# NEW YORK STATE BAR ASSOCIATION INTERNATIONAL SECTION



# **SEASONAL MEETING 2014**

**Rebuilding the Transatlantic Marketplace:** Austria and Central Europe as Catalysts for Entrepreneurship and Innovation

October 15-17, 2014

Kempinski Hotel Vienna, Austria

# Vienna, Austria INTERNATIONAL SECTION SEASONAL MEETING 2014

## Tuesday, October 14, 2014

Registration9:30 am - 4:30 pmRing III, Palais Hansen Kempinski ViennaExecutive Committee Dinner6:30 pmBy Invitation of the Austrian Chapter Co-Chair, Otto WaechterWednesday, October 15, 2014Palais Hansen Kempinski Vienna, Ring IIIRegistration9:00 am - 5:00 pmPalais Hansen Kempinski Vienna, Ring IIIChapter Chair Meeting and Executive Committee Meeting and Luncheon9:00 am - 10:00 am 10:00 am - 1:00 pmRingturmWelcome Remarks2:00 - 2:30 pmWerner Faymann, Prime Minister of Austria Thomas N. Pieper, International Section ChairPlenary Session ONE Bar Association Panel Palais Hansen Kempinski Vienna, Ballroom2:30 - 4:10 pmCo-Chair, Kenneth G. Standard, Epstein Becker & Green, RC.Plenary Session TWO Privacy Post Snowden Disclosures Palais Hansen Kempinski Vienna, Ballroom4:10 - 5:00 pmFront of Kempinski Hotel – <i>look for staff to guide you</i> Welcome Reception Welcome Remarks9:30 pmFront of Supreme Court, rooftop Mexa Wesner, United States Ambassador to AustriaReturn Transfer to Kempinski Hotel9:30 pmFront of Supreme Court			
Otto WaechterWednesday, October 15, 2014Registration9:00 am - 5:00 pmPalais Hansen Kempinski Vienna, Ring IIIChapter Chair Meeting and Executive Committee Meeting and Luncheon9:00 am - 10:00 am 10:00 am - 1:00 pmRingturmWelcome Remarks2:00 - 2:30 pmWerner Faymann, Prime Minister of Austria Thomas N. Pieper, International Section ChairPlenary Session ONE Bar Association Panel Palais Hansen Kempinski Vienna, Ballroom2:30 - 4:10 pmCo-Chair, Kenneth G. Standard, Epstein Becker & Green, RC.Plenary Session TWO Privacy Post Snowden Disclosures Palais Hansen Kempinski Vienna, Ballroom4:10 - 5:00 pmJonathan Armstrong, Cordery Gerald Ferguson, BakerHostetlerTransfer to Reception Velcome Remarks6:30 pmFront of Kempinski Hotel - look for staff to guide youWelcome Remarks7:00 - 9:30 pmSupreme Court, rooftop Alexa Wesner, United States Ambassador to Austria	Registration	9:30 am – 4:30 pm	
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Welcome Reception     7:00 – 9:30 pm     Supreme Court, rooftop       Welcome Remarks     Alexa Wesner, United States Ambassador to Austria	Privacy Post Snowden Disclosures	4:10 – 5:00 pm	<b>3</b> . ,
Welcome Remarks Alexa Wesner, United States Ambassador to Austria	Transfer to Reception	6:30 pm	
Return Transfer to Kempinski Hotel9:30 pmFront of Supreme Court		7:00 – 9:30 pm	
	Return Transfer to Kempinski Hotel	9:30 pm	Front of Supreme Court

### Thursday, October 16, 2014

Vienna International Centre (VIC), home to the United Nations in Vienna, All topics reflect the work of UNCITRAL

Transportation to the United Nations *Please bring proper photo ID for security entrance*	8:10 am	Front of Kempinski Hotel – look for staff to guide you
Arrive at UN for security check-in	9:00 am	Vienna International Centre (VIC)
Opening Remarks	9:45 am – 10:20 am	United Nations
Track One – Regulatory and Administrative UNCITRAL Cross Border Insolvency Program 1 TBD in United Nations	10:30 am – 12:00 pm	Chair, Jenny Clift, UNCITRAL Secretariat
Track Two – Transaction How Can a Company Grant Security in Shares of its Subsidiaries? Program 2 TBD in United Nations	10:30 am – 12:00 pm	<b>Co-Chair, Spyridon V. Bazinas</b> , UNCITRAL Secretariat <b>Co-Chair, Otto Waechter</b> , Graf & Pitkowitz Rechtsan- waelte GmbH <b>Michel Deschamps</b> , McCarthy Tétrault (Montreal) <b>Charles W. Mooney Jr.</b> , University of Pennsylvania Law School
Track Three – Dispute Resolution New UNCITRAL Transparency Rules in Investor-State Arbitration Programs 3 TBD in United Nations	10:30 am – 12:00 pm	<b>Co-Chair, August Reinisch</b> , University of Vienna <b>Co-Chair, Filip Boras</b> , Baker & McKenzie LLP <b>Julia Salasky</b> , UNCITRAL Secretariat

