



NEW YORK STATE BAR ASSOCIATION  
**INTERNATIONAL SECTION**

*Enhancing Compliance and Ethics While Growing  
Markets: Development, Enforcement and Technology*



Seasonal Meeting 2017

**GUATEMALA**

September 12–14, 2017

Hotel Casa Santo Domingo  
Antigua, Guatemala

[www.nysba.org/guatemala2017](http://www.nysba.org/guatemala2017)

# International Section Chair

**Nancy M. Thevenin**, Thevenin Arbitration & ADR, LLC, New York

## Conference Chairs:

**Ruby Asturias**, Pacheco Coto, Guatemala

**Jay Himes**, Labaton Sucharow LLP, New York

**Jay Safer**, Wollmuth Maher & Deutsch LLP, New York

## Steering Committee:

**Hunter Carter**, Arent Fox LLP, New York/Washington, DC

**Diane O'Connell**, PricewaterhouseCoopers LLP, New York

**Mark F. Rosenberg**, Sullivan & Cromwell LLP, New York

**Neil A. Quartaro**, Watson Farley & Williams LLP, New York

**Esperanza Segarra**, Hinshaw & Culbertson LLP, Miami

**TOTAL CLE Credits: Up to 16.0 (6.0 ethics, 14.0 professional practice) non-transitional**

### Important CLE Information

This program will satisfy up to 14.0 NY MCLE credit hours in the professional practice category and 2.0 NY MCLE credit hours in the ethics category. This program will not qualify for newly admitted attorneys because it is not a basic practical skills program.



## TRAVEL INFORMATION

### Casa Santo Domingo Hotel

3a Calle Oriente No. 28 A  
La Antigua, Guatemala  
Tel: +5027820-1220

This innovative hotel museum offers 130 rooms, each with its own unique and special characteristics. The décor includes works of art from renowned Guatemalan artists and handmade textiles featuring traditional-contemporary designs. Updated with the finest amenities, our accommodation features LCD televisions with cable, telephones with voicemail, minibars, safety deposit boxes, irons and ironing boards, hair dryers, magnification lighted vanity mirrors, hypo-allergenic pillows (on request), bathrobes, twice-daily housekeeping service, fireplaces, high-speed Internet, terrace, balcony, tub, and Jacuzzi or sauna (in select rooms).

Email [reservas@casasantodomingo.com.gt](mailto:reservas@casasantodomingo.com.gt) for reservations help.



### Hotel Reservations

The 2017 Seasonal Meeting will be held at the Casa Santo Domingo Hotel.

**The deadline to submit hotel reservations is August 21, 2017 (or one month before date of arrival).** 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, including breakfast buffet, internet access and 22% tax, for this program are: \$148.00 for single or double occupancy**

Additional local taxes may be charged per day/per room. Check in: 3 pm Check out: 12 Noon

Attendees must make their hotel reservations directly with the hotel by visiting, [www.nysba.org/guatemalahotel](http://www.nysba.org/guatemalahotel). The discounted rate is only available through the website link and will not be available on the hotel's main webpage.

### Tours

For tour information during your time in Guatemala, the International Section has teamed up with Nancy's Travels to offer you pre, post and guest tours in and around Antigua. Please visit <http://nancystravel.com/internationalsectionguatemalameeting> for specific packages for Seasonal Meeting attendees.

### Airport Transfers

NYSBA has teamed up with Antigua Tours Weddings, to offer discounted airport transfers for our attendees of the Guatemala Seasonal meeting this September. To make a reservation for one or both ways, please visit <https://antiguatours.net/weddings/nysba>. The password is: international.

You will need the guest's full name and flight information to reserve a transfer.

### 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 is non-transitional and 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!**

### 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 to Tiffany Bardwell at: New York State Bar Association, One Elk Street, Albany, New York 12207, or [tbardwell@nysba.org](mailto:tbardwell@nysba.org). Scholarships are for the CLE portion of the program only and not evening and social functions or tours.



**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](mailto:tbardwell@nysba.org) or 1-518-487-5675.

# SCHEDULE OF EVENTS

## Tuesday, September 12

LAC Meeting sponsored by:



- 8:00–10:00 am Latin American Council Meeting
- 10:30–11:30 am Chapter Chairs Meeting (Chapter Chairs only)
- 12:00–2:00 pm Executive Committee Luncheon (Executive Committee members only)
- 12:00–4:00 pm **Mock Arbitration** (See page 12 for details)

### CO-CHAIRS

**Carolina Diab**, Director General of the Commission for the Resolution of Conflicts of the Chamber of Industry and Commerce of Guatemala

**Sandra Gonzalez**, Chair, NYSBA International Section Latin American Council, Ferrere, Uruguay

**Nancy M. Thevenin**, Chair, NYSBA International Section, Thevenin Arbitration & ADR, LLC, New York

- 4:00 pm Bus transfer from Hotel Casa Santo Domingo to Welcome Reception
- 5:00 pm **President's Welcome Reception** – La Reunion
- 6:00 pm **Welcome Dinner** – La Reunion
- 8:30 pm Return bus transfer to Hotel Casa Santa Domingo

