



## First Annual Fundamentals of International Practice

Organized by the International Section and the  
Committee on Continuing Legal Education of the  
New York State Bar Association

**Thursday, April 30, 2009**  
**The Yale Club of New York City**  
**New York, New York**

**8.5** Total MCLE Credit hours in skill practice management and/or  
professional practice; includes **1.5 credit hours in ethics**

This **basic** level course may be used for New York MCLE credit for all attorneys,  
**including** those who are newly admitted (less than 24 months)

[www.nysba.org/InternationalPracticeFundamentals](http://www.nysba.org/InternationalPracticeFundamentals)

### Program Description

**Fundamentals of International Practice** is a full-day continuing legal education program dedicated to providing attorneys with an overview of international law and common issues encountered in cross-border legal practice. General topics include the framework of international legal practice and the differences in various sovereign legal systems, as well as the international aspects of a broad range of topics such as contract drafting, litigation and arbitration, regulatory issues, taxation, treaties, immigration, ethics and human rights, among others.

The program is designed for (1) attorneys who are starting their legal careers and have an interest in practicing internationally and (2) more-seasoned attorneys who are finding themselves increasingly involved in international practice or who would simply like to develop a broader understanding of the area.

#### **Attorneys attending the Fundamentals of International Practice will:**

- Develop a broad understanding of the legal and ethical challenges faced by foreign and multinational clients doing business in the United States and internationally.
- Gain a high-level understanding of the role of treaties, conventions, and other forms of international regulation.
- Learn about the differences between common law, civil law, and other legal systems.
- Become familiar with issues that commonly arise in the context of cross-border contracts and cross-border litigation and dispute resolution.

- Be able to spot legal issues affecting the movement of people and property across borders.
- Learn about the tax implications of international activity with respect to individuals and corporate entities.

## Agenda

Thursday, April 30, 2009

**8:00 - 8:30 a.m.**

**REGISTRATION** (in Grand Ballroom)

**8:30 - 8:45**

**Introduction:** Christopher J. Kula, Esq. and Shannon P. McNulty, Esq.

**8:45 - 9:35**

**The Framework of International Legal Practice**

- Relationship Between Private International Law and Public International Law
- The Role of Treaties in International Practice
- Navigating the Differences Between Common Law, Civil Law and Other Legal Systems
- Selection and Use of Foreign Legal Counsel

**9:35 - 10:25**

**International Regulatory Regimes**

- The European Union and Other Multilateral Institutions
- International Regulation of Trade
- International Regulation of the Environment

**10:40 - 11:55**

**Drafting an International Contract**

- Choice of Law Provision
- Opt Out of International Sales Convention
- Cross-Border Securities Issues
- Intellectual Property Protection: The Berne and Madrid Conventions
- Jurisdiction Provision
- Arbitration Clause

**11:55 - 12:45 p.m.**

**Cross-Border Litigation and Dispute Resolution**

- Hague Convention on Service of Process Abroad
- Hague Convention on Taking Evidence Abroad
- New York Convention on Enforcing Arbitral Awards
- European Conventions on Jurisdiction and Enforcement of Judgments

**1:45 - 2:40**

**Basics of International Taxation**

- Cross-Border Tax Issues for Individuals
- Residence Tests, Avoiding Double Taxation, and Equalization Treaties
- Cross-Border Tax Issues for Corporate Entities
- Anti-Avoidance Regimes
- Transfer Pricing

**2:40 - 3:55**

**Spotting Legal Issues When Persons Move Across Borders**

- Immigration and Bilateral Investment Treaties
- The Uniform Act on the Recognition of Community Property
- The Hague Conventions on Inter-County Adoption and Protection of Children
- International Conventions on Wills and Trusts
- Employment Issues for Multinational Employers

**4:10 - 5:25**

**The Ethics of International Practice**

- Avoiding Foreign Corrupt Practices
- Protecting Attorney-Client Confidentiality Across Borders
- "Know Your Client" Due Diligence
- Human Rights Considerations

**5:25 p.m. ADJOURNMENT**

**Program Faculty**

**International Section Chair**

**Michael W. Galligan, Esq.**

Phillips Nizer LLP  
New York, New York

**Program Co-Chairs**

**Christopher J. Kula, Esq.**

Phillips Nizer LLP  
New York, New York

-and-

**Shannon P. McNulty, Esq.**

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

**Panelists** (in alphabetical order)

**Carole L. Basri**, University of Pennsylvania Law School \* **Michael W. Galligan, Esq.**, Phillips Nizer LLP \* **Dina Kapur Sanna, Esq.**, Day Pitney LLP \* **Allen E. Kaye, Esq.**, Law Offices of Allen E. Kaye, PC \* **Steven C. Krane, Esq.**, Proskauer Rose LLP \* **Birgit Kurtz, Esq.**, Crowell & Moring LLP \* **Robert J. Leo, Esq.**, Meeks, Sheppard, Leo & Pillsbury \* **Jerry M. Nunes, Esq.**, Baker & McKenzie LLP \* **Thomas N. Pieper, Esq.**, Chadbourne & Parke LLP \* **Susan F. Pollack, Esq.**, Curtis, Mallet-Prevost, Colt & Mosle LLP \* **Michael Posner**, Human Rights First \* **L. Donald Prutzman, Esq.**, Tannenbaum Helpert Syracuse & Hirschtritt LLP \*

**Mark F. Rosenberg, Esq.**, Sullivan & Cromwell LLP \* **Aaron J. Schindel, Esq.**, Proskauer Rose LLP \* **James R. Silkenat, Esq.**, Arent Fox LLP \* **Jeffrey M. Trinklein, Esq.**, Gibson Dunn & Crutcher LLP \* **Edward A. Vergara, Esq.**, Withers Bergman LLP \* **Rita Wasserstein Warner, Esq.**, Warner Partners, PC

*We gratefully acknowledge the support and participation of the Young Lawyers Section in connection with this program.*

**Program Fees**

**Early registration (received or postmarked at least 10 days prior to the date of the session for which you register):**

NYSBA members - \$200; non-members - \$240; Students - \$45

**Late registrations (received or postmarked thereafter, and on-site registrations):**

NYSBA members - \$215; non-members - \$255; Students - \$60

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**Program Location**

**The Yale Club of New York City**  
50 Vanderbilt Avenue  
(Between East 44th and 45th Street, just west of Grand Central Terminal)  
New York, New York 10017  
Ph: (212) 716-2100

**Registration**

[www.nysba.org/InternationalPracticeFundamentals](http://www.nysba.org/InternationalPracticeFundamentals) or call NYSBA's CLE Registrar at 1-800-582-2452

For more information call toll free 1.800.582.2452  
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