Biographies

Bennett Jones

Melanie L. Aitken

Managing Principal, Washington
Co-Chair, Competition, Antitrust & Foreign Investment
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Melanie is co-chair of Bennett Jones' Competition/Foreign Investment practice and Managing Principal of the Washington, DC office. She specializes in the Canadian aspects of global competition law and litigation. Melanie leads and litigates major international and domestic merger cases, and represents clients in significant abuse and class action matters. Melanie was Canada's Commissioner of Competition from 2009 to 2012, in charge of the Competition Bureau, and headed merger review from 2007-2009. Melanie is widely recognized as one of Canada's leading competition lawyers.

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José Alberto Campos-Vargas
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sánchez devanny

Practice Areas:

- International Trade and Customs
- Life Sciences

Education:

- Law Degree. Universidad Nacional Autónoma de México, México, D.F., México (2000).

Background:

José Alberto is a partner at Sánchez Devanny who leads the Life Sciences practice and co-heads the International Trade and Customs practice group. He has more than 15 years of experience advising clients operating in regulated sectors on regulation and operational matters, and on international trade matters. Alberto is skilled in sanitary law, and in the laws regulating food, non-alcoholic and alcoholic beverages, medicines and medical devices, cosmetic perfume and beauty products, and tobacco products. He is also skilled in international trade and customs matters. He has advised clients on Mexican free trade agreements, import duties, export development programs, customs and non-customs requirements, and international trade issues in mergers, acquisitions, restructurings and privatizations. He has successfully represented national and foreign clients in customs and international trade administrative proceedings and litigation, as well as in negotiations with governmental authorities and in verification processes related to customs and foreign trade. He is fluent in English and Spanish.

Representative experience:

- Assisted an international pharmaceutical company in an auction procedure to acquire a Mexican company engaged the manufacturing and importation of generic pharmaceutical products.
- Advised an international supermarket chain and assisted in preparing files to demonstrate regulatory compliance in Mexico and the US for purposes of origin compliance of poultry exports from the US into Mexico.
- Advised a British biotechnology company in the design of a strategic action plan to avoid harmful competition resulting from illegal importation and marketing of pharmaceutical and cosmetic products.
- Conducted an internal audit for a US-based biopharmaceutical company to ensure compliance with good publicity practices and industry codes, and subsequent implementation of industry guidelines and actions required by applicable laws.
- Advised a German food products company on the acquisition of a Mexican company engaged in the manufacturing of gelatin for feeding and industrial purposes. Our counsel included regulatory review of the manufacturing premises, authorizations, product compliance, compliance with good manufacturing practices, and compliance with specific industry and product standards.
- Provided general advice and conducted an internal audit for a global pharmaceutical company regarding the criteria and regulations applicable to certain products.
- Advised a leading Japanese auto manufacturer on entering into a joint venture with a German auto manufacturer to create luxury brand vehicles in Mexico.
- Filed and obtained a favorable pardon of taxes and fines in connection with foreign trade and customs of over 80 million pesos (circa US$ 7Million).
- Advised a global pharmaceutical and health care company on a foreign trade and customs audit in connection with importation and exportation of pharmaceutical products and medical devices.
- Advised a French pharmaceutical company in the importation of toxoids into Mexico.

- Represented an American plumbing products company during an international recall of products imported into Mexico.
- Advised a cosmetics and dietary supplement producer on all applicable requirements for the incorporation, importation and marketing of its goods in Mexico.
- Represented several clients, as interested third parties representing automotive cold rolled steel importers, in the constitutional petition ("Amparo") filed by a steelworkers union against preferential import duties established upon the definitive importation of these kinds of products.
- Advised a specialized feeding products manufacturing company in connection with the finalization of a distribution agreement in Mexico and new distributor appointment, including advice on customs and foreign trade requirements and the strategic implementation of sale plans according to the original distribution agreement.
- Assisted a Latin American cosmetics company with the design and execution of alternatives for the importation and/ or manufacture in Mexico of perfumes bound for North American and Latin American markets.
- Advised an international cosmetics company on the new requirements for marketing and publicity campaigns in Mexico for cosmetic products and obtained the relevant authorizations from the Mexican Health authorities for the proposed publicity.
- Assisted with the design of labels and marketing materials to be used in Mexico by distributors of a beverage company, as well as with the acquisition of necessary certifications of due compliance from the proper authorities.
- Advised a pharmaceutical company on a review of operations and product sales in Mexico in connection with a compliance audit for purposes of possible FCPA violations determination.
- Successfully defended meat processing companies operating federal standard slaughterhouses against fines imposed by the animal health authorities ("SENASICA").
- Assisted in the design and execution of a compliance investigation for a client in the pharmaceutical industry leading to the reorganization of its marketing department and launching of new compliance policies in Mexico.
- Provided legal and operational assistance to a client in the medical industry which led to an assessment and reorganization of its import-export department.
- Advised a German medical devices group in the restructuring of their distribution network in Mexico, including the drafting and implementation of the new distribution and hosting contracts.
- Advised several international pharmaceutical companies on the design of legally acceptable policies for remuneration and gifts to doctors and other medical personnel.
- Designed the Mexican regulatory strategy for a large U.S. pharmaceutical company following an international merger of pharmaceutical product manufacturing laboratories in several jurisdictions including Mexico
- Advised several clinical research organizations on the requirements to operate in Mexico (including acquisition of operating permits and authorizations for the importation of non-approved drugs for trial purposes).
- Advised several laboratories on advertisement and marketing campaigns, especially government targeted, of pharmaceutical products and medical devices.
- Advised an international hotel chain on all regulatory requirements for the legal importation of alcoholic beverages, food products, and cosmetic products and amenities.
- Represented a major tobacco manufacturer in the acquisition of manufacturing licenses, registration of products, and import and export permits required after the enactment of new tobacco related legislation in Mexico.
- Advised an international drug store chain on the requirements for the retail sale of pharmaceutical products, cosmetic and beauty products, and food and beverages.
- Advised several local and international companies on the possibility to import specific medicines following the H1N1 flu outbreak in Mexico.
- Successfully represented a European laboratory in litigation challenging the closure of their manufacturing facilities in Mexico.

- Advised international clients on international trade and customs law matters, including aspects related to international trade agreements executed by Mexico, import duties and operation of export development programs, customs and non-customs requirements applicable to the import of equipment and merchandise, and international trade aspects related to mergers, acquisitions, restructurings, and privatizations.
- Advised national and foreign companies in the planning, development and implementation of activities related to the importation and exportation of all kinds of equipment and merchandise to and from Mexican territory.
- Advised Mexican exporters and importers on the advantages and benefits available under free trade agreements executed by Mexico, including the North America Free Trade Agreement ("NAFTA"), European Union Free Trade Agreement, Central American Free Trade Agreement, G-3, and Latin American Integration Association ("ALADI").
- Successfully represented one of the largest international manufacturers of electric and electronic products in several cases before the Federal Tax and Administrative Justice Court and in US$60 million litigation in federal court.
- Successfully represented several foreign companies in proceedings before the Federal Tax and Administrative Justice Court and in federal court where the origin of the merchandise exported to Mexico was denied.

Publications and presentations:

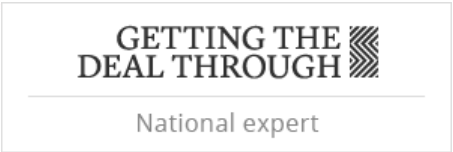
- Co-author of *Trade & Customs 2018*, article published in the 2017 edition of Getting the Deal Through.
- Speaker at several national and international seminars on customs and international trade aspects.
- Author of several articles in national and foreign publications on customs, international trade and pharmaceutical and medical devices matters, among which are several articles in the magazine *Estrategia Aduanera*, and the books Promoting Medical Devices Globally, and Clinical Trials; A Global Handbook.
- Author, "Chapter 17: Mexico," *The Life Sciences Law Review*, Law Business Research, Richard Kingham (ed.) (2013).

Affiliations:

- Member of the American Chamber of Commerce.
- Member of the Canadian Chamber of Commerce.
- Ranked by Estrategia Aduanera magazine in Mexico as one of the 100 leading professionals in foreign trade matters in Mexico.