La Reunion



# SCHEDULE OF EVENTS

## Wednesday, September 13

8:45–10:15 am

### PLENARY: **Women in the Profession as an Asset in the Legal Industry**

*The Role of Women in Enforcing Compliance and Ethics. The Aftermath on Successful Global Corporate Cases*  
(2.0 credits)

#### CO-CHAIRS

**Ruby Asturias C.**, Pacheco Coto, Guatemala

**Mariana Eguiarte Morett**, Sánchez Devanny Eseverri, S.C., Mexico City

#### KEY NOTE SPEAKER:

**Javier Zepeda**, Executive Director of the Chamber of Industry of Guatemala and General Secretary of the Guatemala Chapter of the International Chamber of Commerce

#### PANELISTS:

**Maria Cristina Fernandez**, Magistrate of the Constitutional Court of Guatemala

**Maria Adelaida Perdomo**, Co-founder Aequales

**Carrie Cohen**, Morrison Foerster, New York

**Gardenia Enedina de la Maza Castellanos**, Judge of the Civil and Commercial Court of Appeals of the Third Circuit in Guatemala City

**Marta Altolaquirre Larraondo**, Legal Advisor and Consultant, Aral Asesores Legales

10:15–10:30 am

Networking Break

10:30–11:45 am

### PANELS 1–3 (1.5 credits)

Track 1 Disputes	Track 2 Corporate	Track 3 Other
<p><b>Panel 1</b> <b>Cross-Border Attorney-Client Challenges: Privilege, Concurrent Representation, and Confidentiality</b> (<i>Ethics</i>)</p> <p>This panel will explore such issues as establishment of privilege, limitations and extensions of the privilege, the role of company in-house and outside counsel in internal investigations, simultaneous representation of a company and employees in government proceedings, and confidentiality and waiver in government proceedings.</p> <p><b>CO-CHAIRS</b> <b>Jorge Luis Arenales</b>, Arias, Guatemala <b>Jay L. Himes</b>, Labaton Sucharow, New York</p> <p><b>PANELISTS</b> <b>Lilian Arias</b>, Arias, El Salvador <b>Vicente Grau</b>, Santamarina y Steta SC, Mexico <b>Carrie H. Cohen</b>, Morrison &amp; Foerster LLP, New York <b>Sandro O. Montebianco</b>, Montebianco &amp; Associates, Peru <b>Kenneth G. Standard</b>, Epstein Becker &amp; Green, New York</p>	<p><b>Panel 2</b> <b>BEPS Latin American Style</b></p> <p>The OECD “Base Erosion and Profit Shifting” (“BEPS”) project seeks to reshape the traditional approach to international tax rules; some will say it overreaches, or it upends traditional principles. This experienced panel will address certain aspects of the BEPS project to help you judge for yourself.</p> <p><b>CO-CHAIRS</b> <b>Vinicius Jucá Alves</b>, TozziniFreire Advogados, São Paulo <b>James R. Shorter, Jr.</b>, Shorter Law Offices, New York</p> <p><b>PANELISTS</b> <b>Pere M. Pons</b>, Uría Menéndez, New York <b>Alfredo Rodriguez</b>, Consortium Legal, Guatemala</p>	<p><b>Panel 3</b> <b>Human Rights</b></p> <p>A diverse panel of business lawyers will present their perspectives on the legal and systemic challenges to fighting corruption in Guatemala and the prospects for continued progress.</p> <p><b>CO-CHAIRS</b> <b>Alex Piscionere</b>, Director, Fair Housing and Investigative Counsel, Westchester County Human Rights Commission, New York <b>Azish Filabi</b>, Ethical Systems, New York</p> <p><b>PANELISTS</b> <b>Hon. Marco Villeda</b>, Judge of the Court of Appeals <b>Gabriela Roca</b>, QIL+4 Abogados, Guatemala <b>Alexander Aizenstadt</b>, Guatemala City</p>

11:45 am–12:00 pm

Networking Break

# SCHEDULE OF EVENTS

12:00–1:15 pm

PANELS 4–6 (1.5 credits)

## Track 1 Disputes

### Panel 4

#### **Trade Secrets: A 180° Change In Its Protection – A Comparison of US Law, EU Directive and Latin American Laws**

The new Defend Trade Secrets Act (DTSA) signed into law on 11 May 2016 in the US, provides for the first time federal protection of trade secrets. EU changes also arise from the EU Directive 2015/943 of the European Parliament and of the Council of 8 June 2016. This panel will cover the effect of the changes on the global arena, and use a hypothetical case to discuss treatment of trade secret issues in different jurisdictions.

#### CO-CHAIRS:

**Mary Fernández**, Headrick Rizik Alvarez & Fernández, Dominican Republic

**Oren Warshavsky**, Baker & Hostetler, New York

#### PANELISTS:

**Federico González Pena**, Sánchez Devanny, Mexico

**Pierodavide Leardi (PD)**, Studio Leardi, Italy

**Jaime R. Angeles**, Angeles Pons, Dominican Republic

## Track 2 Corporate

### Panel 5

#### **Global Labor and Immigration Challenges Amidst Political Uncertainty**

This panel will consider the current global political climate and state of cross-border labor, immigration, tax and social security matters. Offering a global perspective, we will consider best practices for multi-nationals to continue to successfully carry out cross-border assignments while facing these employment and immigration law challenges.

