle, Partner, Navacelle, Paris, France

Speakers:
Margot Laporte, Member/Partner, Miller & Chevalier Chartered, Washington, DC
Aaron Lee, Partner, Allen & Gledhill, Singapore, Singapore (virtual)
Louis-Martin O'Neill, Partner, Davies, Montréal, Canada
Amanda N. Raad, Partner, Ropes & Gray | R&G Insights Lab, London, United Kingdom

Breaking the Ice Along the Ice Silk Road: The Implications of China's Arctic Ambition (CLE)
(Developments in Trade, Investment and National Security Track)

China announced that it is a "Near-Arctic" country and has expanded the reach of its Belt & Road Initiative to include Russia, Northern Europe and Scandinavia. Arctic states such as the U.S. and Canada, play a critical role in shaping China's influence in the region. China's rapid expansion in the Arctic poses challenges and exposes areas of potential conflict. These issues include resource claims, environmental risks, infrastructure and economic development, trade and investment, military and national security concerns. There is also the delicate issue of Canadian control over what it deems as its "internal waters" where Canada may be at odds with both China and the US. What legal mechanisms can be developed to resolve potential conflict areas before they arise?

Sponsoring Committee:
International Trade

Co-Sponsoring Committee:
China Belt & Road Task Force

Program Chair/Moderator:
Susana May Yon Lee, International Trade Lawyer, Cassidy Levy Kent (Canada) LLP, Ottawa, ON Canada

Speakers:
David F. Day, Senior International Lawyer, Law offices of David F. Day, Honolulu, HI
Dr. Nong Hong, Executive Director & Senior Fellow, Institute for China-America Studies/University of Alberta, Edmonton, AB Canada
Dr. Adam Lajeunesse, Assistant Professor, St. Francis Xavier University, Antigonish, NS Canada
Kathleen Wang, International Trade Lawyer, Bennett Jones, Toronto, ON Canada

12:45 PM – 2:15 PM

Ticketed Luncheon

A Conversation on Women, Peace and Security with Ambassador Melanne Verveer (ret.) and Dr. Joan Johnson-Freese

Sponsored by: 

There is a 20% increase in the probability of a peace agreement lasting at least two years and a 35% in the probability of that agreement lasting fifteen years if women are at the negotiating table, according to statistics authored by Dr. Joan Johnson-Freese. This conversation will discuss Women, Peace and Security: what it is, and why it matters.

Ambassador Melanne Verveer served as the first U.S. Ambassador for Global Women's Issues and is currently the Executive Director of the Georgetown Institute for Women, Peace and Security. She led the effort to establish the President's Interagency Council on Women under the Clinton Administration and was instrumental in the adoption of the Trafficking Victims Protection Act of 2000. Dr. Joan Johnson-Freese (literally) wrote the book on Women, Peace and Security. She is a Professor of National Security Affairs at the U.S. Naval War College, and previously served as Chair of the National Security Affairs Department. Our conversation will be moderated by Ambassador Greta C. Holtz (ret.), the Chancellor of the College of International Security Affairs at the National Defense University. Ambassador Holtz previously served as the U.S. Ambassador to the Sultanate of Oman and enjoyed 35 years as a career diplomat with extensive experience in the Middle East region. The conversation focuses UN Security Council Resolution 1325 and the Women, Peace and Security Agenda, where it stands, and what still needs to be accomplished.

Luncheon tickets available for purchase

2:30 PM – 4:00 PM

The Decline of Judicial Independence in Europe: is the U.S. on the Same Path? (CLE)
(Human Rights Track)

The independence of the judiciary is a fundamental principle of a democratic form of government. Over the past decade, countries throughout Europe have experienced a decline in judicial independence, most notably in Poland which has resulted in a constitutional crisis and ongoing legal conflict with the European Union. We will hear from Distinguished Professor Bob Bauer, NYU Chair of the Presidential Commission on SCOTUS; Judge Allyson K. Duncan (ret.), author of *The Collapse of Judicial Independence in Poland: A Cautionary Tale*; Professor Emerita Leah Wortham, Columbus Law School, Project Reporter ELI-Mount Scopus European Standards of Judicial Independence; and Jonathan McGowan, attorney, Fellow at the European Law Institute will discuss the legal developments in Europe and relate it to the current proposals regarding SCOTUS.

Sponsoring Committee:

[Lawyers Abroad](#)

Co-Sponsoring Committee:

[International Contracts](#)

Program Chair:

Cecilia Barrero, Managing Partner, CeBarrero, Boston, MA

Moderator/Speaker:

Jonathan McGowan, Attorney, The McGowan Law Firm, Jacksonville, FL

Speakers:

Robert Bauer, Professor of the Practice and Distinguished Scholar in Residence, New York University School of Law, New York, NY

The Hon. Allyson K. Duncan, Judge (ret.), United States Court of Appeals for the Fourth Circuit, Washington, DC

Leah Wortham, Professor Emerita, Columbus School of Law of The Catholic University of America, Washington, DC

Quelling the Climate Crisis: Designing TAX & TRADE Policies to End Carbon Pollution (CLE)
(Dispute Resolution and Climate Change/Immigration/Migration/ESG Track)

The climate crisis is perhaps the most important long-term challenge facing policymakers around the planet. Addressing it will require deep economic transformations within and across national borders. Increasingly, governments are using “carbon pricing” to internalize the cost of greenhouse gas (GHG) pollution in producing goods & services in supply chains. Today, 45 jurisdictions have GHG pricing mechanisms, including the EU, which has made GHG pricing a centerpiece of its environmental policy. The U.S. presently has no explicit GHG pricing mechanism; the Biden Administration is instead proposing stricter regulations and new investment (i.e., gov’t subsidies) in clean energy. The panel—with diverse views and expertise in international tax, trade, and environmental policies—will explain and debate alternative strategies now being considered by lawmakers around the world to limit the current rate of GHG emissions.

Sponsoring Committee:

[International Tax](#)

Program Chair/Moderator:

Pamela A. Fuller, Senior Counsel, Zahn Law Group, New York, NY

Speakers:

Timothy Meyer, Professor of Law, Director, International Legal Studies Program, Vanderbilt Law School, Nashville, TN (virtual)

David A. Weisbach, Walter J. Blum Professor of Law, University of Chicago School of Law, Chicago, IL (virtual)

Hire Beware! The Intersection of International Corruption Laws and Employment Issues (CLE) *(Corporate/Commercial Track)*

The simple act of a global company's attempt to hire an employee in a foreign jurisdiction can be fraught with peril; numerous compliance issues regarding employment exist in a number of countries, including the U.S. This panel provides an in-depth explanation of the intersection between employment and global anti-corruption laws. In addition to the FCPA and the UK Bribery Act, most EU member states have enacted anti-corruption laws, as well as China, Mexico, India and other countries. And it is not just the beginning of the employment relationship that calls for compliance. Terminating the employment of a worker has its own anti-corruption concerns. Our panel of compliance and employment lawyers will set forth not only the perils and pitfalls of ensuring the life of the employment relationship remains above-board from hiring through firing, but also will offer best practices for ensuring employment practices comport with global anti-corruption laws.