Networking Break	12:00 – 12:15 pm	
Track One – Regulatory and Administrative The Lawyer as a Lobbyist before International Organizations Program 4 TBD in United Nations	12:15 pm – 1:30 pm	<b>Co-Chair, Cyril Emery</b> , UNCITRAL Secretariat <b>Sergiy Negoda</b> , United Nations Office for Outer Space Affairs <b>Brooke Adele Marshall</b> , Max Planck Institute for Comparative and International Private Law
	40.45	
Track Two – Transaction E-Commerce (including Electronic Warehouse Receipts) Program 5 TBD in United Nations	12:15 pm – 1:30 pm	Co-Chair, Jae Sung Lee, UNCITRAL Secretariat Luca Castellani, UNCITRAL Secretariat Sieg Eiselen, University of South Africa (UNISA) Rudolf Kaindl, Public Notaries Kaindl, Dürr, Schuller-Köhler & Partner, Vienna
Track Three – Dispute Resolution Consumer Litigation, Online Dispute Resolution, ADR in Consumer Litigation Program 6 TBD in United Nations	12:15 pm – 1:30 pm	<b>Co-Chair, Beth Trent</b> , International Institute for Conflict Prevention & Resolution <b>Co-Chair, Marko Baretić</b> , University of Zagreb
Lunch	1:30 – 3:00 pm 3:00 – 3:45 pm	Lunch buffet at the United Nations Tour of the United Nations building
Networking Break	3:45 – 4:00 pm	
<ul> <li>Track One – Regulatory and Administrative –</li> <li>Women, Entrepreneurship and Access to Finance</li> <li>Program 7 TBD in United Nations</li> </ul>	4:00 pm – 5:15 pm	<b>Co-Chair, Monica Canafoglia</b> , UNCITRAL Secretariat <b>Co-Chair, Azish Filabi</b> , U.S. Federal Reserve Bank Legal Department
Track Two – Transaction CISG – International Sale of Goods Program 8 TBD in United Nations	4:00 pm – 5:15 pm	<b>Co-Chair, Luca Castellani</b> , UNCITRAL Secretariat <b>Milena Djordjević</b> , University of Belgrade <b>Angelo Chianale</b> , University of Torino <b>Brigitta Lurger</b> , University of Graz
Track Three – Dispute Resolution UNCITRAL Arbitration Rules Program 9 TBD in United Nations	4:00 pm – 5:15 pm	<b>Co-Chair, Julia Salasky</b> , UNCITRAL Secretariat <b>Co-Chair, Nancy M. Thevenin</b> , Thevenin Arbitration & ADR, LLC <b>James E. Castello</b> , King & Spalding <b>Alice Fremuth-Wolf</b> , VIAC <b>Simon Greenberg</b> , Clifford Chance <b>John H. Rooney, Jr.</b> , John H. Rooney, Jr., P.A.
Transfer to Dinner from United Nations	5:30 pm	Front of United Nations – look for staff to guide you
Transfer to Dinner from the Kempinski Hotel (guests)	5:30 pm	Front of Kempinski Hotel – look for staff to guide you
Dinner	6:00 – 9:00 pm	Authentic Viennese Heuriger
Return transfer to Kempinski Hotel	9:00 pm	look for staff to guide you