Languages:

- Spanish
- English



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Practice Areas

- Anti-Corruption
- Computer Law
- Corporate Compliance
- e-commerce
- Fashion
- Internal Investigations
- Internet Law
- Privacy
- Product Liability
- Retail
- Security and Security Breaches
- Technology

Admissions

- England and Wales

Education

- Nottingham Law School, Law Society Finals, 1989
- University of Leeds, LL.B. Law, 1988

Jonathan is an experienced lawyer with Cordery in the UK with a concentration on compliance and technology. His practice includes advising multinational companies on matters involving risk, compliance and technology across Europe. He has handled legal matters in more than 60 countries involving data breach, bribery and corruption, corporate governance, ethics code implementation, reputation, internal investigations, marketing, branding and global privacy policies.

Jonathan is one of three co-authors of the LexisNexis definitive work on technology risk, "Managing Risk: Technology & Communications". He is a frequent broadcaster for the BBC and other channels and appeared on BBC News 24 as the studio guest on the Walport Review.

In April 2017 Thomson Reuters listed Jonathan as the 6th most influential figure in risk, compliance and fintech in the UK. In 2016 Jonathan was ranked as the 14th most influential figure in global data security by Onalytica in their Data Security Top 100 Influencers and Brands Survey.

In addition to being a lawyer, Jonathan is a Fellow of The Chartered Institute of Marketing. He has spoken at conferences in the U.S., Canada, China, Brazil, Singapore, Vietnam, Dubai and across Europe. Jonathan qualified as a lawyer in the UK in 1991 and has focused on compliance and technology matters for more than 20 years.

Andrew M.J. Arruda

Andrew Arruda is a Canadian entrepreneur and attorney. He is Chief Executive Officer and Co-Founder of the artificial intelligence company ROSS Intelligence, a leader in the legal technology industry. Arruda speaks internationally on the subjects of AI, legal technology, and entrepreneurship and has been featured in publications such as *The New York Times, BBC, Wired, CNBC, CBS, Bloomberg, Fortune, Inc., Forbes, TechCrunch, the Washington Post,* and the *Financial Times.* A member of the *Forbes* 30 under 30 class of 2017, as well as a 2016 TED speaker, Arruda aims to forever change the way legal services are delivered. Prior to cofounding ROSS Intelligence, Arruda worked at Toronto litigation boutique Azevedo & Nelson and with the Canadian Department of Foreign Affairs, Trade, and Development in Lisbon, Portugal.

Ruby Asturias

Partner
EY Law Guatemala
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- Ruby has over 20 years of experience in Transactional-Corporate Law, Legal Financial Advice and Business Structuring from the legal and financial perspective. Her advice is specialized in multinational clients, having an in-depth knowledge and management of the Central American region.
- She holds a Master's Degree in Legal Aspects of Negotiation from Incae/Georgetown University; Master's Degree in Business Administration and Commercial Law UFM; Master's in Finance and Taxes UFM and LLM of the Pontifical Catholic University of Chile.
- Due to the creation of the Law of Public-Private Partnerships 7 years ago, she has made an incursion in various Advisory Services for the regulatory body (Anadie) and potential investors interested in APP's projects in the region, the energy sector, public utilities and infrastructure development in general.
- Currently, it is part of the Consortium of Professional Consultants, which is evaluating the legal and technical regulatory feasibility of the Aila project; whose intention is to carry the international and regional port air services of Guatemala; advice that is at 30% execution.
- She participated in Legal Advisory for the preparation of the necessary legal technical documents to participate as a consultant in the Study for Comprehensive Structuring and support for the initiative of Partnerships for the Development of Economic Infrastructure that included the Maintenance and Operation of the Bartolomé Fray Deliverance in Guatemala with toll collection.
- In addition, she has participated in the Consortium of Professional Consultants that have advised Anadie in potential APPs that are foreseen in the next 5 years and that aim to develop: infrastructure projects on national interconnection roads, Public Utility Buildings, among others.
- In 2017, she was invited by the United Nations, through Uncitral, to the International Symposium of World Professionals, who are drafting model documents that will serve as a global reference and that will be endorsed by Uncitral for the development of APPs in the world and Infrastructure and Financing projects that meet the needs of those countries that are using this figure to meet their needs for Development of Comprehensive Infrastructure.
- Through a Professional Consortium comprised by Ikons Legal, Ruby Asturias is participating as an International Consultant for Legal/Financial Technical Advice for the preparation of the necessary regulation to hold the shares of the primary equity among the affiliates of the Régimen de Aportaciones Privadas (RAP) in Honduras.

Todd Baiad is a partner in the Firm's Litigation Department. Mr. Baiad joined the Firm in 2000 upon his graduation from the Emory Law School.

Mr. Baiad focuses his practice on helping clients to solve their most complex and challenging legal problems. He has represented clients in a myriad of subject areas, with a primary focus on admiralty and maritime matters, complex commercial litigation, intellectual property disputes, class actions and personal injury claims. Mr. Baiad currently serves as outside litigation counsel to shipping lines, banks, professional service firms and Fortune 100 companies.

Mr. Baiad's broad based commercial and complex litigation practice has enabled him to handle matters at the local, state and federal level. He has been admitted to practice in multiple jurisdictions and has handled matters on behalf of clients in and among the following cities and jurisdictions: Chicago, San Francisco, Charleston, New York, New Jersey and Miami.

Mr. Baiad is fiercely committed to *pro bono* service and has represented multiple *pro bono* clients including The Savannah Book Foundation. Mr. Baiad previously chaired the Emory University's annual Savannah CARE project and has also served as a cabinet member for the United Way of the Coastal Empire for many years. Mr. Baiad also serves on the Board of Directors for the Georgia Chamber of Commerce where he sits on the law and judiciary committee.

Mr. Baiad received his bachelor of arts in political science with a minor in economics from the University of Georgia in 1997. While an undergraduate, Mr. Baiad was inducted into *Pi Sigma Alpha* an honors fraternity for political science majors.

Mr. Baiad received his Juris Doctor from the Emory University School of Law in 2000. As a law student at Emory, Mr. Baiad clerked for the Federal Trade Commission specializing in anti-trust litigation.

Mr. Baiad has been selected as a *Rising Star* by Georgia Super Lawyers from 2006-2010, 2012-2015 and as a *Super Lawyer* in the areas of transportation law and business litigation in 2016-2018. Only 5% of the total lawyers in the state are selected for inclusion. He has likewise been included for selection in Georgia Trend's *Legal Elite* in the area of business litigation. Savannah Magazine recently voted Mr. Baiad as one of the City's top 20 rising stars of business. Mr. Baiad has also been featured on National Public Radio, the *Atlanta Journal Constitution*, the *Wall Street Journal* and Georgia Public Broadcasting for his work in maritime law.

Mr. Baiad is a member of the State Bar of Georgia and is admitted to practice in all state and federal courts in Georgia. He is a proctor member of the Maritime Law Association of the United States and has served as a Port Director for Savannah in the Southeastern Admiralty Law Institute. Mr. Baiad's speaking engagements have included being asked by the International Section of the New York State Bar to discuss federal court litigation in Georgia at its annual meeting in Dublin, Ireland in the spring of 2017. Mr. Baiad's reported decisions include the following:

Ray Capital, Inc. et. al v. M/V Newlead Castellano, 2017 AMC 2614 (S.D. Ga. 2017); *MMA Capital Corporation v. ALR Oglethorpe, et. al* 336 Ga. App. 360 (2016); *Triad Health*

Management of Georgia, III, LLC v. Johnson, 298 Ga. App. 204, 679 S.E.2d 785 (2009); *Barnette v. Coastal Hematology & Oncology, PC*, 294 Ga. App. 733, 670 S.E.2d 217 (2008); *Gulfstream Aerospace Corp. v. Camp Systems Intern., Inc.,* 428 F.Supp.2d 1369 (S.D. Ga. 2006); *Sweeney v. Branigar Properties, Inc.* 277 Ga. App. 677, 627 S.E.2d 409 (2006); *Blige v. M/V Geechee Girl,* 180 F.Supp.2d 1349 (S.D. Ga. 2001).