Sponsoring Committee:
International Labor & Employment Law

Co-Sponsoring Committee:
International Anti-Corruption

Program Chairs:
Deirdre Lynch, Partner, ByrneWallace, Dublin, Ireland
Severin Wirz, Attorney, TIAA, New York, NY

Program Moderator:
K. Lesli Ligorner, Partner, Morgan Lewis & Bockius LLP, Partner, Beijing/Shanghai, China

Speakers:
Sandra Gonzalez, Shareholder, Greenberg Traurig, Austin, TX
Mugdha Kelkar, Senior Counsel, Saudi Aramco, Dhahran, Saudi Arabia
Jose Martin, Of Counsel, Squire Patton Boggs, Miami, FL
Ernesto Velarde Danache, President, Law Offices of Ernesto Velarde Danache, Leon, Mexico

Building Your AI-Powered Global Legal Practice (LAW OFFICE MANAGEMENT CLE CREDIT) *(Legal Practice/Ethics Track)*

Get equipped with the knowledge to move your global legal practice forward in this rapidly evolving artificial intelligence (AI) legal tech marketplace. Learn how law firms and in-house legal departments are leveraging AI-solutions, innovating to overcome challenges, and setting course for future directions. What are the risks and best practices that have emerged in uses of AI legal solutions? Leave this panel empowered with pragmatic tips for strategic planning and risk management at your law firm or legal department and with key questions that you should ask vendors to help you evaluate whether their AI solution will be the right solution for your needs.

Sponsoring Committee:
Cross-Border Practice Management

Program Co-Chair:
Victor Olabode Munis, Co-Chair, Cross-Border Practice Management Committee, London, United Kingdom

Program Co-Chair/Moderator:
Renee Dopplick, Co-Chair, Cross-Border Practice Management Committee, Washington, DC

Speakers:

Thor Alden, Legal Innovation Manager, Dechert LLP, Washington, DC

Dr. Gideon Christian, Faculty of Law, Assistant Professor of Artificial Intelligence and Law, University of Calgary, Calgary, Canada

Wendy Butler Curtis, Chief Innovation Officer, Orrick, Herrington & Sutcliffe LLP, Washington, DC

Vineet Vij, General Counsel, Tech Mahindra, Delhi, India

4:00 PM – 4:30 PM**Networking Break**

Sponsored by:

SHIN&KIM

4:30 PM – 6:00 PM**Lawyers, Judges, and the Languishing Defendant: How Can the Legal Profession Ensure Speedy Trials with and Without Statutory Support? (CLE)**

(Human Rights Track)

Article 9(3) of the International Covenant on Civil and Political Rights guarantees a right to trial within a “reasonable time”. The ABA Standards for Criminal Justice: Speedy Trial and Timely Resolution of Criminal Cases set this at 90 days from arraignment to trial for a criminal defendant held in pretrial detention. Yet for many across the African continent, the right to a speedy trial has little normative content or effect on the high rates of protracted pretrial detention. This panel will look at the drivers—poor court administration, limited access to representation, and no definition of the term “reasonable time” and all it encompasses—of this problem and consider potential solutions.

Sponsoring Committee:

Africa

Program Chair/Moderator:

Tyler Holmes, Attorney, Washington, DC

Speakers:

Ramsey Nganani Beck, Pro Bono Director, Africa, DLA Piper, Johannesburg, South Africa (virtual)

David G. Campbell, Senior Judge, U.S. District Court for the District of Arizona, Phoenix, AZ

Chikondi Chijozi, Commissioner, Malawi Human Rights Commission, Blantyre, Malawi (virtual)

Can I Trust This? (CLE)

(Hot Topics Track)

The use of trusts and foundations differs around the world. Having a trust can have its advantages – succession planning, protecting assets from a claim on divorce and sheltering assets from other personal litigation claims. They can also have their disadvantages – less freedom to change the structure and in some jurisdictions, tax charges. Matters can become even more complicated where trusts and foundations are set up in a different jurisdiction from where an individual is living, particularly on divorce. The treatment of trust assets on divorce differs in each jurisdiction – some affording complete protection and others less so. In this session we will explore:-

- The advantages and disadvantages for international clients establishing a trust or foundation;
- The advice necessary when establishing these structures for international clients;
- The treatment of trusts on divorce – are assets held in a trust or foundation protected from a financial claim on divorce and/ or an alimony creditor

Sponsoring Committees:

[International Family Law](#); [International Private Clients](#)

Program Co-Chairs:

Rubens Scharlack, Founding Partner, Scharlack PLLC, Miami, FL

Jennifer Wilkie, Partner, Brodies LLP Solicitors, Edinburgh, United Kingdom

Moderator:

Melissa Kucinski, Founding Partner, MK Family Law, Washington, DC

Speakers:

Stephen Cullen, Principal, Miles & Stockbridge, Washington, DC

Marianne Kayan, Principal, Ernst & Young, Washington, DC

Christian Molina, Partner, ECIJA, Santo Domingo, Dominican Republic

Nadia Moynihan, Director, August Law Corporation, Singapore, Singapore

Where Are Global Supply Chains Going? Nearshoring: A Possible Future for Supply Chains After COVID and Trade Wars (CLE)

(Developments in Trade, Investment and National Security Track)

Repairing global supply chains shattered by COVID-19 and the so-called “trade wars” involving mainly the U.S. and China has proven to be a challenging task. Existing supply chains and production were significantly hindered in the last years. The world experienced shortages of goods and critical raw materials in many sectors. Freight forwarders were even forced to increase transit times to avoid accumulation of trailers in ports. In this panel, speakers from Latin America, Europe, Asia and North America will analyze the current status and risks of global supply chains to determine what can be improved. Particularly, they will emphasize on nearshoring as a possible alternative for rebuilding supply chains and increasing regional competitiveness by means of regional trade agreements like USCMA.

Sponsoring Committees:

[International Trade](#); [Mexico](#)

Co-Sponsoring Committees:

[Latin America & Caribbean](#)

Program Co-Chair/Moderator:

Eduardo Díaz Gavito, Chevez Ruiz Zamarripa, Mexico City, Mexico

Program Co-Chair/Speaker:

José Francisco Mafla, Brigard & Urrutia, Bogotá, Colombia

Speakers:

Bert Gevers, Loyens & Loeff, Brussels, Belgium

Stephanie Hartmann, Counsel, WilmerHale, Washington, DC

Carla Junqueira, Carla Junqueira & Associados, Sao Paulo, Brazil

Edmund W. Sim, Partner, Appleton Luff, Washington, DC

The WTO TRIPS Waiver Proposal and Vaccine Equity (CLE)

(Technology/Cyber/Social Media Challenges and Developments in Trade, Investment and National Security Tracks)

In October 2020, India and South Africa proposed a waiver of certain WTO Trade Related Aspects of Intellectual Property (TRIPS) provisions responsive to the COVID-19 pandemic, including provisions inhibiting or blocking the local manufacturing of COVID vaccines until there is widespread worldwide vaccination or immunity. Voluntary license agreements and technology transfer has been facilitated in some jurisdictions, but the waiver has not gained sufficient support. Ten billion jabs have been administered, but wealthy countries’

citizens might be on their fourth, while those in poorer countries, their first. How can this reality—for present and future pandemics—be a lesson for trade in services agreements, recognition of economic and social rights, and building more effective supply chains?