#### CO-CHAIRS

**Francisco Salas**, BDS Asesores/Littler Global, Central America

**Rodrigo Sola Torino**, Marval O'Farrell & Mairal, Argentina

#### PANELISTS

**Vilma Toshie Kutomi**, Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados, Brazil

**Carolina Camacho**, Posse Herrera Ruiz, Colombia

**Maria Fernanda Gandarez**, Ogletree, Deakins, Nash, Smoak & Stewart, P.C, New York

**Juan Carlos de la Vega G.**, Santamarina y Steta, Mexico

## Track 3 Other

### Panel 6

#### **Guide to Doing Business in Cuba Post-Castro and U.S. Embargo**

The U.S. easing of restrictions against Cuba has generated a global buzz about the business prospects with this new Cuban market. This panel will examine the changes in U.S. policy, and provide a practical guide to doing business in Cuba with focus on policy, legal, corporate, and cultural guideposts, as well as on possible policy shifts under the Trump administration.

#### CO-CHAIRS

**Esperanza Segarra**, Hinshaw & Culbertson LLP, Miami

**Oliver J. Armas**, Hogan Lovells US LLP, New York

#### PANELISTS

**Ambassador Julissa Reynoso**, Winston & Strawn LLP, New York

**Daniel E. Waltz**, Squire Patton Boggs, Washington, DC

**Ambassador Luis Fernando Andrade Falla**, Ministry of Foreign Affairs on OECD Relations, Guatemala

**James M. Meyer**, Harper Meyer Perez Hagen O'Connor Albert & Dribin LLP, Miami

1:15–3:00 pm

### **Luncheon — Corrupt Business Practices and their Impact on Human Rights in Guatemala**

*Commissioner Velázquez, of the International Commission Against Impunity in Guatemala, will share his experiences and insights in his fight against corruption in Guatemala (CICIG), and exchange views with others leading in the efforts to promote lawful and ethical practices in Guatemalan business and government.*

#### CO-CHAIRS

**Marcos Iburgüen**, QIL + 4 Abogados, Guatemala

**Enrique Möller**, EY Law, Guatemala

**Rafael Briz**, Mayora & Mayora, SC, Guatemala

#### PANELISTS

**Iván Velázquez**, Commissioner, International Commission Against Impunity in Guatemala, Guatemala

**Manfredo Marroquín**, President, Acción Ciudadana, Guatemala

**Roberto Ardón**, Executive Director, CACIF, Guatemala

**Christie Ippisch**, Compliance Director, Cementos Progreso, S.A., Guatemala

# SCHEDULE OF EVENTS

3:00–4:15 pm

PANELS 7–9 (1.5 credits)

Track 1 Disputes	Track 2 Corporate	Track 3 Other
<p><b>Panel 7</b> <i>Hot Topics in International Litigation and Arbitration</i></p> <p>Learn the latest developments in international arbitration and litigation in the United States, Latin America, and around the world. Experienced and distinguished panelists will discuss such topics as the impact of recent court rulings, current activity in international arbitration in different parts of the world, and enforcing and challenging arbitration awards under the New York Convention and other international treaties.</p> <p><b>CO-CHAIRS</b> <b>Jay Safer</b>, Wollmuth Maher &amp; Deutsch LLP, New York <b>Rodolfo Alegría</b>, Carrillo &amp; Asociados Guatemala, Guatemala</p> <p><b>PANELISTS</b> <b>H. Scott Fairley</b>, Cambridge LLP, Toronto <b>Luis M. Martinez</b>, AAA, International Centre for Dispute Resolution, New York <b>Edward K. Lenci</b>, Hinshaw &amp; Culbertson, LLP, New York <b>Marco Tulio</b>, Von Wobeser &amp; Sierra, Mexico <b>David Barniville SC</b>, Dublin, Ireland</p>	<p><b>Panel 8</b> <i>Recent Trends In Trade Law: Headwinds Ahead</i></p> <p>The US Election, Brexit, the swing from left wing governments towards right wing governments in Latin America, the interplay of nationalism and protectionism vs. liberalization, the new US approach to trade negotiation (bilateral) vs. rest of the world approach (multilateral), all point to changes in the future of trade worldwide. The panel will explore how changes are likely to shape the future of trade in the near and long term.</p> <p><b>CHAIR</b> <b>Daniel Pino</b>, Pino &amp; Elizalde, Ecuador</p> <p><b>PANELISTS</b> <b>Amal Bouchenaki</b>, Herbert Smith Freehills New York LLP, New York <b>Mildred Ojea</b>, Ojea Torretta, New York <b>Martin Barillas</b>, Pacheco Coto, Guatemala <b>Santiago Wills</b>, Lewin &amp; Wills, Colombia</p>	<p><b>Panel 9</b> <i>The Global State of Data Privacy &amp; Cybersecurity (Ethics)</i></p> <p><b>CHAIR</b> <b>Diane E. O’Connell</b>, PricewaterhouseCoopers LLP, New York</p> <p><b>PANELISTS</b> <b>Juan Carlos Carrillo</b>, PricewaterhouseCoopers LLC, Mexico <b>Drew Jaglom</b>, Tannenbaum Helpert Syracuse &amp; Hirschtritt LLP, New York <b>Judith H. Germano</b>, NYU Law, New York (invited) <b>Pierodavide Leardi (PD)</b>, Studio Leardi, Italy</p>