Lawyer Profile

Marc B. Barbeau

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Marc Barbeau is a partner in the Corporate Group who practices in the areas of mergers & acquisitions, complex reorganizations and corporate governance, including with respect to advising senior management and boards of directors. He headed the Montréal office's Corporate Group from 2005 to 2011 and is now a member of the Montréal office's Management Committee.

Accolades

- *The Best Lawyers in Canada 2019* in Corporate, Derivatives, Mergers & Acquisitions and Securities.
- *International Financial Law Review's IFLR1000 : The Guide to the World's Leading Financial Law Firms 2018* as highly regarded in Restructuring and Insolvency.
- *The Canadian Legal Lexpert Directory 2018* as a leading lawyer in Corporate Finance & Securities, Mergers & Acquisitions, Corporate Mid-Market and Corporate Commercial Law.
- *The 2018 Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada* in Corporate Commercial and Corporate Mid-Market.
- *The Best Lawyers in Canada 2018* in Corporate, Mergers & Acquisitions, Derivatives and Securities Law.
- *Lexpert 2018 Guide to the Leading US/Canada Cross-Border Corporate Lawyers in Canada* in the area of Mergers & Acquisitions.
- *Lexpert/ROB Special Edition: Canada's Leading Corporate Lawyers*, April 2018.
- *The 2017 Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada* in Corporate Commercial, Corporate Mid-Market and Corporate Finance & Securities.

Legal Posts

The following posts are available on stikeman.com:

- Canada Promotes Good Corporate Citizenship With New Remediation Agreement Program and Enhanced Integrity Regime
- Government of Canada Reports on Public Consultations About the Integrity Regime and Deferred Prosecution Agreements

Professional Activities

Marc is a member the Quebec Bar, the New York Bar and he is also member of the Montréal office's Gender Balance Initiative Committee.

John Bass

Director

Cyber Risk

Washington

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Message me

vCard

John Bass is a Director in the Cyber Risk practice of Kroll, a division of Duff & Phelps, based in Washington, D.C. John has extensive experience in complex international investigations, dispute resolution, government relations, strategic communications and intercultural negotiations. John is an acknowledged Central Intelligence Agency (CIA) thought leader on risk management, the human dimensions of cyber risk and insider threats.

Prior to joining Duff & Phelps, John was a CIA National Clandestine Service (NCS) operational executive with 27 years of experience in national security and international affairs in Africa, the Middle East, Central Asia, Europe and Latin America. He has significant experience engaging with foreign partners, law enforcement, militaries and diplomats, along with the Federal Bureau of Investigation (FBI) and the U.S. military, that resulted in a broad international network of contacts and relationships. He forged strategies to advance U.S. security interests, often in challenging, dangerous and ambiguous environments.

In his ultimate role with the CIA, John was the Agency's Senior Representative to the FBI for Counterterrorism, charged with preventing another 9-11. He managed the evolving CIA-FBI relationship on counterterrorism, leveraging CIA global human, analytical and technical resources to enable the FBI to identify, disrupt and prosecute terrorism suspects within the U.S., and ensured that FBI domestic investigations fed CIA international investigative efforts to root out terrorist threats at their source.

Prior to that, as a CIA chief of base in an active war zone, John commanded a large CIA installation. He was responsible for assessing and managing risk across physical, political/reputational, human capital and cyber assets. He additionally served as Consul in São Paulo, Brazil for the U.S. Department of State.

Education & Certifications

MBA, Enterprise Risk Management, Johns Hopkins University

B.S., Physics and Mathematics, Bradley University

Mercer Benefits Consulting Alumnus

Languages

Farsi – Fluent

Turkish – Fluent

Italian – Fluent

Brazilian Portuguese – Fluent

Yoshua Bengio

Yoshua Bengio (computer science PhD, 1991, McGill U; post-docs at MIT and Bell Labs, computer science professor at U. Montréal since 1993): he authored three books, over 500 publications (h-index 115), mostly in deep learning, holds a Canada Research Chair in Statistical Learning Algorithms, is Officer of the Order of Canada, recipient of the Marie-Victorin Quebec Prize 2017, he is a CIFAR Senior Fellow and co-directs its Learning in Machines and Brains program. He is scientific director of the Montreal Institute for Learning Algorithms (MILA), currently the largest academic research group on deep learning. He is on the NIPS foundation board (previously program chair and general chair), co-created the ICLR conference (specialized in deep learning) and is scientific co-director of IVADO. He pioneered deep learning and his goal is to contribute to uncover the principles giving rise to intelligence through learning, as well as favour the development of AI for the benefit of all.

Eric Bickford
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Eric Bickford is a vice president at Cornerstone Research, based in the New York office. He consults on complex issues related to securities, financial institutions, antitrust and competition, and labor and employment. Mr. Bickford focuses on commercial litigation matters involving valuation, mortgage-backed securities, collateralized debt obligations (CDOs), and mutual funds. His experience also includes substantial empirical analysis of large datasets.

In matters involving securities and financial institutions, Mr. Bickford has:

- Assessed claims of market efficiency and loss causation, evaluate arguments related to class certification, and analyze potential damages arising from alleged fraud involving equities issued by U.S. and foreign firms
- Analyzed the valuation of corporate debt, mortgage-backed securities, and structured debt products
- Assessed foreign exchange transaction costs
- Evaluated institutional factors related to trading activity in equity and debt markets, as well as investment practices of retail investors, mutual funds, and other institutional investors
- Analyzed large datasets, including over-the-counter derivatives, compensation data, mutual fund accounting records, client fixed-income trading records, intraday equities trading, and brokerage account information

In antitrust and competition matters, he has:

- Analyzed trading costs of over-the-counter fixed income derivatives and related markets
- Assessed claims of collusion in primary and secondary cash fixed-income markets
- Evaluated questions of pricing and exclusionary conduct in airlines, telecommunications, and petroleum industries
- Conducted statistical analysis of compensation and promotion

In labor and employment matters, he has:

- Assessed questions related to class certification and liability, and conduct statistical analysis of large datasets to evaluate compensation and promotion decisions
- Analyzed the determinants of executive compensation and antitrust claims related to employment issues

Mr. Bickford holds a B.A. with honors in economics from the University of California, Berkeley, and an M.P.A. in economics and public policy from the Woodrow Wilson School of Public and International Affairs at Princeton University.

Andrea K. Bjorklund is a Full Professor and the L. Yves Fortier Chair in International Arbitration and International Commercial Law at McGill University Faculty of Law. In 2017 she was named one of McGill's Norton Rose Scholars in International Arbitration and International Commercial Law. In Winter 2018 she was a Plumer Fellow at St. Anne's College and a Visiting Fellow in the Law Faculty, University of Oxford. In Summer 2018 she was a visiting fellow at the Lauterpacht Centre for International Law at the University of Cambridge.

In addition to serving as an adviser to the American Law Institute's project on restating the U.S. law of international commercial arbitration, she is a member of the Advisory Board of the Investment Treaty Forum of the British Institute for International and Comparative Law. Professor Bjorklund was the inaugural ICSID Scholar-in-Residence from 2014-2015 and was Editor-in-Chief of the Yearbook on International Investment Law and Policy from 2012- to 2015. She is on the panel of arbitrators of the AAA's International Centre for Dispute Resolution and on the roster of NAFTA Chapter 19 arbitrators. Professor Bjorklund is widely published in investment law and dispute resolution and transnational contracts.

Prior to joining McGill, Professor Bjorklund taught at the University of California, Davis, School of Law. Before entering the academy she was an attorney-adviser on the NAFTA arbitration team in the Office of the Legal Adviser of the U.S. Department of State, in addition to periods at the U.S. International Trade Commission and in private practice at Miller & Chevalier in Washington, D.C. She clerked for Judge Samuel J. Ervin, III, of the U.S. Court of Appeals for the Fourth Circuit. Professor Bjorklund has a J.D. from Yale Law School, an M.A. in French Studies from New York University, and a B.A. (with High Honors) in History and French from the University of Nebraska.