Sponsoring Committee:

International Intellectual Property Rights

Co-Sponsoring Committee:

Africa

Program Co-Chairs:

Daniel McGlynn, SolAero Technologies Corp., Albuquerque, NM

Tyler Holmes, Attorney, Washington, DC

Moderator:

Peter Maybarduk, Director, Public Citizen, Washington, DC

Speakers:

Safura Abdool Karim, Johannesburg Society of Advocates, Johannesburg, South Africa

Archana Shanker, Senior Partner and Head of Department - Patents and Designs, Anand and Anand, India

Increasing Health Risks During Covid: Taking Care of Yourself, Your Family and Your Practice

(WELLNESS CLE CREDIT) *(Legal Practice/Ethics Track)*

The health of its attorneys and staff in the past has never been a top priority for law firms world wide. That has changed thanks to the Covid pandemic. The difficulties of dealing with remote work has pushed many lawyers and staff beyond their limits. "Burnout" has taken on new meaning. This program will discuss what can be done to stave off attrition and reduce burnout.

Sponsoring Committee:

Senior Lawyers' Interest Network

Co-Sponsoring Committees:

Young Lawyer's Interest Network; Women's Interest Network

Program Co-Chair:

Alan Gutterman, Oakland, CA

Program Co-Chair/Moderator:

Jeffrey M. Epstein, New York, NY

Speakers:

Tara Antonipillai, Principal, Cultivate, Arlington, VA

Niki L. Irish, Outreach Coordinator, Lawyer Assistance Program, DC Bar, Washington, DC

Maja Zerjal Fink, Partner, Arnold & Porter, New York, NY

7:30 PM – 10:00 PM

Committee Dinners

Attendees will have the chance to dine in restaurant hotspots around the city at the Committee Dinners. Each committee organizes their own dinner at a local Washington, DC restaurant. Check with your Committee Co-Chair for details and to coordinate payment in advance.

FRIDAY, APRIL 29, 2022

8:00 AM – 6:30 PM

Registration Open

8:00 AM – 9:00 AM

Committee Breakfast Meetings

9:00 AM – 10:30 AM

Hot Topics on International Antitrust in the Post Covid Era (CLE)

(Hot Topics Track)

A truly global event that we faced in the past two years affected health, infrastructure, economy, even the very notion of State. Top-tier antitrust counsel from the United States, the European Union, Brazil and China will address the impact of COVID-19 on antitrust regulations during the pandemic and going forward as well as discuss the following matters:

The relaxation across the board of collaborative agreements led to proactive solutions in terms of much-needed results. Will these rules stay and how to properly set up a collaboration agreement to ensure that it will remain valid once the sanitary crisis is over? These collaboration efforts have also led to a widespread sharing of information across many industries, companies and sectors. Is the resulting bond between antitrust and data privacy here to stay?

The panel will also focus on how cartels will be analyzed in coming years, the role of black swan events, and how COVID-19 affected the role of governmental agencies.

Sponsoring Committee:

International Antitrust

Program Chair/Co-Moderator:

Miguel del Pino, Partner, Marval O'Farrell Mairal, Buenos Aires, Argentina

Co-Moderator:

Molly Askin, Counsel for International Antitrust, Federal Trade Commission (FTC), Washington, DC

Speakers:

Rafique G. Bachour, Partner, Freshfields, Brussels, Belgium

Tamara Dini, Co-Head of Competition, Bowman Gilfillan, Cape Town, South Africa

Dina Kallay, Head of Antitrust, Ericsson, Washington, DC

Janet Yung Hui, Partner, Jun He Law Offices, Beijing, China

Amadeu Ribeiro, Partner, Mattos Filho, New York, NY

You Are Not Coming to the Office: Vaccination Mandates, Testing, Masking Requirements, Travel Restrictions and Their Impact on the Labor Force (CLE)

(Hot Topics Track)

As the world tries to adapt to the consequences of COVID-19 and the rise of its variants, governments and the private sector are trying to achieve a delicate balance between health and safety measures and individual rights, with a varying degree of severity and success. Some governments have imposed vaccine mandates and required passports for most public activities, while others have adopted a laissez-faire attitude and leave it to the discretion of each employer. Travel has been significantly affected by vaccine and masking mandates, and many airline passengers have resisted, increasing confrontations at airports and on flight. International

mobility has also been affected by the type of vaccines recognized by various governments, while the validity of all those restrictions is being litigated.

A panel of experts in employment, immigration and litigation will canvass the increasingly challenging landscape of the current post-COVID reality and give practical advice on how to navigate it.

Sponsoring Committee:

Canada

Co-Sponsoring Committee:

International Ethics

Program Chair/Moderator:

Sergio R. Karas, Principal, Karas Immigration Law Professional Corporation, Toronto, ON Canada

Speakers:

Beatriz Trillos Ballerini, Principal, Trillos Ballerini Law Firm P.C., Houston, TX

Charles H. Kaplan, Partner, Hodgson Russ LLP, New York, NY

Janine Liberatore, Partner, Hunter Liberatore Law, Toronto, ON Canada

Ben Sheldrick, Managing Partner, Magrath Sheldrick LLP, London, United Kingdom

Top Trends Shaping Innovative Global Legal Practice Management (LAW OFFICE MANAGEMENT CLE CREDIT)

(Legal Practice/Ethics Track)

Global legal practice is transforming in response to the pandemic. Law firm partners and practice managers will share insights on how cross-border and global law firms and legal departments are adapting and innovating in response to the changing circumstances. They'll identify top trends and provide examples of how firms are restructuring their operational models, returning to offices, incorporating long-term flexible work options, realigning their capital investments, and pursuing innovative tech, networking, and marketing strategies to drive growth. Don't overlook this opportunity to glean insights that can help you and your law firm.