# Vienna, Austria INTERNATIONAL SECTION SEASONAL MEETING 2014

## Friday, October 17, 2014 – Kempinski Hotel

Track One – Regulatory and Administrative Competition Law Program 10 Ballroom II	8:00 am – 9:15 am	Co-Chair, Patrick Krauskopf, AGON Partners, Zurich / Zurich University ZHAW Co-Chair, Marco Amorese, Studio Legale Amorese Theodor Thanner, Austrian Competition Authority Johannes Stampfer, Coca Cola Europe Florian Neumayr, bpv Hügel Marco Botta, University of Vienna Oliver W. Bretz, Clifford Chance LLP
Track Two – Transaction Pitfalls in Private M&A in Europe Program 11 Ballroom I	8:00 am – 9:15 am	Co-Chair, Gregory E. Ostling, Wachtell, Lipton, Rosen & Katz Co-Chair, Carl-Olof Bouveng, Advokatfirman Lindahl KB Guido Panzera, Barger Prekop Attorneys Benoit Charriere-Bournazel, CBR & Associés Anna Dabrowska, Wardynski Andreas W. Mayr, Dorda Brugger Jordis Graham Gibb, Macfarlanes
Track Three – Dispute Resolution E-Discovery in International Litigation and Arbitration Programs 12 Hansen	8:00 am – 9:15 am	<b>Co-Chair, Neil Quartaro</b> , Watson Farley & Williams LLP <b>Co-Chair, Stephan Halder</b> , BDO AG <b>Gerwin Naber</b> , PwC Europe Forensic Technology Solutions <b>Heiko Haller</b> , Baker & McKenzie LLP
Track One – Regulatory and Administrative Compliance Issues for Multinationals Program 13 Ballroom II	9:15 am – 10:30 am	<b>Co-Chair, Robert Leo</b> , Meeks, Sheppard, Leo & Pillsbury <b>Thomas Schaffer</b> , TPA Horwath
Track Two – Transaction Best Practices in Distribution Contracts Program 14 Ballroom I	9:15 am – 10:30 am	Co-Chair, Andre R. Jaglom, Tannenbaum Helpern Syra- cuse & Hirschtritt LLP Michael J. Dean, Maclay Murray Spens LLP Hernan Pacheco, Pacheco Coto Attorneys At Law Franz Hepp De Sevelinges, Avnet Inc. (EMEA)
Track Three – Dispute Resolution Hot Topics in International Arbitration and International Litigation Program 15 Hansen	9:15 am – 10:30 am	Co-Chair, Jay G. Safer, Locke Lord LLP Pedro Sousa Uva, Miranda Correia Amendoeira & Associados Silvano Donato Lorusso, BLB Studio Legale Elisabeth Metzler, Graf & Pitkowitz Clifford J. Hendel, Araoz & Rueda Joseph Kosky, Locke Lord LLP
Networking Break	10:30 – 10:45 am	Ballroom Foyer
Track One – Regulatory and Administrative FATCA Implementation Program 16 Ballroom II	10:45 am – 12:00 pm	Co-Chair, James Shorter, Shorter Law Offices Co-Chair, Niklas Schmidt, Wolf Theiss Mariana Eguiarte-Morett, Sánchez Devanny Eseverri Thomas Link, CMS Hasche Sigle Marnin J. Michaels, Baker & McKenzie LLP
Track Two – Transaction Cross Border Joint Ventures Program 17 Ballroom I	10:45 am – 12:00 pm	<b>Co-Chair, Paul Luiki</b> , Fellner Wratzfeld & Partner <b>Richard Haywood</b> , Reynolds Porter Chamberlain LLP <b>Sergey Shorin</b> , Pepeliaev Group <b>Andrew Johnston</b> , Morris, Nichols, Arsht & Tunnell LLP
Track Three – Dispute Resolution Class Action and Collective Action In Arbitration & Litigation Program 18 Hansen	10:45 am – 12:00 pm	Co-Chair, Jay L. Himes, Labaton Sucharow LLP Co-Chair, Michael Dean, Maclay Murray Espens LLP Stacey Anne Mahoney, Bingham McCutchen LLP Jay G. Safer, Locke Lord LLP Barbara Helene Steindl, Brauneis Klauser Prändl Rechtsanwälte GmbH
Lunch Luncheon Address	12:15 – 1:45 pm	Museum of Young Art Jake Slegers, Director of AmCham Slovakia and Chair of AmChams in Europe