Mark D. Bloom is Co-Chair of GreenbergTraurig's Global Restructuring & Bankruptcy Practice. Mark's diverse experience, spanning more than 35 years, includes all areas of U.S. and cross-border financial restructuring, reorganization and bankruptcy, involving the representation of debtors, trustees, secured and unsecured creditors, and official committees and purchasers of troubled companies and their assets, both in and out of bankruptcy court.

Mark is the President of the prestigious American College of Bankruptcy, having been inducted as a Fellow in 1998. For more than ten years, he has served the College in a variety of leadership roles, as a Director, Vice President, and as Chair of the American College of Bankruptcy Foundation. Mark has been listed in *The Best Lawyers in America* since 1993, and is also listed in both *Chambers USA Guide* and the *K&A Restructuring Register* of America's Top 100 Restructuring Professionals.

Mark was inducted into International Insolvency Institute in 2014, and also has been an active member of INSOL International for 15 years, co-chairing its Annual Regional Conference on International Insolvency in 2012. He has written and published extensively and lectured on five continents for INSOL, ALI-ABA, the International Section of the New York State Bar Association and other organizations, and at the Harvard Business School, on areas of interest to insolvency professionals, particularly including cross-border recognition and international comity and cooperation. He has served on the Editorial Boards of both *INSOL World* and the *International Insolvency Law Review*.

Concentrations

- Bankruptcy and reorganization
- Cross-border insolvency
- Distressed company financing and transactions
- Creditor rights litigation

AIRD BERLIS

Rachel L. Blumenfeld TEP

Partner

Admitted to the Ontario Bar: 1998

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Rachel advises clients on estates, tax and succession planning matters. By asking the right questions and listening carefully, Rachel gets the information she needs to structure her clients' affairs effectively. She is an active speaker and participant at conferences and professional development events, ensuring she remains a leader on rapidly changing legal and tax rules and regulations.

As a member of the Aird & Berlis Estates & Trusts and Tax Groups, Rachel's practice focuses on trusts and estates, personal tax planning and charities law. She advises on tax, trusts, estate planning and administration, preparation of wills, power of attorney documents, business succession and insurance planning. Rachel has significant experience with cross-border planning for clients who have U.S. or other foreign connections. She also works with families with disabled children to plan and structure their estates appropriately and offers advice to charities and donors on planned giving, philanthropic programs, administration of bequests and other gifts.

Rachel served on the STEP Toronto Executive and co-chaired and chaired the National Conference for a number of years. She has been a director of STEP Canada since 2015 and is currently the National Secretary. As well, Rachel was the President of the Toronto Estate Planning Council in 2016-2017 and chaired the CALU Associate Member Conference in 2016 and 2017. She is currently a director of the McMichael Canadian Art Foundation and the Toronto Partnership Minyan.

Rachel is recognized in *Chambers HNW: The World's Leading High Net Worth Advisers*, *Chambers Canada Guide* (Private Client), *The Canadian Legal Lexpert Directory* (Estate & Personal Tax Planning and Charities and Not-for-Profit Law), *The Best Lawyers in Canada* (Trusts and Estates), *Who's Who Legal: Canada* (Private Client) and *The International Who's Who of Private Client Lawyers*. She was honoured as the 2016 Volunteer of the Year by STEP Toronto and awarded the 2012 Ontario Bar Association Trusts and Estates Section Hoffstein Book Prize.

Education

- LLB, University of British Columbia, 1996
- MA (International Relations), Hebrew University, Jerusalem, 1988
- BA (International Relations), University of Toronto, 1983

CARMINE BOCCUZZI BIOGRAPHY

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Carmine D. Boccuzzi's litigation and arbitration practice covers a broad range of complex civil litigation matters. He focuses on international disputes, including those involving foreign states and state-owned entities, as well as disputes involving the capital markets and antitrust issues.

Since 2002, Carmine has been successfully defending the Republic of Argentina in cases brought against it in connection with the country's 2001 economic crisis, including obtaining the vacatur of over $2 billion in class judgments (*Seijas v. Argentina*), defeating attempts to attach assets of Argentina and its instrumentalities (*NML Capital Ltd. v. Argentina, Aurelius Capital Partners, LP v. Republic of Argentina*), and to enjoin the launch and subsequent closing of capital markets transactions by the Republic (*Rossini v. Argentina, Urban v. Argentina*).

His other recent representations include BNP Paribas in obtaining dismissal of attempts by plaintiffs to obtain worldwide discovery and asset freezes in connection with judgements against various foreign states (*Leibovitch, et al., v. Islamic Republic Of Iran, et al., Bank of Tokyo-Mitsubishi UFJ, and BNP Paribas*); Citigroup Venture Capital in its widely publicized battle for corporate control over Brasil Telecom, which included extensive litigation in New York federal court and ICC arbitrations in London and Paris; an instrumentality of the Republic of Chile in obtaining the vacatur of an attachment against the client, successfully arguing that the court lacked jurisdiction to restrain an electronic funds transfer of a non-judgment debtor; an instrumentality of Brazil in defeating claims in New York federal court by bondholders claiming over $300 million in damages in connection with allegedly defaulted bearer bonds; BNP Paribas and HSBC in securing the dismissal of $5.5 billion civil RICO and related state law claims asserted against the banks based upon allegations that the banks are responsible for helping Cuba avoid U.S. sanctions thereby frustrating plaintiffs' ability to collect on judgments against Cuba (*Villoldo v. BNPP and BNPP North America Inc.*); and Bosch in class action litigation in the United States in connection with "dieselgate" scandal alleging that Volkswagen and other automobile manufacturers used equipment supplied by Bosch allegedly to manipulate the results of vehicle emissions tests.

Carmine's work has been repeatedly acknowledged by the legal press. He has been recognized by *Chambers Global*, *Chambers USA*, *Chambers Latin America*, *The Legal 500 Latin America*, and *Latin Lawyer 250: Latin America's Leading Business Law Firms* for his work in international arbitration, litigation. Additionally, Carmine has been named a "Litigation Star" by *Benchmark Litigation*.

Carmine received his J.D. from Yale Law school and his B.A. from Yale University. He joined the firm in 1994 and became a partner in 2003.

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Michael G. Bongiorno (Wilmer Cutler Pickering Hale and Dorr LLP)

Michael G. Bongiorno is a partner in the corporate department of the New York and Boston offices of Wilmer Cutler Pickering Hale and Dorr LLP. Michael concentrates his practice on securities litigation and enforcement matters. He has served as first-chair lead defense counsel and argued motions to dismiss in dozens of securities class action and derivative suits across the country, as well as appeals affirming dismissals in federal and state courts. His clients have achieved dismissal in the vast majority of such matters. His successful defense in such cases spans a variety of industries and jurisdictions, and he is a recognized leader in securities litigation, particularly in matters against biotech, life science, biomaterials, medical device, and medical product companies, among other industries and areas. His successful representations include the dismissal of cases against companies such as Tetraphase Pharmaceuticals, Inc., Apollo Education Group, Inc., ConforMIS, Inc., Britannia Bulk Holdings Inc., Optionable, Inc., DryShips Inc., InVivo Therapeutics Holdings Corp., AVEO Pharmaceuticals, Inc., VeraSun Energy Corp., EDAP TMS S.A., Medtronic, Inc., AtheroGenics Inc., and many others. Michael is a graduate of Dartmouth College (AB, 1988) and Harvard Law School (JD, 1991) and a member of the New York State Bar Association, the Massachussetts Bar Association and the New Hampshire Bar Association.

LINDAHL

Carl-Olof E. Bouveng

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Mobile	+46 766 170 890
E-mail	carl-olof.bouveng@lindahl.se
Office	Stockholm

Carl-Olof Bouveng is partner in the Corporate Group and has key expertise in corporate law, mergers & acquisitions and insurance. Carl-Olof represents publicly and privately held companies as well as private equity sponsors in a broad range of corporate transactions, including mergers and acquisitions, reorganizations, tender offers and recapitalizations. He also advises on capital market, corporate governance and general corporate matters, as well as regulatory issues in the insurance industry. Carl-Olof's clients are largely foreign clients engaged in a variety of businesses in Sweden.