Sponsoring Committee:

Cross-Border Practice Management

Program Co-Chair:

Renee Dopplick, Co-Chair, Cross-Border Practice Management Committee, Washington, DC

Program Co-Chair/Moderator:

Victor Olabode Munis, Co-Chair, Cross-Border Practice Management Committee, London, United Kingdom

Speakers:

Norman Clark, Managing Principal, Walker Clark LLC, Fort Myers, FL

Georgia Gibson-Henlin, QC, Partner, Henlin Gibson Henlin, Kingston, Jamaica

Elizabeth Heurtematte, Founding Partner, LOVILL, Japan (virtual)

Vanessa King, Managing Partner, O'Neal Webster, British Virgin Islands

10:30 AM – 11:00 AM

Networking Break

Sponsored by:

Offit | Kurman®
Attorneys At Law

Bribery and Corruptions: How They Affect Ethics, Human Rights and Rule of Law in Both Developed and Underdeveloped Countries (ETHICS CLE CREDIT)

(Human Rights Track)

Since ancient times bribery and corruption were and still are two unresolved problems affecting the world. They are present in both the developed and undeveloped countries with the result that substantial resources are not used for the benefit of public or the private enterprises, but of one or a few individuals. More and more Governments (e.g., the U.S. with the Foreign Corrupt Practices Act)) have recently enacted ad hoc legislation trying to tackle the problems and imposing to individuals and companies very precise ethical behaviors supported by civil and/or criminal and/or administrative fines. This legislation is often a long-arm one, thus hitting corruption even if committed abroad. In addition, international organizations like the World Bank and the OECD have set up departments specifically designed to study, check, control and tackle bribery and corruption within and without their organization. The result of this efforts is that the public is becoming more and more aware of the problem and demands action. As a consequence national, international and supranational entities, as well as private companies whether multinational or local have spontaneously or have been forced to adopt ethics code and other internal memorandums imposing procedures and behavior designed to prevent any bribery or corruption involving their employees and management.

Sponsoring Committee:

Europe

Program Co-Chair:

Randall Hanson, Partner, Womble Bond Dickinson, Greensboro, NC

Program Co-Chair/Moderator:

Luigi Pavanello, Partner, PLLC Legal, Vicenza, Italy

Speakers:

Pascale Helene Dubois, Adjunct Professor, Georgetown University, Washington, DC

Drago Kos, OECD, Paris, France

Lucinda A. Low, Partner, Steptoe & Johnson LLP, Washington, DC

Innovations in Teaching International Law During Turbulent Times - and Beyond (CLE)

(Hot Topics Track)

Regardless of where a lawyer practices law, they must be able to recognize the existence of international legal issues to be an effective advocate. The need to grasp these issues is more important during turbulent times – whether caused by a pandemic, political upheaval, economic challenges, or other crises – but the need persists beyond these times.

Our speakers have developed innovative legal educational programs and tools to promote the Section's goals of connecting lawyers, professors, and students worldwide. This program aims to inspire creativity among us that will last past the turbulence.

In addition, they will discuss ongoing efforts to develop the ABA International Section's "Legal Writing and Communications Skills for International Lawyers" specialization course. The program will provide ideas about how other ABA Committees and Sections can reach a much larger, diverse audience and promote the ABA worldwide.

Sponsoring Committee:

International Legal Education and Specialist Certification

Co-Sponsoring Committees:

ABA Rule of Law Initiative (ROLI); Cross-Border Practice Management; International Courts and Judicial Affairs; International Criminal Law; Immigration and Nationality; International Refugee Law; Women's Interest Network; Young Lawyer's Network

Program Co-Chair:

Ira Herenda Trako, Associate Director, Center for International and Comparative Law; Dir., LLM in American Law for Foreign Lawyers Program, St. Louis University School of Law, St. Louis, MO

Program Co-Chair/Moderator:

Diane Penneys Edelman, Professor of Law & Director of International Programs, Villanova University Charles Widger School of Law, Villanova, PA

Speakers:

Cynthia Matson Adams, Vice Dean & Clinical Professor of Law, IU McKinney School of Law, Indianapolis, IN

Desiree LeClercq, Assistant Professor (ILR), Associate Member of the Law Faculty (Law School), Cornell International Relations School and Cornell Law School, Ithaca, NY

Michael Scharf, Dean & Joseph C. Hostetler - Baker/Hostetler Professor of Law, Case Western School of Law, Cleveland, OH

Clayton C. Steele, Attorney/Adjunct Professor, Akin Gump Strauss Hauer & Feld LLP; Universidad de los Andes, New York, NY/Colombia

Success for Women Is Success for All: Africa's Commitment to Gender Economic Empowerment in the African Continental Free Trade Area (ELIMINATION OF BIAS CLE CREDIT)

(Dispute Resolution and Developments in Trade, Investment and National Security Track)

The African Continental Free Trade Area (AfCFTA) is a strategic development plan designed to advance the African Union's Agenda 2063 and strengthen Africa vis-à-vis the rest of the world. The target market of the AfCFTA is currently assessed at 1.3 billion people. By 2030, it is projected to rise to 1.7 billion, and GDP is expected to soar from USD 3.4 billion to 6.7 trillion. The AfCFTA can transform lives across the continent by creating jobs and boosting African small- and medium-sized enterprises in lucrative markets—a sector dominated by women. This panel will address women's economic empowerment in Africa through the lens of the AfCFTA, the promise trade development in Africa holds, the challenges women face, and why women must be provided an equitable seat at the table.

Sponsoring Committee:

Women's Interest Network

Co-Sponsoring Committee:

Africa; UN & International Organizations

Program Chairs:

Dana Katz, Attorney, Weston, CT

Catherine van Kampen, Senior Counsel, Bernstein, Litowitz, Berger & Grossmann LLP, New York, NY

Dr. Elizabeth M. Zechenter, Visiting Scholar, Emory University, Philadelphia, PA

Moderator:

Abiola Afolayan, Senior International Policy Advisor, Bread for the World, Washington, DC

Speakers:

Marieme Esther Dassanou, Manager, Affirmative Finance Action for Women in Africa, Abidjan, Côte d'Ivoire

H.E. Wamkele Mene, Secretary-General, African Continental Free Trade Area (AfCFTA) Secretariat, Accra, Ghana (Virtual)

Algene T. Sajery, Vice President, Office of External Affairs, U.S. Development Finance Corporation, Washington, DC

Pieter Steyn, Director, Werkmans, Johannesburg, South Africa

Innovation 2.0: Fintech: Lessons Learned, Changes, and New Challenges (CLE) *(Technology/Cyber/Social Media Challenges Track)*

FinTech is no longer a "new" topic to become the daily life of millions of people. One of the most important challenges for the industry has been the way in which different countries have been updating their laws to regulate the industry.

Interest and activity in FinTech have grown dramatically over the last few years. Participants in this industry looking to utilize these technical innovations need to be alive to the complex and rapidly changing legal and regulatory landscape.

Fintech continues to push the boundaries of the heavily regulated financial services industry.

This panel will explore the current issues, driving forces, and key players within FinTech as it is increasingly developed, sourced and deployed across borders. We will discuss how the existing regulatory frameworks interact across jurisdictions, giving attendees forward-thinking knowledge and insight into how to best manage technological development, compliance, and customer satisfaction.