Track One – Regulatory and Administrative Anti-Corruption Statutes Program 19 Ballroom II	2:15 – 3:30 pm	Co-Chair, Isabel Franco, Koury Lopes Advogados Jonathan Armstrong, Cordery Svetlana London, MGAP (UK) LLP Tomoyuki Otsuki, IBM Japan Ltd
Track Two – Transaction Expatriates in Europe Program 20 Ballroom I	2:15 – 3:30 pm	Co-Chair, Michael Galligan, Phillips Nizer LLP Niklas Schmidt, Wolf Theiss Glenn G. Fox, Baker & McKenzie LLP Frank Helman, Helman Law Offices Antonia Marsaglia, Studio Legale Marsaglia Friedrich Schwank, Law Offices Dr. F. Schwank Christian von Oertzen, Flick Gocke Schaumberg
Track Three – Dispute Resolution Hot Topics in Intellectual Property Program 21 Hansen	2:15 – 3:30 pm	<b>Co-Chair, L. Donald Prutzman</b> , Tannenbaum Helpern Syracuse & Hirschtritt LLP
Networking Break	3:30 – 3:45 pm	Ballroom Foyer
Track One – Regulatory and Administrative Issues in the Energy Industry Program 22 Ballroom II	3:45 – 5:00 pm	Co-Chair, David Harrell, Locke Lord LLP Co-Chair, Héctor Arangua L., Nader Hayaux & Goebel Lorenzo Parola, Paul Hastings Chris Prior, Locke Lord (UK) LLP Christian Mayer, Fiebinger Polak Leon
Track Two – Transaction Trusts In Civil Law Jurisdictions Program 23 Ballroom I	3:45 – 5:00 pm	Co-Chair, Glenn G. Fox, Baker & McKenzie LLP Friedrich Schwank, Law Offices Dr. F. Schwank Michael W. Galligan, Phillips Nizer LLP Frank Helman, Helman Law Offices Antonia Marsaglia, Studio Legale Marsaglia Niklas Schmidt, Wolf Theiss Christian von Oertzen, Flick Gocke Schaumberg
Track Three – Dispute Resolution Recognition of Foreign Judgments: The U.S. and European Perspectives Program 24 Hansen	3:45 – 5:00 pm	<b>Co-Chair, Oleg Rivkin</b> , Carlton Fields Jorden Burt <b>Co-Chair, Dirk Knottenbelt</b> , Houthoff Buruma <b>Ron Soffer</b> , Soffer Avocats <b>Rudolf F. Coelle</b> , International Legal Consulting
Transfer to Gala Dinner Dress Code: Semi-formal	6:15 pm	Front of Hotel –
Special Guided Tour "Belvedere at Night"	6:30 pm	Belvedere
Gala Dinner Speaker Keynote Address: "Klimt's Clients"	7:30 pm	Upper Belvedere, Marble Hall Dr. Alfred Weidinger, Deputy Director of the Belvedere
Transfer to Kempinski Hotel	11:00 pm	Front of Belvedere –

## **Discounts and Scholarships**

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



# **Hotel Information**

#### Palais Hansen Kempinski Vienna

Schottenring 24, 1010, Vienna, Austria Tel +43 1 236 1000 Email Address: info.vienna@kempinski.com

#### **Hotel Reservations**

The 2014 Seasonal Meeting will be held at the Palais Hansen Kempinski Vienna. The deadline to submit hotel reservations is Monday, September 22nd. Availability of rooms is not guaranteed up to the cut-off date and reservations received after the above date are accepted on a space and rate availability basis and cannot be guaranteed at the conference rate.

Discounted room rates for our program are 245.00 euros for single occupancy and 265.00 euros for double occupancy.

Attendees must make their hotel reservations directly with the hotel by visiting, **www.nysba.org/viennahotelreservation**. The discounted rate is only available through the website link and will not be available on the hotel's main webpage.



#### Tours

For information on pre and post tours, as well as spouse/guest day tours, please visit www.nysba.org/viennapreposttours.

#### **Travelers Information and Airline Discounts**

Please review your country's requirements regarding travel to Austria. NYSBA is not responsible for attendees who do not properly obtain the required travel documentation to attend this event in Vienna.

Austrian Airlines is delighted to be the "Official Carrier" for the International Section Seasonal Meeting in Vienna. All participants and accompanying persons attending the meeting are offered a 15% discount off all published fares for Austrian Airlines flights to Vienna. Book your flights online at www.austrian.com and save 15% on all applicable fares!

Simply enter the following code in the eVoucher field on the Austrian homepage booking engine: Code: NYSBA14

#### **Conditions:**

- Booking period: now until October 17th, 2014
- Valid for flights to Vienna and return as of October 7th, 2014 until October 24th, 2014 (final date for return flight) on OS operated flights.