Carl-Olof is admitted to practice in Sweden and New York, and a Past Chair of the International Section of the New York State Bar Association. He is also member of the International Bar Association and the American Bar Association.

Carl-Olof is Director of AIDS Accountability International based in Stockholm, Sweden, and Cape Town, South Africa.

Recent representative and significant representation includes:
- Berkshire Hathaway's transfer of insurance portfolio
- Beijing Water Authority in acquisition of Scandinavian water treatment business
- Battery Ventures in public offer for Jeeves Information Systems, and add-on acquisitions
- Electronic Arts in various acquisitions and reorganizations
- Hewlett-Packard's demerger of its Enterprise Services segment to CSC

Education

University of Stockholm, LL.M. 1988
Duke University School of Law, LL.M. 1989

Career

Covington & Burling, Washington DC 1989-1990
Mannheimer Swartling Advokatbyrå 1990-1997
Advokatfirman Lindahl 1997-

NORTON ROSE FULBRIGHT

NYSBA Seasonal Meeting 2018 "Where Do We Go From Here"

MARTIN J. VALASEK'S BIO

October 25, 2018 – Panel 5 – 1:30 to 2:45 p.m.

Martin Valasek is a partner at Norton Rose Fulbright Canada LLP, and head of its international arbitration practice. He is a leading practitioner in the area of international arbitration, with extensive experience in both investor-state and commercial contract disputes. He regularly acts as counsel, and also sits as arbitrator. His experience covers a wide range of legal systems and industries, including aerospace, airport development, banking, construction, mining, energy, environmental remediation, pharmaceuticals, IT outsourcing, lotteries and steel manufacturing. He has handled matters under the ICC, LCIA, ICSID and UNCITRAL Rules, and other ad hoc and institutional rules. He also has extensive experience with investment disputes under BITs, NAFTA and the Energy Charter Treaty. In 2011, Mr. Valasek was named to Global Arbitration Review's 45 under 45 list of leading practitioners in the field of international arbitration under the age of 45. In 2007, he was named one of Lexpert's "Rising Stars: 40 Leading Lawyers Under 40" for Canada. He is a member of the Bars of Québec, Ontario and New York. He served as President of the Young Canadian Arbitration Practitioners (YCAP) from 2007 to 2010. He clerked for Mr. Justice Gonthier of the Supreme Court of Canada. He is fluent in English, French and Czech, and has a working knowledge of Spanish.

mcmillan

Dr. A. Neil Campbell

Co-Chair, Competition and Trade
Toronto

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profile

- Co-Chair of the Competition and International Trade Law Groups and partner in the Energy Law Group. Member of the firm's Board of Partners, 2001–2007 and 2017–present
- Competition law experience — over 300 merger clearances under the *Competition Act* and/or the *Investment Canada Act*; over 25 major cartel cases and/or related class actions; multiple abuse of dominance and other unilateral conduct investigations and proceedings; and advising on marketing, distribution, grey marketing, joint venture and compliance issues
- Various proceedings before the Competition Tribunal including *Ultramar/Coastal* (merger), AIM/SNF (merger injunction, *UCDA v. IBC* (refusal to supply, price maintenance), *Paradise Pharmacy v. Novartis* (refusal to supply) and *DIR v. Air Canada* ("Gemini" contested proceeding)
- Public policy experience — submissions to Canadian parliamentary committees and government agencies as counsel to the Competition Policy Group; co-founder and principal author of over 30 Merger Streamlining Group submissions to governmental authorities in respect of compliance with the ICN Recommended Practices for Merger Notification and Review Procedures; co-author or coordinator for multiple CBA Competition Section, ABA Antitrust Section and IBA Antitrust Committee submissions to government authorities
- Represented clients in matters before the Federal, Ontario and British Columbia courts as well as the Competition Tribunal, Canadian International Trade Tribunal and numerous regulatory / enforcement agencies
- Ranked by *Who's Who Legal: Thought Lawyers - Global Elite 2019* as one of the most highly regarded lawyers in Competition Law
- Ranked by Lexpert Guide (2018) as a leading US/Canada Cross-Border Lawyer in Canada
- Ranked by *Chambers Global (*2018) as a leading lawyer in the area of Competition/Antitrust
- Ranked by *Best Lawyers in Canada* (2018) as a leading lawyer in the areas of Competition/Antitrust and International Trade Law
- Named *Global Competition Review*'s "Dealmaker of the Year" in 2016

practice areas

cartels

competition and antitrust

mergers

foreign investment review

unilateral conduct and distribution practices

international trade

international economic and trade sanctions

industries

automotive

energy

food, beverage and agribusiness

electricity and utilities

life sciences

media, communications and entertainment

transportation

MCOY ABOGADOS

Alejandro Cárdenas, LL.M.
Alejandro is the Head of the IP Department of the Firm and oversees all enforcement matters.The Firm benefits from his more than 20 years of experience in IP.

Alejandro is one of the top ranked IP litigators in Mexico (WTR1000 Rankings 2015 - 2018). Recent high profile cases include an IP infringement case in the oil & gas industry; an infringement case involving trade dress and design rights for a pharmaceutical company; and an infringement case involving 3-D trademarks and trade dress in the beverage industry. His clients appreciate his success rate in contentious matters (over 75%) but also come to him for his ability to understand their business expectations. He works with his team to provide strategic advice on IP portfolio management; ensuring his clients' IP rights have the broadest protection and the narrowest possibility of being challenged.

Alejandro has an international perspective, being involved in international committees and task forces and holding an LL.M. in IP from the University of Alicante, Spain.

Lawyer Profile

Robert Carelli

1155 René-Lévesque Blvd. West, 41st Floor, Montréal, Canada, H3B 3V2
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Robert Carelli is a partner in the Corporate Group and Head of the Securities Group. His practice is focused primarily in the areas of securities, capital markets, public and private mergers & acquisitions and governance. He advises issuers and underwriters on public offerings and private placements, boards of directors and private equity funds.

Accolades

- *The Best Lawyers in Canada 2019* as "Lawyer of the Year" in Corporate Law.
- *The Best Lawyers in Canada 2019* in Corporate, Mergers & Acquisitions and Securities.
- *Chambers Canada: Canada's Leading Lawyers for Business 2018* as a leading lawyer in Corporate/Commercial – Québec.
- *The Canadian Legal Lexpert Directory 2018* as a leading lawyer in Corporate Finance & Securities, M&A, Corporate Mid-Market and Corporate Commercial Law.
- *The Legal 500 Canada 2018* as a recommended lawyer in Banking & Finance.
- *The 2018 Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada* in Corporate Finance & Securities, Corporate Mid-Market and Corporate Commercial.
- *The Best Lawyers in Canada 2018* in Corporate Law, Mergers & Acquisitions and Securities Law.
- *Lexpert 2018 Guide to the Leading US/Canada Cross-Border Corporate Lawyers in Canada* in the area of Financing.
- *Lexpert/ROB Special Edition: Canada's Leading Corporate Lawyers*, April 2018.
- *Lexpert Guide 2017 to the Leading US/Canada Cross-border Corporate Lawyers in Canada* in Corporate Finance & Securities and Mergers & Acquisitions.
- *Lexpert Guide 2012 to the Leading US/Canada Cross-border Corporate Lawyers in Canada* Recognized as a Canadian "lawyer to watch.
- *Lexpert's Rising Stars*: Leading Lawyers Under 40, 2011.

Professional Activities

Robert is a member of the Quebec Bar and of the Canadian Bar Association. He is also a member of the Legal Advisory Committee of the Autorité des marchés financiers and a member of the Montréal office's Associates Committee.