4:15–4:30 pm

Networking Break



# SCHEDULE OF EVENTS

4:30–5:45 pm

## PANELS 10–12

Track 1 Disputes	Track 2 Corporate	Track 3 Other
<p><b>Panel 10</b> <i>Protecting Innovation Across Borders: Insights on How to Protect Your IP When Your Business Goes Global</i></p> <p>This panel will look at the challenges facing tech entrepreneurs in a market where new ideas can be disseminated globally in an instant. In particular, we will focus on both proactive steps that can be taken to protect your IP, as well as remedial steps that can be taken when a successful innovation expands faster than expected.</p> <p><b>CO-CHAIRS</b> <b>Gonzalo S. Zeballos</b>, Baker Hostetler, New York <b>Luz Helena Adarve</b>, Dentons, Colombia</p> <p><b>PANELISTS</b> <b>Oren Warshavsky</b>, BakerHostetler LLP, New York <b>Karina Calderon</b>, Comte &amp; Font – Legalsa, Guatemala <b>Pierodavide Leardi</b>, Studio Leardi, Italy</p>	<p><b>Panel 11</b> <i>Best Practices in International Distribution Contract Drafting: Guide to Key Contract Provisions from Latin America, the U.S. and Europe</i></p> <p>The panel will examine the critical provisions of an international distribution contract, such as product definition, performance requirements, term and termination, indemnification, and choice of law and forum.</p> <p><b>CO-CHAIRS</b> <b>Hernan Pacheco</b>, Pacheco Coto, Costa Rica <b>Andre R. Jaglom</b>, Tannenbaum Helpern Syracuse &amp; Hirschtritt, LLP, New York</p> <p><b>PANELISTS</b> <b>Sofia Cerqueira Serra</b>, Morais Leitão, Galvão Teles, Soares da Silva &amp; Associados, Portugal <b>Michael Dean</b>, Maclay, Murray &amp; Spens, LLP, Glasgow/Brussels <b>Filip Boras</b>, Baker McKenzie, Vienna</p>	<p><b>Panel 12</b> <i>Management of Law Firms: Expansion and Growth of Law Firms</i></p> <p>Members of this international panel will share their experiences managing regional and international law firms, focusing on the geographical and practice areas pertinent to their firms, and the firms' corporate and management structure.</p> <p><b>CO-CHAIRS</b> <b>Zygmunt Brett</b>, Arias, El Salvador <b>Diane O'Connell</b>, PricewaterhouseCoopers, New York</p> <p><b>PANELISTS</b> <b>Oliver J. Armas</b>, Hogan Lovells US LLP, New York, NY <b>Marjorie Nunez</b>, Nunez &amp; Co., Trinidad <b>Andrés Cerisola</b>, Ferrere, Uruguay <b>F. Armando Arias R.</b>, Arias, El Salvador <b>Julio Quijano</b>, Quijano &amp; Associates, Panama</p>

7:00 pm

Group walk to Reception and Dinner (flats are recommended)

7:30 pm

**Reception** – Capuchinas

8:30 pm

**Dinner** – Capuchinas

## Thursday, September 14

8:45–10:15 am

**PLENARY: Ethics: Strengthening the Profession Against Illegality and Interference with Lawyer Independence** (2.0 ethics credits)

*Lawyers have increasingly come under the magnifying glass in the Americas. Multinational transactions, foreign investor disputes, and an unprecedented wave of cases of official corruption and resulting compliance matters, bring a focus upon the important role of lawyers in serving and promoting the rule of law. At the same time, the independence of lawyers – the ability to advise and represent clients free from interference by forces outside the lawyer-client relationship – has come under attack. Significant variation in different countries' systems for regulation of lawyers, and in their effectiveness, threaten the public's confidence and trust in lawyers as integral players in procuring justice and aiding business and development.*

### PARTICIPANTS:

**Mary Fernandez**, Chair of the Ethics Committee, Latin America Council of the International Section of the New York State Bar Association. *Presentation of Ethical Guidelines project, status and objectives.*

**Bruce Green**, Louis Stein Professor of Law, Fordham University Law School, New York  
*Presentation on Comparative Approaches to Regulation and Protection of Lawyers*

### PANEL DISCUSSION

**Hunter T. Carter**, Moderator, Arent Fox LLP, member, NY State Bar Ethics Committee

**Hon. Sidney Stein**, United States District Judge, New York

**Hon. Jazmin Barrios**, Presiding Judge, High Risk Tribunal A, Guatemala

**Sandra Gonzalez**, Ferrere Abogados, Montevideo, Uruguay

**Kenneth G. Standard**, Epstein Becker & Green, Past President, New York State Bar Association

10:15–10:30 am

Networking Break



# SCHEDULE OF EVENTS

10:30–11:45 am **PANELS 13–15** (1.5 credits)