#### **Important CLE Information**

The New York State MCLE Board requirement for Attorneys in practice beyond the first two years after admission to the Bar is 24 credit hours per biennial registration cycle, with four hours of these credit hours earned in the area of ethics and professionalism. *This program will satisfy up to 15.5 MCLE credit hours including up to 2.0 hours in ethics and/or up to 13.5 hours in the general category.* The ethics portion of this program will qualify for MCLE credit for newly admitted attorneys; however, the balance of the program will not qualify since it is not a basic practical skills program.

#### Don't miss your chance to earn these CLE credits. Sign up now!

Accommodations for Persons with Disabilities: NYSBA will make reasonable modifications/accommodations to allow participation in its services, programs, or activities by persons with disabilities. NYSBA will provide auxiliary aids and services upon request. NYSBA will remove architectural barriers and communication barriers that are structural in nature where readily achievable. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Tiffany Bardwell at tbardwell@nysba.org or 518/487.5675.

## NEW YORK STATE BAR ASSOCIATION

#### **PERSONAL INFORMATION:**

Name		
Company/Law Firm		
Address		
City	State _	
Zip Countr	/	
Passport #	Exp. D	ate
Name of spouse or guest		
Name of child(ren), please include ages		
Phone	Fax	
E-mail address		
First-time attendee Are you a Sp	eaker? C	n program #

VIENNA FEES Fees are quoted in U.S. dollars	Until September 1,2014	After September 2, 2014
Member Attorney		
Standard	\$1,195.00	\$1,295.00
Attorneys admitted 2008 or later	\$ 895.00	\$ 995.00

Non Section Member Attorney		
Standard	\$1,395.00	\$1,495.00
Attorneys admitted 2008 or later	\$ 995.00	\$1,095.00

Spouse/Guest Registration		
Accompanying Person	\$795.00	\$795.00

Spouse/Guest fee Includes: Welcome Reception, Thursday dinner at Heuriger and Friday Belvedere at Night tour, cocktail reception and Gala dinner; as well as applicable transportation.

#### **ACTIVITIES:**

Please indica Wednesday, C Plenary Session	ctober 15	a plan to attend:
Thursday, Oct	ober 16	
<ul> <li>Program 1</li> <li>Program 4</li> <li>Program 7</li> </ul>	<ul> <li>Program 2</li> <li>Program 5</li> <li>Program 8</li> </ul>	<ul> <li>Program 3</li> <li>Program 6</li> <li>Program 9</li> </ul>
Friday, October 17		
<ul> <li>Program 10</li> <li>Program 13</li> <li>Program 16</li> <li>Program 19</li> <li>Program 22</li> </ul>	<ul> <li>Program 11</li> <li>Program 14</li> <li>Program 17</li> <li>Program 20</li> <li>Program 23</li> </ul>	<ul> <li>Program 12</li> <li>Program 15</li> <li>Program 18</li> <li>Program 21</li> <li>Program 24</li> </ul>

#### Please indicate social functions you plan to attend:

Wednesday, October 15	Welcome Reception - Supreme Court
Thursday, October 16	Cocktail Reception and Dinner – Heuriger
Friday, October 17	Gala Reception and Dinner – Belvedere

# **REGISTRATION FORM**

**International Section** Seasonal Meeting—Vienna October 15–17, 2014

#### **Palais Hansen Kempinski Vienna** Vienna, Austria

#### **Registration fees include:**

Programming and costs associated with programming, favors, coffee breaks, attorneys' lunches Thursday and Friday, cocktail receptions, dinners on Thursday and Friday (Gala dinner), as well as transportation and CLE credit.

To receive MCLE credit, attorneys must pay an attorney registration fee.

#### **Cancellation Notice:**

Notice of cancellation must be received by September 26, 2014 in order to obtain a refund of fees.

#### **Email or Fax this form to:**

Tiffany Bardwell New York State Bar Association One Elk Street, Albany, New York 12207

Telephone: 518.487.5675 Fax: 518.463.5993 Email: tbardwell@nysba.org

#### **PAYMENT INFORMATION:**

Payment for registration fees will be accepted by credit card only. Please include the name and address of the credit card holder if it is different from the registered attorney.

# International Section Seasonal Meeting – Vienna Organizing Committee

Thomas N. Pieper, Hogan Lovells US LLP, New York Gerald Ferguson, BakerHostetler, New York Otto Waechter, Graf & Pitkowitz Rechtsanwaelte GmbH, Vienna Nancy M. Thevenin, Thevenin Arbitration & ADR, LLC, New York Filip Boras, Baker & McKenzie LLP, Vienna

## THANK YOU TO OUR SPONSORS FOR THEIR GENEROUS SUPPORT