Hunter T. Carter

Partner
New York
212.484.3946
hunter.carter@arentfox.com

Hunter is co-chair of **AF International**, the firm's international services group, focusing on Latin America. He is a vigorous advocate and sophisticated strategist whose experience is widely varied. He has served as a trial attorney in federal and state trial and appellate courts. He has led cases in foreign and domestic arbitration including serving as an arbitrator appointed by the International Chamber of Commerce. He has tried a case involving torture against Chile in the Inter-American Court on Human Rights, has addressed the full Colombian Senate on international human rights law and marriage equality, and has represented the people of Easter Island. For multinational corporations throughout the region, he has led domestic and international internal corporate investigations especially in anti-corruption, and teaches corporate clients international compliance. He has handled cases in a wide range of industries as diverse as pharmaceuticals and devices, real estate, financial advisors, heavy equipment manufacturers, agricultural products, manufactured foods, oilfield services, aircraft leasing, intellectual property development and licensing, media and entertainment, telecommunications, health care facilities, and law firms and legal ethics. He has represented clients from throughout South and Central America, as well as Europe and the United States, and is fully fluent in Spanish.

He has chaired the New York City Bar Association Committee on Inter-American Affairs, been a member of the New York City Bar Council on International Affairs, and serves on the New York City Bar's Committee for the Vance Center for International Justice. He is a founding board member of Global Americans, an innovative Latin America focused think tank. He is one of the most active lawyers in the hemisphere in cases pursuing marriage equality. He is also an active leader of the profession in the field of attorney responsibility and legal ethics. He has served two terms as a member of the New York State Bar Ethics Committee, has chaired the ethics committee of the New York Intellectual Property Law Association, and is the ethics partner for the firm's New York office.

Education

University of Virginia School of Law, JD
University of Virginia, BA

Practices and Industries

Complex Litigation

International Arbitration & Dispute Resolution

Investigations

Communications & Technology

Life Sciences

Media & Entertainment

Real Estate

Bio

Raymond B. Check

Mr. Check is a Senior Counsel and Vice President in the Legal Department of the Federal Reserve Bank of New York. Prior to joining the Federal Reserve Bank of New York in 2012, Mr. Check practiced law for over 25 years as an associate and partner at international law firm Cleary Gottlieb Steen & Hamilton LLP.

Mr. Check graduated from the Wharton School of the University of Pennsylvania and received his law degree from the University of Michigan.

Lawyer Profile

Vanessa Coiteux

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Direct: +1 514 397 3681 vcoiteux@stikeman.com

Vanessa Coiteux is a partner in the Corporate Group. Her practice focuses on securities, public and private mergers & acquisitions and corporate financing.

She frequently advises issuers and underwriters in connection with public and private offerings in Canada and abroad, as well as TSX-listed securities issuers on regulatory compliance, corporate governance and continuous disclosure requirements matters.

Vanessa specializes in cybersecurity and advises public and private companies on legal, ethical and governance issues. She advises clients on a wide range of privacy, data security and information management matters, including information security breach responses, compliance and disclosure, and provides advice on best cybersecurity business practices.

Vanessa works with businesses from various industry sectors including the engineering, communications, computer science, pharmaceutical, manufacturing and retail industries.

Vanessa has been recognized by *The Best Lawyers in Canada 2017* for her expertise in the areas of mergers & acquisitions and securities.

Accolades

- *The Best Lawyers in Canada 2019* in Mergers & Acquisitions and Securities.
- *The Best Lawyers in Canada 2018* in Mergers & Acquisitions and Securities.
- Winner of the M&A Advisor's 8th annual Emerging Leaders Awards in the "Dealmaker" category.

Publications

- "Data Security & Cybercrime", *Lexology Navigator*, Canada Chapter, 2017 (co-author).
- "Canada" chapter, *Cyber Security & Risk Management Annual Review 2016*, Financier Worldwide, July 2016.

Legal Posts

The following posts are available on stikeman.com:

- CSA Publishes Guidance on Cyber Security and Social Media Practices of Registered Firms After Its Review of Their Current Practices
- Update on Cyber Security: CSA Publishes Results of Roundtable on Response to Cyber Security Incidents
- Expectations for Cyber Security Risk Disclosure Published by CSA

- Canadian securities regulators publish capital markets guidance update on cyber security
- Cyber-attacks: Why any business may be at risk and five possible ways to address the risks
- Cybersecurity: What Should a Board of Directors focus on?

Professional Activities

Vanessa is a member of the Young Bar Association of Montréal and the Jeune Chambre de commerce de Montréal. She is also Co-chair of the Montréal office's Students & *Stagiaires* Committee, acting as mentor for lawyers, students and *stagiaires*. She is also a member of the Montréal office's Premises Committee.

Vanessa is a member of the board of directors and President of the Governance Committee of the Quebec Breast Cancer Foundation.

GOWLING WLG

MARK W. CRANE

Partner

Speaks: English

Year of Call: 2005 - Ontario

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+1 416-862-7661

mark.crane@gowlingwlg.com

Primary office: Toronto

MARK W. CRANE

Mark Crane is a partner in the Advocacy Department of Gowling WLG's Toronto office. He is a member of the firm's Commercial Litigation, Energy, Construction & Infrastructure, and Insurance & Professional Liability groups.

Mark is also the national lead of the firm’s Arbitrations Group.

Mark's practice emphasizes both complex commercial and professional liability matters as well as matters relating to fraud, deceit, insolvency and enforcement. He represents clients, both internationally and domestically, across a broad range of industries, including construction, professional engineering, energy and mining, information technology, banking and the public sector. His municipal liability practice includes police liability and misfeasance in public office.

Mark has been successful in obtaining excellent outcomes for his clients through litigation, arbitration, negotiation or a combination of these approaches. He has been recognized by clients as having a practical and efficient approach to problem solving, and he has worked with clients and other counsel across Canada, the United States, Europe, Asia and Latin America.

Mark is a member of the Board of Directors of the Toronto Lawyers Association.

Prior to his legal career, Mark practised as a management consultant at a global consulting firm.

M&A and Corporate

Anna Dąbrowska

Legal adviser, partner

Anna Dąbrowska is a legal adviser and a partner and a member of the M&A and Corporate Practice at Wardyński & Partners. She is also admitted as a solicitor in England and Wales (currently not practising).

She is involved mainly in transactional work, focusing on corporate law. She has taken part in many mergers and transformations of legal entities, as well as share purchase transactions and business acquisitions. She also assists clients in day-to-day issues arising in the operation of businesses in Poland, including setting up, restructuring and liquidation of companies, partnerships and branches, effecting changes in corporate structures, and initiating and monitoring related registration proceedings.

Anna Dąbrowska graduated from the Faculty of Law and Administration at the University of Warsaw (1999), where she completed with honours a course in English and European law at the British Law Centre (1998–1999).

She has co-authored two books published by LexisNexis Polska in cooperation with Wardyński & Partners: *Mergers and Acquisitions Transactions* (Warsaw 2011) and *Legal Risks in M&A Transactions* (Warsaw 2013).

She has worked for Wardyński & Partners since 2004. Earlier she worked for Deloitte & Touche Tax Advisory and Wasylkowski & Partners.

She is a member of the Warsaw Chamber of Legal Advisers.

Languages: English

Office: Warsaw

E-mail: anna.dabrowska@wardynski.com.pl

Tel.: +48 22 437 82 00, 22 537 82 00

Lawyer Profile

Pierre J. Dalphond, FCIArb

1155 René-Lévesque Blvd. West, 41st Floor, Montréal, Canada, H3B 3V2
Direct: +1 514 397 3219 pdalphond@stikeman.com

The Honourable Pierre Dalphond is a senior counsel in the Litigation & Dispute Resolution Group. He is a certified arbitrator, an accredited mediator, a visiting professor in law and a former senior judge of the Quebec Court of Appeal. His practice focuses on acting as a mediator and arbitrator and providing strategic advice in all areas of law. He conducts internal investigations, provides neutral evaluations and acts as expert on Quebec Law in foreign proceedings.

He was mentioned in various publications as one of the best judges in Canada, including Lexpert's *Supreme Court of Canada Survey*.

Accolades

- *The Best Lawyers in Canada 2019* as "Lawyer of the Year" in Corporate and Commercial Litigation.
- *The Best Lawyers in Canada 2019* in Corporate and Commercial Litigation and International Arbitration.
- *The Best Lawyers in Canada* 2018 in Corporate and Commercial Litigation and International Commercial Arbitration.
- *Martindale-Hubbell* Peer Review Rated AV Preeminent®, the highest level of professional ranking.
- *Who's Who Legal: Canada 2018* in Arbitration.