Track 1 Disputes	Track 2 Corporate	Track 3 Other
<p><b>Panel 13</b> <i>Challenges to Implementing Competition Laws in Latin America</i></p> <p>This panel will discuss issues faced introducing a new competition law regime. Guatemala itself has no competition statute, although one is in the process for approval by Congress.</p> <p><b>CO-CHAIRS</b> <b>Ana Ponce de Iburgüen</b>, CDC Consultores, Guatemala <b>Jay L. Himes</b>, Labaton Sucharow, New York</p> <p><b>PANELISTS</b> <b>MJ Moltenbrey</b>, Paul Hastings, Washington, D.C <b>Hugo Maul</b>, Center for National Economic Research, CEES, Guatemala <b>Eduardo Mayora</b>, Mayora &amp; Mayora, S.C., Guatemala <b>Alfonso Miranda Londoño</b>, Esguerra Asesores Jurídicos, Bogota, Columbia <b>Ignacio de Leon</b>, Inter-American Bank, Washington, DC</p>	<p><b>Panel 14</b> <i>M&amp;A and Private Equity Trends in Cross-Border Transactions</i></p> <p>M&amp;A activity and PE investments in cross-border transactions reflects investors' confidence in economies in the LATAM region. How are M&amp;A and private equity investments responding to a world of changes and uncertainty? Which industry sectors are experiencing more activity as investors seek growth opportunities? M&amp;A experts across the region will address the latest trends in cross-border transactions.</p> <p><b>CHAIR</b> <b>Eduardo Calderon</b>, BLP, Costa Rica</p> <p><b>PANELISTS</b> <b>Vicky Fulop</b>, Holland &amp; Knight, USA <b>Cristian Eyzaguirre</b>, Carey, Chile <b>Carlos Omana</b>, Dempaire Reina, Venezuela <b>Jaime Robledo</b>, Brigard &amp; Urrutia, Colombia <b>Fernando Hernández</b>, Vazquez Aldana Hernández &amp; Gomez, Mexico</p>	<p><b>Panel 15</b> <i>Compliance Trends and Developments in Insurance/Reinsurance: A Regional Overview</i></p> <p>This panel will present recent compliance trends and developments in the insurance/reinsurance industries, including corporate governance, money laundering/terrorism financing and anticorruption issues. The discussion will focus on Mexico, Guatemala, Costa Rica and other Latin American jurisdictions.</p> <p><b>CHAIR</b> <b>Neftali Garro</b>, BLP, San José, Costa Rica</p> <p><b>PANELISTS</b> <b>Miguel E. Mendoza</b>, Legal Counsel, Guatemala Banking Superintendent, Guatemala <b>Omar Ortiz</b>, Chubb, Puerto Rico <b>Luciano Pérez</b>, Nader, Hayaux &amp; Goebel, Mexico <b>María Inés Arenales</b>, BLP, Guatemala</p>

11:45 am–12:00 pm Networking Break

12:00–1:15 pm **PANELS 16–18** (1.5 credits)

Track 1 Disputes	Track 2 Corporate	Track 3 Other
<p><b>Panel 16</b> <i>Trade Compliance Challenges for Multinationals and their Counsel</i></p> <p>This panel will explore various trade related compliance issues that should be on the "radar" of all in-house and corporate counsel to multinational corporations, focusing particularly on the "new" US trade policies. Discussion will cover FTAs, transfer pricing (customs view) and export controls, the intersection of trade and other compliance issues, and the role of in-house counsel in compliance issues including due diligence and trade facilitation.</p> <p><b>CO-CHAIRS</b> <b>Carolina Palma</b>, Pacheco Coto, Costa Rica <b>Robert Leo</b>, Meeks, Sheppard, Leo &amp; Pillsbury, New York</p> <p><b>PANELISTS</b> <b>José Alberto Campos Vargas</b>, Sánchez Devanny, Mexico <b>Mónica Barragán</b>, Director of Legal and Compliance, Roche Mexico, Mexico</p>	<p><b>Panel 17</b> <i>Recent Bribery Cases: How to Protect the Buyer of a Company Involved in a High Risk Activity</i></p> <p>Bribery cases gained momentum in recent years due to enhanced enforcement and new regulations enacted in several jurisdictions. This environment poses challenges for M&amp;A transactions. Such challenges should be carefully handled to protect clients from legal contingencies while also seeking solutions to potential deal-breakers. Our panel will analyze this situation and discuss real-life cases on how to address this new landscape.</p> <p><b>CHAIR</b> <b>Pablo R. García Morillo</b>, Marval, O'Farrell &amp; Mairal, Argentina</p> <p><b>PANELISTS</b> <b>Maria-Leticia Ossa Daza</b>, Willkie Farr &amp; Gallagher LLP, New York <b>Juan Carlos Castillo</b>, Aguilar Castillo Love, Guatemala <b>Terencio García</b>, García &amp; Bodan, Nicaragua</p>	<p><b>Panel 18</b> <i>Sailing the Seven Seas: Maritime Trends in Central and South America</i></p> <p>The sinews of international shipping have long defined the trade relations of Central and South America with the rest of the world. Join experienced maritime and commercial counsel from leading jurisdiction to learn about the changing legal and regulatory regimes impacting the movement of goods in and out of the region, as well as the coming growth areas.</p> <p><b>CHAIR</b> <b>Neil Quartaro</b>, Watson Farley &amp; Williams LLP, New York</p> <p><b>PANELISTS</b> <b>Alvaro Aguilar-Alfu</b>, Lombardi Aguilar Group, Panama</p>