Sponsoring Committee:

[Mexico](#)

Co-Sponsoring Committee:

[Latin America](#)

Program Co-Chair/Moderator:

Enrique Garcia, Partner, Cannizzo Ortiz y Asociados, S.C., Mexico City, Mexico

Program Co-Chair/Speaker:

Andres Nieto, Partner, Creel Abogados, Mexico City, Mexico

Speakers:

Gonzalo Fernández, Chief Legal Officer, Settle Network, Buenos Aires, Argentina

Andy Johnston, Partner and Co- Founder, 7 Mile Advisors, Charlotte, NC

Andrea Lerdo de Tejada, Executive Director | Marketplace General Manager, Onyx by J.P. Morgan, New York, NY

Alfonso Monroy, Chief Legal Officer and General Counsel, BITSO, Mexico City, Mexico

Tiffany J Smith, Partner, WilmerHale, New York, NY

Collateral Damage: New U.S.-China Trade and Financial Measures and Their Impact on Third Countries (CLE)

(Developments in Trade, Investment and National Security Track)

Recently implemented U.S. trade and finance measures targeting Russia and China have significant collateral implications for third countries. This panel discusses recent U.S.-Russia and U.S.-China law and policy developments, their domestic and extraterritorial ramifications, and takeaways for risk assessment and mitigation. Measures include: U.S. re-export controls including the Entity List and Foreign Direct Products Rule to restrict access to emerging strategic technology, irrespective of country of export, to certain Chinese companies; the U.S. Anti-Money Laundering Act of 2020, which grants new subpoena powers to the U.S. Departments of Justice and Treasury to seek information from non-U.S. banks regarding U.S. accounts and investigate money laundering; and China's new Anti-Foreign Sanctions laws and Russia's announcements it will take similar action, allowing China and Russia to sanction actors from third countries that comply with the sanctions laws of another State.

Sponsoring Committee:

[International Trade](#)

Co-Sponsoring Committees:

[International Anti-Money Laundering](#); [Export Controls and Sanctions](#)

Program Co-Chairs:

Jud Askins, Lawyer, Askins Advocates Arbitration, LLC, Naples, FL

Susana May Yon Lee, International Trade Lawyer, Cassidy Levy Kent (Canada) LLP, Ottawa, ON Canada

Moderator:

Maritza T. Adonis, CEO, MTA Visions LLC and Global Innovation Fellow-China/U.S. Department of State, Washington, DC

Speakers:

Marwa M. Hassoun, Partner, ArentFox Schiff, Boston, MA

Jessica Horwitz, Partner, Bennett Jones, Toronto, ON Canada

Jo Ritcey-Donohue, Founder and Partner, JRD Law PLC, Washington, DC

Meg Utterback, Partner, King & Wood Mallesons, New York, New York/Beijing USA/China

12:45 PM – 2:15 PM**Networking Lunch**

This networking lunch will trade in the plated meals and keynote speakers of our standard luncheons. Food will be served in small bites and attendees will be able to move about during the exhibit hall interacting with one another during the event.

2:30 PM – 4:00 PM**Climate Regulation in an Energy Hungry World (CLE)**

(Climate Change/Immigration/Migration/ESG Track)

The world seeks to achieve carbon neutrality by 2050 under the Paris Agreement. Yet, even as the international community pledges to forge a path toward a zero-carbon energy future, the demand for energy continues to grow exponentially. Currently, 80% of the energy demand is met by fossil fuels. By 2050, global population will hover around 10 billion people. Some of the countries are in dire need to expedite economic development in order to take care of their people, and that means the demand for more energy. By some estimates, global demand for energy is expected to increase by about 50% in the next 20 years. As the demand for energy grows, what regulations are being instituted in the U.S., India, and Argentina, and are those regulations advancing or hindering responses to the challenges? The panel brings together a diverse set of international experts from three different committees to better inform us as we advise clients in these areas.

Sponsoring Committee:

[South Asia Oceana and India](#)

Co-Sponsoring Committees:

[International Energy & Environment](#); [International Investment & Development](#)

Program Co-Chairs:

Levon Golendukhin, Associate, Eversheds Sutherland (US) LLP, New York, NY

Jaipat Singh Jain, Partner, Lazare Potter Giacovas & Moyle LLP, New York, NY

Luis Miranda, Of Counsel, Miranda Law Firm, Houston, TX

Juan Pedro Pomes, Associate, Freshfields Bruckhaus Deringer US LLP, Washington, DC

Moderator:

Ren Gaffney, General Counsel, Convergent Energy + Power, Washington, DC

Speakers:

Carlos Carrillo, Legal Manager, Sales De Jujuy, S.A., San Salvador, Argentina

Manjaree Chowdhary, Executive Director and GC, Maruti Suzuki India Limited, New Delhi, India

Florencia Heredia, Senior Partner, Allende & Brea, Buenos Aires, Argentina

Sanjay Notani, Partner, Economic Laws Practice, Mumbai, India

Re-Emergence of Distressed Deals: Investment Opportunities for Private Equity (CLE)

(Hot Topics Track)

Following the unprecedented global response to the COVID 19 pandemic, many governments reacted quickly and introduced drastic financial support measures as a lifeline to many businesses. Whereas the number of insolvencies and special situation cases was artificially kept low, the level of corporate debt has increased significantly. At the same time the pandemic has revealed challenges to traditional business models and sped up the digital transformation. Ultimately, the need for refinancing and transformation of businesses may lead to a new wave of distressed transactions. Different jurisdictions deal with distressed targets in different ways. Our panel will explore the different approaches across the jurisdictions and provide a better understanding.

Sponsoring Committee:

[International Private Equity and Venture Capital](#)

Co-Sponsoring Committees:

[International M&A Joint Venture](#); [International Corporate Counsel](#)

Program Chair:

Dr. Annika Clauss, Partner, Hengeler Mueller, Frankfurt am Main, Germany

Moderator:

Priscilla Bonsu, Foreign Legal Advisor, Wuersch & Gering LLP, New York, NY

Speakers:

Fernando Eraña, Partner, Pérez Correa González, S.C., Mexico City, Mexico

Pete Lawley, Partner, De Brauw Blackstone Westbroek N.V., Amsterdam, Netherlands

Jessica Ling, Counsel, Akin Gump Strauss Hauer & Feld LLP, London, United Kingdom

Robb Tretter, Partner, Ropes & Gray LLP, New York, NY

European Perspectives on U.S. Antitrust Law Reform Proposals (CLE)

(Corporate/Commercial; Hot Topics and Technology/Cyber/Social Media Challenges Tracks)

Recently proposed legislation in the U.S. relating to internet platform competition has received bipartisan support as a variety of stakeholders take aim at the ineffectiveness of established U.S. antitrust law and institutions in the current fractured U.S. political and economic environment. In a globalized supply chain world of multinational companies, we consider the harmonization or convergence of global competition law policies and neo-Brandesian antitrust economics across jurisdictions, especially between the U.S. and Europe with their contrasting views on merger review and clearance, the regulation of internet platforms and “tech” companies, and the privacy of personal data. Our panel of European competition law practitioners and a former government official examine these proposals from the perspective of the what has contributed to broader choices for consumers and more competition among suppliers for EU citizens compared to the U.S. experience, and provide a broader historical and evidence-based perspective for U.S. policymakers.