Professional Activities

Pierre is a Fellow of the Chartered Institute of Arbitrators, a member of the Court of Arbitration for Sport, a NAFTA Chapter 19 arbitrator, a certified mediator by the Quebec Bar, an ICDR Canada/AAA mediator and arbitrator, a Member Arbitrator at Arbitration Place (Toronto) and an ICC Canada arbitrator.

He is also a member of the ICC Institute of World Business Law, the LCIA North American Users' Council and the International Bar Association.

He is a Director of the Québec Society of Comparative Law and of the Chartered Institute of Arbitrators (Canada) Inc. and a faculty member of the Philippe Kirsch Institute (an organization devoted to promoting international law).

Background

On June 7, 2018, Pierre was appointed to the Canadian Senate. He was also awarded outstanding Graduate of the Université de Montréal in 2003, received the Queen Elizabeth II Golden Jubilee Medal in 2002, made the Dean's list in 1978, received the Carswell award in Constitutional Law in 1977, and received the Governor General Medal in 1972.

Very involved in legal education, he regularly gives conferences in Canada and abroad (over a hundred in the past ten years, in Canada, the United-States, China, Brazil, France, Rwanda and Kenya). He also organizes training programs for lawyers or judges and chairs many contests for students and young lawyers. He also teaches domestic and international commercial arbitration at the Faculty of Law of Université de Montréal.

On the bench, from 1995 to 2014, he wrote about 1,500 judgments in French or in English, including leading decisions in constitutional law, class actions, insurance, construction contracts, commercial law, corporate law, securities, banking and insolvency cases.

Before being named trial judge in 1995, at age 41, he was a partner in another Canada-wide law firm. His practice focused on investments in Canada, power supply contracts (electricity, gas, steam), oil and gas distribution, plant construction as well as private financing and complex joint ventures and acquisitions.

Prior to that, he served as a clerk for a Justice of the Supreme Court of Canada and worked as a Legislative Advisor at the Privy Council in Ottawa.

mms | Maclay Murray & Spens LLP

Biog: Michael Dean,

Maclay Murray and Spens LLP, London

Michael heads up his firm's European law, Competition law & Regulatory practice which deals with competition, regulatory and trade issues. From October 2017, this firm will merge with Dentons UKMEA LLP. The practice includes advice on distribution issues for a wide range of clients including brewers, whisky distillers, electronics companies and financial institutions. He advises on dealings with agents and distributors, pricing issues, resale price maintenance and termination strategies and claims. His team covers all proceedings by authorities in the UK in respect of competition law, anti-bribery law and other aspects of corporate governance, export controls and corporate investigations. He has experience of mediation in the US, litigation in the UK and other jurisdictions, as well as in European Court proceedings and follow-on cartel damages actions. His practice includes merger clearances and pursuit of cartel damage claims. Michael led one of the few successful challenges to a UK Phase 2 merger decision on grounds of rationality. His team successfully challenged the Competition & Markets Authority on behalf of Skyscanner in the Hotel online booking case. Michael is a member of the International Association of Defence Counsel and is appointed a member of the expert governmental panel advising on the role of competition in consumer advocacy prior to the recent setting up of a consumer and competition body in Scotland. He has presented at ALI-CLE program on distribution.

Michael is a graduate of the University of Glasgow and the College of Europe in Bruges, Belgium.

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New York
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New York, NY 10019-6064

Ariel Deckelbaum is a member of the Mergers and Acquisitions Group, a deputy chair of the Corporate Department and a member of the firm's Management Committee. His practice includes a wide range of public and private M&A, joint ventures, cross-border and restructuring transactions. Ariel also advises high-net-worth families regarding their public and private investments. In each of his practice areas, he helps clients develop and protect their long-term interests and investment strategies.

His clients include **Apollo Global Management**, **Citi**, **EXOR**, **Givaudan**, **Goldman Sachs**, **Grupo Salinas**, **HCP**, **HRG Group**, **KPS Capital Partners**, **Nippon Steel & Sumitomo Metal Corporation**, **Oak Hill Capital Partners**, **Ply Gem Holdings**, **Shaw Communications**, **Sky**, **Sumitomo Corporation**, **Sumitomo Dainippon Pharmaceuticals**, **Sunovion**, **TAO Group**, **Time Warner Cable**, **TowerBrook Capital Partners** and **Universal American**.

Ariel is recognized as a leading M&A lawyer by *Chambers USA* and *Chambers Global*. He was recognized in *Variety*'s 2018 "Legal Impact Report," and previously in its 2016 "Dealmakers Impact Report," which both spotlight the top lawyers in the entertainment industry. He has been named by BTI Consulting Group Inc. as a "Client Service All-Star," an award that identifies attorneys that are "not just great—but head and shoulders above the rest as defined solely by clients." In 2015, Ariel was one of only 11 attorneys named a Mergers & Acquisitions MVP by *Law360*. In 2010, Ariel was recognized as one of *Crain's* "40 Under 40," a list of a "dynamic group of New Yorkers who have excelled in their respective fields."

Ariel is a member of the advisory board of the Harvard Law School Program on Corporate Governance and the board of directors of the Japan Society Inc. He is also the Chair of the McGill Tri-State Board of Advisors and he is a member of the Board of Advisors of the Faculty of Law at McGill University. He was a founding member of the Board of New Classrooms Innovation Partners and recently retired as Chair of the Board of Directors of The Lawyers Alliance for New York.

PRACTICES

Corporate

Investment Management

Mergers & Acquisitions

Private Equity

RELATED REGIONS

Asia

Canada

Europe

EDUCATION

LL.B., McGill University Faculty of Law, 1998
with distinction

B.C.L., McGill University Faculty of Law, 1998
with distinction

B.A., McGill University, 1993
first class joint honours

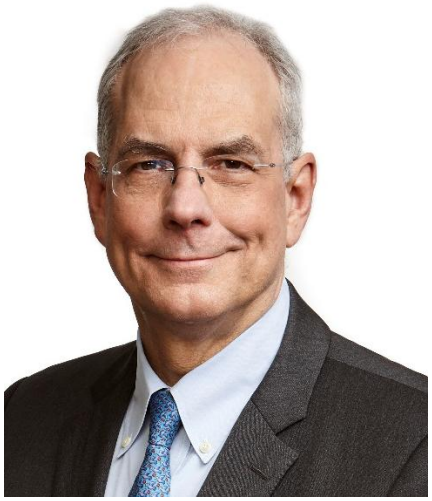
RECOGNITION

Crain's "40 Under 40"

The Legal 500

Chambers USA

Variety



Mtre Daniel Desjardins, Ad. E.
Senior Vice President, General Counsel and Corporate Secretary
Bombardier Inc.

Mtre Daniel Desjardins is the Senior Vice President, General Counsel and Corporate Secretary at Bombardier Inc. and is a member of the Management Committee of the Corporation. He joined Bombardier Inc. in April 1998. As General Counsel, Mtre Desjardins manages a legal team of 175 lawyers located in 17 countries. Bombardier is the world's leading manufacturer of both planes and trains.

As Corporate Secretary of Bombardier Inc., Mtre Desjardins is responsible for corporate governance matters.

Mtre Desjardins also has the responsibility of all of the insurance and risk management programs at Bombardier and he is the Chairman of DBB Insurance, the wholly owned captive of Bombardier Inc. managing all insurance matters for the Corporation.

From 2007 to 2014, Mtre Desjardins served as Chairman of Bombardier's Corporate Social Responsibility Committee.

In August 2017, Mtre Desjardins was presented by the Quebec Bar with the distinction "Advocate Emeritus" for his outstanding professional career. Mtre Desjardins received the "Lifetime Achievement" honor at the 2013 Canadian General Counsel Awards in June 2013. In August 2011, he was recognized by Canadian Lawyer as part of the "Top 25 Most Influential" in the justice system and legal profession in Canada. In April 2010, in Montréal, he was presented with the "2010 Robert V.A. Jones Award" by the Canadian Corporate Counsel Association. In June 2007, in New York, Mtre Desjardins was presented with the "General Counsel of the Year Award" by the International Law Office, Global Counsel Awards and the Association of Corporate Counsel. He is the author of articles and has spoken at many conferences on various topics including in-house practice.