## SCHEDULE OF EVENTS

1:15–3:00 pm

**Luncheon — Raising the Bar – The Role of Local Bar Associations in the Promotion of Ethics and Compliance**

**CO-CHAIRS**

**Rodrigo Calleja**, Carrillo & Asociados, Guatemala  
**Susana Hidvegi**, Brigard & Urrutia, Colombia

**PANELISTS**

**Pedro Pablo Marroquín**, La Hora, Guatemala  
**Alejandro Pignataro**, Pignataro Abogados, Costa Rica  
**Sharon Stern Gerstman**, President, NYSBA, Magavern Magavern Grimm LLP, Buffalo

3:00–4:15 pm

**PANELS 19–21** (1.5 credits)

**Track 1 Disputes**

**Panel 19**

***Investor-State Arbitration & Development in the Americas***

Keeping with the seasonal meeting's themes of development and compliance with international norms, our panel would consider a variety of perspectives on the impact of investment arbitration on development in the Americas, while also providing a brief introduction to the field for Seasonal Meeting participants who practice in other fields.

**CO-CHAIRS**

**Sandra Gonzalez**, Ferrere Abogados, Uruguay  
**Carlos Ramos-Mrosovsky**, Hughes Hubbard & Reed, New York

**PANELISTS**

**Noiana Marigo**, Freshfields, Bruckhaus Deringer LLP, New York  
**Rodolfo Díaz**, Pan American Energy LLC, Argentina  
**Pablo Andrés Bonilla Hernández**, Office of the Attorney General of Guatemala, Guatemala  
**Mélida Hodgson**, Foley Hoag, New York

**Track 2 Corporate**

**Panel 20**

***Transnational Practice and Legal Education in the Americas***

This panel will explore current issues and trends relating to bringing legal education in the Americas closer to the needs of transnational practice in the hemisphere.

**CHAIR**

**Professor Margaret "Peggy" McGuinness**, St. John's Law School, New York

**PANELISTS**

**Professor Daniel Edelson**, Transnational Legal Practice LLM, St. John's Law School, New York  
**Professor Dolores Sagrario Feliz**, Universidad Ibero-americano (UNIBE), Dominican Republic  
**Professor Aziz Tuffi Saliba**, Universidade Federal de Minas Gerais (UFMG), Brazil

**Track 3 Other**

**Panel 21**

***Anti-Corruption and Transparency Legislation in the Resource Extraction Industry***

The general consensus regarding the need to increase anti-corruption and transparency policies in the resource extraction industry presents opportunities as well as challenges for reporting companies. This panel will analyze the latest developments in legislation in Latin America compared to other regions and provide practical considerations when dealing with reporting obligations.

**CO-CHAIRS**

**Alejandro Massot**, Estudio Randle, Buenos Aires, Argentina

**PANELISTS**

**Ignacio Andrade**, Asencio, Andrade Flores, Guatemala  
**Sofía Escribá**, Minera San Rafael, Guatemala  
**Carlos Ramos-Mrosovsky**, Hughes Hubbard & Reed LLP, New York