Sponsoring Committee:

[Privacy, Cybersecurity & Digital Rights](#)

Program Chair:

Daniel McGlynn, SolAero Technologies Corp., Albuquerque, NM

Moderator:

Diana L. Moss, The American Antitrust Institute, Washington, DC

Speakers:

Damien Geradin, Geradin Partners, Brussels, Belgium (virtual)

Sir Philip Lowe, Former Director-General for Competition at the European Community, Oxera Consulting, London, United Kingdom (virtual)

Charlotte Slaiman, Competition Policy Director, Public Knowledge, Washington, DC

Return of Art and Cultural Objects: Provenance, New Tech and Ethics (ETHICS CLE CREDIT)

(Legal Practice/Ethics and Hot Topics Tracks)

The restitution and return of cultural property has become the hot topic of the art world. Increasingly stringent regulatory requirements in both the U.S. and EU have encouraged the art market to recover, preserve, and convey provenance information as never before, and to be more open to restitution and repatriation in a broader range of matters.

Art market participants should be aware of new technologies that can help recover old provenances. In addition, attorneys acting in this field must be aware of possible ethical dilemmas and pitfalls that must be addressed when representing the trade, collectors, museums and national and regional governments. These raise issues dealing uncertain or faked provenances, the meaning and application of foreign laws, and criminal versus civil forfeitures.

Sponsoring Committee:

Art & Cultural Heritage Law

Co-Sponsoring Committees:

Mexico; Central East Asia and China; Europe; International Private Client; International Ethics; South Asia and India; Lawyers Abroad

Program Co-Chair:

Betina Schlossberg, Principal, Schlossberg Legal, PLLC, Ann Arbor, MI

Program Co-Chair/Moderator:

Peter K. Tompa, Principal, Peter Tompa Law, Washington, DC

Program Co-Chair/Speaker:

Anne-Sophie Nardon, Avocat à la Cour, BORGHESE Associés, Paris, France

Speakers:

Dr. Jonas Emmanuel Flueck, Principal, EX-NVMIS, Solothurn, Switzerland

Michael McCullough, Partner, Pearlstein & McCullough LLP, New York, NY

Erika L. Stillabower, Senior Legal Ethics Counsel, District of Columbia Bar, Washington, DC

4:00 PM – 4:30 PM

Networking Break

4:30 PM – 6:00 PM

Who Protects the World's Seniors? From Long Term Care to Covid-19 Challenges, What Have We Learned of the Rights and Needs of Older Persons? (CLE)

(Human Rights Track)

The world's aging population create challenges to legal, political and health systems. Intergovernmental organizations recognized that older persons have human rights that need to be enshrined, to fulfill the needs of this population.

The UN has declared 2021-2030 as the Decade of Healthy Aging, aligned with the UN's Sustainable Development Goals (SDGs). As part of these goals, there is a focus on the fight against ageism and

discrimination due to age. In the America's region it's estimated to have an 18.6% older persons population and may double by 2050.

The panel's leading experts will address the need of strengthening the rights of older persons, not just to a dignified access to care but also to human rights such as protections against discrimination and equal opportunity for work.

Sponsoring Committees:

[Latin America & Caribbean; Mexico](#)

Program Chair/Moderator:

Maximiliano J. Trujillo, MJT Policy LLC, Washington, DC

Speakers:

Ramsey Alwin, President and CEO, National Council on Aging (NCOA), Arlington, VA

María de las Heras García, Liaison Magistrate of Spain to the United States and Canada, Washington, DC

William Mock, University of Illinois at Chicago (UIC) School of Law, Chicago, IL

Maricarmen Plata, Secretary for Access to Rights and Equity – OAS, Washington, DC

Enrique Vega, Unit Chief, Healthy Life Course Unit, PAHO/WHO (virtual)

Navigating Virtual ADR – Effective Advocacy in Remote Proceedings: What Have We Learned and What Does the Future Look Like? (TECHNOLOGY CLE CREDIT)

(Dispute Resolution Track)

The profound effect of the COVID-19 pandemic has permanently changed expectations of and options for ADR proceedings. Technological skills have become almost as important as advocacy skills in our increasingly online environments. This program will review elements critical to the success of virtual arbitration and mediation proceedings from the perspective of experienced practitioners.

- Important steps to prepare for remote mediation and arbitration versus in-person
- Supporting D&I in conducting and participating in ADR procedures
- Best practices for ensuring your in-person advocacy skills translate to remote mediations and arbitrations
- Handling of essential components of the process like breakout rooms, confidential communication, redundancy, and group chats
- Confidentiality safeguards

Sponsoring Committee:

[International Employment Law](#)

Co-Sponsoring Committee:

[International Mediation](#)

Program Co-Chair:

Sherman Humphrey, Senior Global Practice Manager, JAMS, Miami, FL

Program Co-Chair/Moderator:

Sandra McCandless, Partner, Dentons, San Francisco, CA

Speakers:

Hiro Aragaki, International Arbitrator & Mediator, JAMS, Los Angeles, CA

Kabir Duggal, Senior International Arbitration Advisor, Arnold & Porter, New York, NY

Cherine Foty, Senior Associate, Covington, Washington, DC

Daniel E. González, Partner, Hogan Lovells, Miami, FL

Getting Divorced - When Joint Investments Fail: Lessons Learned from Private Equity Disputes (CLE) *(Corporate/Commercial Track)*

Entering into a joint investment is not always love at first sight – but still can be successful for the parties involved. However, when future plans of investors come apart, things can get tricky. Reasons for this often vary between strategic considerations on the one hand and financial constraints on the other hand. Thus, private equity investors invest a lot of time and money to negotiate extensive shareholders' agreements as a precautionary measure before they enter into a marriage. This panel will provide a comparative overview of what shareholders' agreements should typically provide in practice – and in which cases they rather tend to be a blunt sword. This panel will also explore the preferred approaches to dispute resolution of private equity investors.