4:15–4:30 pm

Networking Break

# SCHEDULE OF EVENTS

4:30–5:45 pm

**PANELS 22–24** (1.5 credits)

Track 1 <b>Disputes</b>	Track 2 <b>Corporate</b>	Track 3 <b>Other</b>
<p><b>Panel 22</b> <i>Cross-Border Insolvency</i></p> <p>This panel will provide an overview and comparison of the insolvency laws of Guatemala, Mexico and the U.S., a review of efforts in Latin America to adopt the United Nations Model Law on Cross-Border Insolvency or to otherwise deal with cross-border bankruptcy cases; and recent cross-border insolvency case law in the U.S. and Latin America.</p> <p><b>CHAIR</b> <b>William H. Schrag</b>, Thompson Hine, New York</p> <p><b>PANELISTS</b> <b>Alfonso López Lajud</b>, Sánchez Devanny, Mexico <b>Mark Bloom</b>, Greenberg Traurig, P.A., Miami <b>Steven T. Kargman</b>, Kargman &amp; Associates, New York <b>Helen Naves</b>, Trench Rossi Watanabe Advogados – in cooperation with Baker McKenzie, Brazil</p>	<p><b>Panel 23</b> <i>Cross-Border and Local Financing Options for Latin American Companies</i></p> <p>This panel will discuss recent financing trends and instruments in Mexico, Panama, Spain and the United States. In particular, panel members will discuss innovative cross-border equity and debt instruments and transactions in their jurisdictions, along with structural and tax considerations.</p> <p><b>CHAIR</b> <b>Héctor Arangua</b>, Nader, Hayaux &amp; Goebel, Mexico</p> <p><b>PANELISTS</b> <b>Pere Pons Prats</b>, Uria Menendez, New York <b>Alvaro Aguilar-Alfu</b>, Lombardi Aguilar Group, Panama <b>Randy A. Bullard</b>, Greenberg Traurig, Miami</p>	<p><b>Panel 24</b> <i>Funds, Families and Assets Moving Across Borders</i></p> <p>Advising families whose members live in different countries and who own assets around the world requires taking into account dramatically different national and local laws of personal status, agency, property, inheritance, companies, trusts, family law, taxation, and cross-border disclosure (automatic as well as voluntary). The panel will explore all of these issues through discussion of a practical scenario about a multi-jurisdictional family with personal and economic ties to Latin America, Europe and the United States.</p> <p><b>CO-CHAIRS</b> <b>Michael Galligan</b>, Philips Nizer, New York <b>Glenn Fox</b>, Baker McKenzie, New York</p> <p><b>PANELISTS</b> <b>Ramón Anzola</b>, Anzola Law Firm, Panama <b>Arturo Apestegui</b>, Pacheco Coto, Costa Rica <b>Ruby Asturias</b>, Pacheco Coto, Guatemala <b>Diego Fissore</b>, G. Breuer, Argentina <b>Eugenio Grageda Núñez</b>, Turanzas Bravo &amp; Ambrosi, Mexico <b>Tudor Vianu</b>, Lombard Odier Darier Hentsch &amp; Cie, Switzerland</p>

7:00 pm

Bus transfer from Hotel Casa Santo Domingo to Gala Event

7:30 pm

**Gala Reception** – Santo Domingo del Cerro

8:30 pm

**Gala Dinner** – Santo Domingo del Cerro

10:45 pm

Bus transfer back to Hotel Casa Santo Domingo

# SPONSORS

## Gold Sponsor



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**PACHECO COTO**

## Silver Sponsor

### Welcome President's Reception



### Welcome Dinner



### Executive Committee Dinner



A.D. SOSA & SOTO  
ABOGADOS Y NOTARIOS

### LAC Meeting



### LAC Dinner

**Arias**



**ESTUDIO RANDLE**  
ABOGADOS - ARGENTINA

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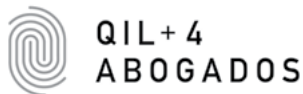
## SPONSORS

### LAC Lunch (Wednesday)

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ABOGADOS



### Plenary Lunch (Thursday)

CARRILLO &  
ASOCIADOS

### Supporter

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### Networking Break



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# NEW YORK STATE BAR ASSOCIATION

## International Section Seasonal Meeting – Registration Form Guatemala | September 12–14, 2017

### I. REGISTRANT INFORMATION

Name \_\_\_\_\_

Company/Law Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ Country \_\_\_\_\_

Phone \_\_\_\_\_ E-mail address \_\_\_\_\_

Name of spouse or guest \_\_\_\_\_

First-time attendee of a Section meeting?

I am a speaker on program # \_\_\_\_\_

### II. REGISTRATION FEES

Fees are denoted in U.S. dollars

EARLY BIRD  
Until  
August 7

Standard  
August  
8 - Sept. 12

#### NYSBA Member Attorney

Standard Registration \$995.00 \$1,095.00

#### Non-NYSBA Member Attorney

Standard Registration \$1,195.00 \$1,195.00

#### LAC Member Attorney

Standard Registration \$845.00 \$845.00

#### Newly Admitted Attorney (3 yrs or less)

Standard Registration \$745.00 \$745.00

#### Spouse/Guest Registration

Accompanying Person \$695.00 \$695.00

Spouse/Guest fee Includes: Welcome Reception and dinner, Wednesday reception & dinner, Thursday cocktail reception and Gala dinner; as well as applicable transportation.

### III. CHOOSE YOUR EVENTS

Please choose one program in each time slot:

Wednesday, September 13  Plenary Session One

Program 1  Program 2  Program 3

Program 4  Program 5  Program 6

Lunch

Program 7  Program 8  Program 9

Program 10  Program 11  Program 12

Thursday, September 14  Plenary Session Two

Program 13  Program 14  Program 15

Program 16  Program 17  Program 18

Lunch

Program 19  Program 20  Program 21

Program 22  Program 23  Program 24

Please indicate social functions you plan to attend:

Tuesday, Sept. 12  President's Reception & Dinner – La Reunion

Wednesday, Sept. 13  Cocktail Reception and Dinner – Capuchinas

Thursday, Sept. 14  Gala Reception and Dinner – Santo Domingo del Cerro

I/we will require group transportation to all events (included)

### IV. DIETARY RESTRICTIONS/ALLERGIES

\_\_\_\_\_

\_\_\_\_\_

### V. PAYMENT INFORMATION

Payment for registration fees will be accepted by credit card or wire transfer.\* Please include the name of the credit card holder if it is different from the registered attorney.

Charge \$ \_\_\_\_\_ to:  
 American Express  MasterCard  Visa

Expiration date \_\_\_\_\_

Card number \_\_\_\_\_

\_\_\_\_\_

Authorized Signature

Cardholder \_\_\_\_\_

\*Please email [tbardwell@nysba.org](mailto:tbardwell@nysba.org) for wire transfer instructions.

Register online at:  
[www.nysba.org/guatemala2017](http://www.nysba.org/guatemala2017)

### VI. EMERGENCY CONTACT

Name \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

#### Attorney Registration fees include:

Programming and costs associated with programming, coffee breaks, attorneys' lunches Wednesday and Thursday, cocktail receptions, dinners on Tuesday, Wednesday and Thursday, as well as transportation and NY CLE credit.

#### Cancellation Notice:

Notice of cancellation must be received by September 1, 2017 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: 1.518.487.5675

Secure Fax: 1.518.463.5993

Email: [tbardwell@nysba.org](mailto:tbardwell@nysba.org)

# MOCK ARBITRATION

## Tuesday, September 12

Mock facts will be used to demonstrate advocacy and the application of arbitration rules in international arbitration. Designed for counsel, arbitrators, judges, in-house counsel and anyone interested in international arbitration, this session will feature renowned arbitration practitioners giving brief presentations on advocacy and participating in mock arbitration sessions.

### CO-CHAIRS

**Carolina Diab**, Director General of the Commission for the Resolution of Conflicts of the Chamber of Industry and Commerce of Guatemala

**Sandra Gonzalez**, Chair, NYSBA International Section Latin American Council, Ferrere, Uruguay

**Carlos Ramos-Mrosovsky**, Hughes Hubbard & Reed LLP, New York

11:30 am–12:00 pm

### Registration

*Light refreshments to be served*

12:00–12:05 pm

### Introduction to the Program

12:05–1:05 pm

### Advocacy and Ethics in International Arbitration (1.0 NY MCLE ethics credit)

#### Oral Advocacy

**Filip Boras**, Baker McKenzie, Vienna

#### Written Advocacy

**Carlos Ramos-Mrosovsky**, Hughes Hubbard & Reed LLP, New York

#### Arbitrator's Ethical Obligations

**Dyala Jimenez**, DJ Arbitraje, Costa Rica

#### Counsel's Ethical Obligations

**Oliver Armas**, Hogan Lovells, New York

1:05–1:15 pm

### Break

1:15–1:20 pm

### Description of Mock Problem

1:20–2:10 pm

### Hearing on Jurisdictional Objections (1.0 NY MCLE skills credit)

The Tribunal:

**Mauricio Gomm Santos**, GST LLP, Miami

**Sandra Gonzalez**, Ferrere, Uruguay

**Calvin Hamilton**, Member of the ICC Court of International Arbitration, hamilton abogados, Barbados

Counsel for Claimant: **Natalia Angel Vega**, Brigard & Urrutia Abogados, Colombia

Counsel for Respondent: **Filip Boras**, Baker & McKenzie, Vienna

2:10–2:25 pm

### Tribunal Deliberations

2:25–2:30 pm

### Introduction to 2nd Phase of the Mock Problem

2:30–3:20 pm

### Hearing on Substantive Claims (.5 NY MCLE skills credit)

The Tribunal:

**Dyala Jimenez**, DJ Arbitraje, Costa Rica

**Hunter Carter**, Arent Fox, LLP, New York

Counsel for Claimant: **Oliver Armas**, Hogan Lovells, New York

Counsel for Respondent: **Mélida Hodgson**, Foley Hoag, New York

3:20–3:35 pm

### Tribunal Deliberations

3:35–4:00 pm

**Q&A** (Audience to Tribunal members and Counsel)

4:00–4:05 pm

### Closing Remarks

# NEW YORK STATE BAR ASSOCIATION

## I. REGISTRANT INFORMATION

Name \_\_\_\_\_

Company/Law Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ Country \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail address \_\_\_\_\_

First-time attendee \_\_\_\_\_ Are you a Speaker? \_\_\_\_\_

## REGISTRATION FORM

### International Section Mock Arbitration September 12, 2017

#### Registration fees include:

Programming and costs associated with programming, coffee breaks, and CLE credit.

#### Cancellation Notice:

Notice of cancellation must be received by **September 1, 2017** 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: 1.518.487.5675  
Fax: 1.518.463.5993  
Email: [tbardwell@nysba.org](mailto:tbardwell@nysba.org)

## II. REGISTRATION FEES

Fees are denoted in U.S. dollars. Select your choices.

### NYSBA Member Attorney

Standard Registration \$ 80.00

### Non-NYSBA Member Attorney

Standard Registration \$ 95.00

### Latin America Council Member

Standard Registration \$ 60.00

### Newly Admitted Attorney (3 yrs or less)

Standard Registration \$ 60.00

## III. CHOOSE YOUR EVENTS

**Please indicate events you plan to attend:**

**Tuesday, September 12**

Mock Arbitration Program

## IV. EMERGENCY CONTACT

Name \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

## V. DIETARY RESTRICTIONS/ALLERGIES

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## VI. 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.

Charge \$ \_\_\_\_\_ to:

American Express  MasterCard  Visa

Expiration date \_\_\_\_\_

Card number: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

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