Sponsoring Committee:

International Private Equity and Venture Capital

Co-Sponsoring Committees:

International M&A Joint Venture; International Litigation

Program Chair/Moderator:

Dr. Annika Clauss, Partner, Hengeler Mueller, Frankfurt am Main, Germany

Speakers:

Ignasi Costas, Partner, DWF Group, Barcelona, Spain

Deirdre Geraghty, Partner, A&L Goodbody, Dublin, Ireland

Alex Yong Hao, Partner, JunHe, New York, NY

Ajay B. Lele, Counsel, Davis Polk & Wardwell, New York, NY

Are You Ready for Your ICTS Transaction to be Reviewed? (CLE)

(Technology/Cyber/Social Media Challenges and Developments in Trade, Investment and National Security and Hot Topics Tracks)

Before leaving office, the Trump Administration issued the interim final rule for “Securing the Information and Communications Technology and Services (ICTS) Supply Chain.” The ICTS Rule was implemented under the Biden Administration and created a new interagency review process to screen certain “ICTS Transactions” that pose an undue or unacceptable risk to U.S. national security or the safety of U.S. persons where those transactions involve “foreign adversaries.” The Department of Commerce is implementing the ICTS Rule and related licensing process, which has yet to be released, marking a shift in scope and responsibility for the agency. How should stakeholders prepare for ICTS reviews and yet another burden in the great competition between China and the United States?

Sponsoring Committee:

Export Controls and Sanctions

Co-Sponsoring Committee:

Customs Law

Program Chair/Moderator:

Aman Kakar, Associate, ArentFox Schiff LLP, Washington, DC

Speakers:

Clete Johnson, Partner, Wilkinson, Barker, Knauer LLP, Washington, DC

Courtney Lang, Senior Director, Information Technology Industry Council, Washington, DC

The. Hon. Nazak Nikakhtar, Partner, Wiley Rein LLP, Washington, DC

Weiyang (David) Tang, Partner, JunHe LLP, Shanghai, China

6:30 PM – 9:00 PM

Ticketed Reception

Chair's Closing Reception at the [Hillwood Estate, Museum and Gardens](#)

Join your fellow attendees for a farewell reception at the elegant Hillwood Estate, Museum and Gardens. The former residence of businesswoman, socialite, philanthropist, and collector Marjorie Merriweather Post.

Hillwood is known for its large decorative arts collection that celebrates the House of Romanov, including the rare and exquisite Fabergé eggs. Other highlights are 18th and 19th century French art and one of the country's finest orchid collections.

Attendees will have access to the entire estate, including the spectacular main house, gardens, and exhibitions over drinks and succulent cuisine.

DAY	PANEL TITLE	TIME
-----	-------------	------

Climate Change/Immigration/Migration/ESG		
Wed, April 27	The Impact of ESG Criteria on Private M&A Transactions - The Anatomy of Green Deals	11:00am-12:30pm
Wed, April 27	Using International Arbitration to Resolve Climate Change Disputes: A Look Ahead	4:30pm-6:00pm
Thurs, April 28	Quelling the Climate Crisis: Designing TAX & TRADE Policies to End Carbon Pollution	2:30pm-4:00pm
Fri, April 29	Climate Regulation in an Energy Hungry World	2:30pm-4:00pm

Corporate/Commercial Track		
Wed, April 27	The Impact of ESG Criteria on Private M&A Transactions - The Anatomy of Green Deals	11:00am-12:30pm
Wed, April 27	Cannabis Hospitality & Tourism: Growing Global	2:30pm-4:00pm
Wed, April 27	Lawyers in the Crosshairs! Navigating the Legal, Ethical & Practical Impact of Recent U.S. & Foreign Beneficial Ownership Disclosure Laws to Combat Corruption, Crypto Crime and Tax Evasion (ETHICS CLE CREDIT)	4:30pm-6:00pm
Thurs, April 28	Same Term – Different Meaning; Traps for the Unwary in Using U.S. Form M&A Documentation in Transactions Carried Out Outside the U.S.	9:00am-10:30am
Thurs, April 28	Targeting the Oligarchs: New Tax Transparency Initiatives, Sanctions, Seizures, and Freezes	9:00am-10:30am
Thurs, April 28	Hire Beware! The Intersection of International Corruption Laws and Employment	2:30pm-4:00pm
Fri, April 29	European Perspectives on U.S. Antitrust Law Reform Proposals	2:30pm-4:00pm
Fri, April 29	Getting Divorced - When Joint Investments Fail: Lessons Learned from Private Equity Disputes	4:30pm-6:00pm

Developments in Trade, Investment & National Security Track		
Wed, April 27	Tech M&A and Foreign Direct Investment Controls: Will the Futures of Tech M&A Brings Us Back to Protectionism	4:30pm-6:00pm
Thurs, April 28	Breaking the Ice Along the Ice Silk Road: The Implications of China's Arctic Ambition	11:00am-12:30pm
Thurs, April 28	Where Are Global Supply Chains Going? Nearshoring: A Possible Future for Supply Chains After COVID and Trade Wars	4:30pm-6:00pm
Thurs, April 28	The WTO TRIPS Waiver Proposal and Vaccine Equity	4:30pm-6:00pm
Fri, April 29	Collateral Damage: New U.S.-China Trade and Financial Measures and Their Impact on Third Countries	11:00am-12:30pm
Fri, April 29	Success for Women Is Success for All: Africa's Commitment to Gender Economic Empowerment in the African Continental Free Trade Area (ELIMINATION OF BIAS CLE CREDIT)	11:00am-12:30pm
Fri, April 29	Are You Ready for Your ICTS Transaction to be Reviewed?	4:30pm-6:00pm

Dispute Resolution Track		
Wed, April 27	ADR and Family Disputes: Advances and Setbacks in Using Cutting-Edge Techniques in International Family Law	11:00am-12:30pm

Wed, April 27	Ethical Considerations When Representing State Clients in International Disputes (ETHICS CLE CREDIT)	2:30pm-4:00pm
Wed, April 27	Using International Arbitration to Resolve Climate Change Disputes: A Look Ahead	4:30pm-6:00pm
Thurs, April 28	Next-Day Service of Process Using Amazon Prime? Ethics and Alternative Service under Rule 4(f)(3) in the Digital Age (ETHICS CLE CREDIT)	9:00am-10:30am
Thurs, April 28	A Global Trend: The Introduction of Deferred Prosecution Agreement Regimes Across the World	11:00am-12:30pm
Thurs, April 28	Quelling the Climate Crisis: Designing TAX & TRADE Policies to End Carbon Pollution	2:30pm-4:00pm
Fri, April 29	Success for Women Is Success for All: Africa's Commitment to Gender Economic Empowerment in the African Continental Free Trade Area (ELIMINATION OF BIAS CLE CREDIT)	11:00am-12:30pm
Fri, April 29	Navigating Virtual ADR – Effective Advocacy in Remote Proceedings: What Have We Learned and What Does the Future Look Like?	4:30pm-6:00pm

Hot Topics Track		
Wed, April 27	Nowhere to Hide, Except Under the Law	9:00am-10:30am
Wed, April 27	Ethics - Global Pro Bono Opportunities through the ABA (ETHICS CLE CREDIT)	4:30pm-6:00pm
Thurs, April 28	Impact of the COVID-19 Pandemic on Women's Health and Human Rights in Latin America: Achieving Health, Economic Wellbeing Policy and Law Reform for Gender Mainstreaming in Post COVID-19 Pandemic Preparedness and Response	9:00am-10:30am
Thurs, April 28	Can I Trust This?	4:30pm-6:00pm
Fri, April 29	Hot Topics on International Antitrust in the Post Covid Era	9:00am-10:30am
Fri, April 29	You Are Not Coming to the Office: Vaccination Mandates, Testing, Masking Requirements, Travel Restrictions and Their Impact on the Labor Force	9:00am-10:30am
Fri, April 29	Innovations in Teaching International Law During Turbulent Times - and Beyond	11:00am-12:30pm
Fri, April 29	Re-Emergence of Distressed Deals: Investment Opportunities for Private Equity	2:30pm-4:00pm
Fri, April 29	European Perspectives on U.S. Antitrust Law Reform Proposals	2:30pm-4:00pm
Fri, April 29	Return of Art and Cultural Objects: Provenance, New Tech and Ethics (ETHICS CLE CREDIT)	2:30pm-4:00pm
Fri, April 29	Are You Ready for Your ICTS Transaction to be Reviewed?	4:30pm-6:00pm

Human Rights Track		
Wed, April 27	The Intersection of Public Policy, Education, Violence and Public Health	9:00am-10:30am
Wed, April 27	No Room at the Inn: Revisiting Refugee Rights versus National Responsibilities	2:30pm-4:00pm
Wed, April 27	Using International Arbitration to Resolve Climate Change Disputes: A Look Ahead	4:30pm-6:00pm
Thurs, April 28	Impact of the COVID-19 Pandemic on Women's Health and Human Rights in Latin America: Achieving Health, Economic Wellbeing Policy and Law Reform for Gender Mainstreaming in Post COVID-19 Pandemic Preparedness and Response	9:00am-10:30am

Thurs, April 28	The Role of Laws and Social Norms: How to Eradicate Female Genital Mutilation/Cutting	11:00am-12:30pm
Thurs, April 28	The Decline of Judicial Independence in Europe: is the U.S. on the Same Path?	2:30pm-4:00pm
Thurs, April 28	Lawyers, Judges, and the Languishing Defendant: How Can the Legal Profession Ensure Speedy Trials with and Without Statutory Support?	4:30pm-6:00pm
Fri, April 29	Bribery and Corruptions: How They Affect Ethics, Human Rights and Rule of Law in Both Developed and Underdeveloped Countries (ETHICS CLE CREDIT)	11:00am-12:30pm
Fri, April 29	Who Protects the World's Seniors? From Long Term Care to Covid-19 Challenges, What Have We Learned of the Rights and Needs of Older Persons?	4:30pm-6:00pm

Legal Practice/Ethics Track		
Wed, April 27	Bar Associations and the Pursuit of Diversity and Inclusion – Tactics for Moving the Profession Forward (ELIMINATION OF BIAS CLE CREDIT)	9:00am-10:30am
Wed, April 27	Après moi, le deluge (After me, the flood): A Multi-Jurisdictional Analysis of Agreements Involving Future Inheritance Rights and Legal Alternatives	11:00am-12:30pm
Wed, April 27	Ethical Considerations When Representing State Clients in International Disputes (ETHICS CLE CREDIT)	2:30pm-4:00pm
Wed, April 27	Ethics - Global Pro Bono Opportunities through the ABA (ETHICS CLE CREDIT)	4:30pm-6:00pm
Wed, April 27	Lawyers in the Crosshairs! Navigating the Legal, Ethical & Practical Impact of Recent U.S. & Foreign Beneficial Ownership Disclosure Laws to Combat Corruption, Crypto Crime and Tax Evasion (ETHICS CLE CREDIT)	4:30pm-6:00pm
Thurs, April 28	Next-Day Service of Process Using Amazon Prime? Ethics and Alternative Service under Rule 4(f)(3) in the Digital Age (ETHICS CLE CREDIT)	9:00am-10:30am
Thurs, April 28	Targeting the Oligarchs: New Tax Transparency Initiatives, Sanctions, Seizures, and Freezes	9:00am-10:30am
Thurs, April 28	Building Your AI-Powered Global Legal Practice (LAW OFFICE MANAGEMENT CLE CREDIT)	2:30pm-4:00pm
Thurs, April 28	Increasing Health Risks During Covid: Taking Care of Yourself, Your Family and Your Practice (WELLNESS CLE CREDIT)	4:30pm-6:00pm
Fri, April 29	Top Trends Shaping Innovative Global Legal Practice Management (LAW OFFICE MANAGEMENT CLE CREDIT)	9:00am-10:30am
Fri, April 29	Return of Art and Cultural Objects: Provenance, New Tech and Ethics (ETHICS CLE CREDIT)	2:30pm-4:00pm

Technology/Cyber/Social Media Challenges Track		
Wed, April 27	What if You Don't Have a "Burner Phone" Option? – Implications of China's Social Credit System, Health QR Codes & Apps, and Digital RMB for its Global BRI Network and Western Countries Alike	9:00am-10:30am
Wed, April 27	Game Change: The Regulation of Social Media	2:30pm-4:00pm
Wed, April 27	Tech M&A and Foreign Direct Investment Controls: Will the Futures of Tech M&A Brings Us Back to Protectionism	4:30pm-6:00pm
Thurs, April 28	The WTO TRIPS Waiver Proposal and Vaccine Equity	4:30pm-6:00pm

Fri, April 29	Innovation 2.0: Fintech: Lessons Learned, Changes, and New Challenges	11:00am-12:30pm
Fri, April 29	European Perspectives on U.S. Antitrust Law Reform Proposals	2:30pm-4:00pm
Fri, April 29	Are You Ready for Your ICTS Transaction to be Reviewed?	4:30pm-6:00pm

CLE Information

The ABA will seek **18.0 hours** of CLE credit (including 3.0 hours of Elimination of Bias/Diversity and Inclusion credit, 9.0 hours of Ethics and Professional Responsibility credit, 3.0 hours of Law Office Management credit, 1.50 hours of Technology credit and 1.50 hours of Wellness credit) in **60-minute states***, and **21.60 hours** of CLE credit for this program (including 3.60 hours of Elimination of Bias/Diversity and Inclusion credit, 10.80 hours of Ethics and Professional Responsibility credit, 3.60 hours of Law Office Management credit, 1.80 hours of Technology credit and 1.80 hours of Wellness credit) in **50-minute states***. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit the program website at <https://ambar.org/ILSAnnual22> for program CLE details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

*Florida Bar regulators have stated that attorneys will not receive Florida credit for this ABA program, even if they self-apply. More information can be found here: [Florida Rule Change](#).

Scholarship Information

Scholarships may be available for a limited time. Attorneys who qualify will receive up to 50% reduction in the course fee(s). This does not include any reduction in meals, lodging, or travel costs associated with the meeting. To apply, send a letter outlining the basis for your request of a fee reduction to Intlawmeetings@americanbar.org.