Since 2014, he is the Chairman of the Legal Leaders for Diversity Trust Fund, a charitable organization established to enhance equal access to a legal education and to advance diversity in law faculties by offering annual scholarships to support disabled youth who are studying law in Canada.

Mtre Desjardins obtained his Law Degree (LL.L) from the University of Montréal and his Master's Degree (LL.M) from McGill University.

July 2018

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STEPHEN LAURENCE DRYMER

Partner, Head of International Arbitration

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Stephen L. Drymer is a partner and head of Woods LLP's International Arbitration practice. A litigator and advocate by background and experience, he now practices almost exclusively in the area of domestic and international arbitration and dispute resolution.

Stephen acts as counsel, and serves as arbitrator and mediator, in domestic and international commercial, investment treaty and sport disputes, and he advises parties on a broad range of issues associated with the design, negotiation, drafting and implementation of dispute resolution agreements and strategies.

Educated and trained in both the common law and the civil law, fluent in French and English (and with an excellent working knowledge of Spanish), Stephen has pleaded cases and served as party-appointed arbitrator and tribunal president in matters involving the laws of many jurisdictions, both in *ad hoc* proceedings and under the rules of major international arbitral institutions.

He has acted in commercial and investment cases in the manufacturing, infrastructure, construction, petrochemical, oil & gas (exploration, production, transportation, pricing), mining, energy, environmental, financial services, outsourcing, hospitality, transportation, aviation, IT, telecommunication, aerospace, health science, crop science, pharmaceuticals and nutraceuticals industries, among others.

Stephen is as well very active in the resolution of sport-related disputes in Canada and internationally, in cases before the Sport Dispute Resolution Centre of Canada, the Court of Arbitration for Sport in Lausanne and the World Rugby Anti-Doping Judicial Panel. In addition to extensive work as counsel, he has served as arbitrator and mediator in numerous cases involving a wide range of issues and sports.

Stephen also advises and represents clients, both government and non-governmental, in matters of public international law and dispute resolution, including in matters involving maritime delimitation and transboundary resource management. He was a negotiator for Canada in the renewal of the Canada-U.S. Pacific Salmon Treaty and counsel to Canada in the mediation of disputes arising under that Treaty. He was counsel for the Government of Nova Scotia before an international tribunal constituted to determine the offshore boundary between the province of Nova Scotia and the province of Newfoundland and Labrador. He was an adviser to the Secretary General of the United Nations and mediator in a territorial and resource dispute between Gabon and Equatorial Guinea. And he was a neutral evaluator in an international dispute involving government and private parties in the Middle East.

In addition to the several professional associations in which he is active, Stephen is Chair of the Arbitration Committee of ICC Canada, the Canadian National Committee of the ICC. He is also a member of the Court of Arbitration for Sport (CAS), the World Rugby Anti-Doping Judicial Panel, the Panel of Arbitrators and Mediators of the International Centre for Dispute Resolution (ICDR), the International Panel of Arbitrators of the China International Economic and Trade Arbitration Commission (CIETAC) and the Panel of Arbitrators and Mediators of the Sport Dispute Resolution Centre of Canada (SDRCC).

André Durocher

André Durocher is a class action lawyer, defense side, practicing in the areas of environmental law, product liability and consumer protection law.

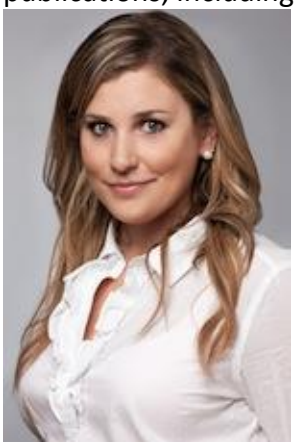
A published author, he recently wrote Environmental Class Actions in Canada published by Thomson Reuters.

He has represented pharmaceutical companies, railroads, airlines, manufacturers and motor racing organizations.

He is recognized by Best Lawyers in Class Action Litigation, Environmental Law and Product Liability Law.

Bio

McGill & University of Montreal educated Marisa Feil holds both a Bachelor & Master's of Law. Marisa is the principal and founder of FWCanada, a Canadian law firm specializing in travel waivers for individuals with previous convictions and has become a respected authority on matters of Canadian immigration. Besides being frequently contacted to offer her expertise in lectures, conferences, and webinars, she has also been asked to be a contributor in various publications, including her own book "Inadmissible to Canada" available on Amazon.



CHARLES FELDMANN
MANAGING PARTNER

Charles Feldmann, Esq., is an experienced criminal defense/corporate attorney who has focused his practice in assisting his medical marijuana business clients in planning, creating, and operating medical marijuana growing facilities and dispensaries.

He uses his past experience as a Marine Corps federal prosecutor, DEA Drug Task Force Project Director and Colorado State Prosecutor to assist his clients in establishing strict regulatory compliance protocols at both the state and federal level. His expertise has been instrumental to his medical marijuana clients staying 100% compliant with all of the evolving state rules and regulations and ensuring the legal operations of all of the client's medical marijuana businesses.

Mr. Feldmann has worked with marijuana clients in Colorado, Connecticut, Illinois, New York, Florida, Tennessee, Texas, Massachusetts, Hawaii, and California. His expertise has been sought out by various state legislative branches for new medical marijuana regulatory programs.

Mr. Feldmann was named 2007 Colorado Super Lawyer for being one of the top attorneys in Colorado. He was also appointed to the 2018-19 Steering Committee Member Appointment to the Cannabis Law and Policy Task Force.

Mr. Feldmann is a lecturer and instructor for the Department of Defense and previously worked with the National College of District Attorneys. Mr. Feldmann has taught prosecutors and defense counsel trial enhancement training and ethics at the Naval Justice School and was an adjunct professor at Colorado Mountain College in the areas of criminal and constitutional law.

Currently, Mr. Feldmann represents clients across the globe and defends clients internationally and throughout the United States in all branches of the Armed Forces.

Mr. Feldmann has extensive experience in representing federal and state law enforcement officers, police officers, sheriff's deputies in criminal defense matters, and law enforcement employment-related matters.

BakerHostetler

Gerald J. Ferguson

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Jerry Ferguson is a founding partner of BakerHostetler's **Privacy and Data Protection Team** and has assisted clients in creating and implementing national and global privacy policies for more than almost two decade. He has extensive experience advising companies suffering data security breaches that may trigger obligations under state and federal breach notification laws. He is a regular contributor to **BakerHostetler's Data Privacy Monitor blog**, available at **www.dataprivacymonitor.com**.

Mr. Ferguson is Chair of the Privacy and Data Protection Committee of the New York State Bar Association. In 2006 and 2007, he served on the Board of Directors, Technical Advisory Committee for the Mortgage Bankers Association where he was the principal author of a White Paper on Privacy and Security Best Practices.

DAVIES

Denis Ferland
Partner

Office
Montréal

Tel
514.841.6423

Email
dferland@dwpv.com

Expertise
Financial Restructuring & Insolvency
Dispute Resolution

Bar Admissions
Québec, 1984

Clients turn to Denis for his detailed knowledge of insolvency matters.

Denis specializes in bankruptcy, insolvency, financial restructuring and related litigation, as well as general commercial litigation. An experienced and dynamic lawyer, Denis offers practical, proactive advice based on his extensive legal knowledge and business sense. His clients include large multinationals, banks and financial services institutions, creditors, debtors and court officers (including trustees, monitors and receivers).

Denis is a skilled litigator who knows how to put his clients' interests at the forefront. Over his 30-year career, he has developed creative solutions in many of Québec's most significant restructuring and insolvency matters – his knowledge, creativity and innovation paving the way for countless reorganizations and transactions.

A long-time instructor for the Chartered Insolvency and Restructuring Professional Qualification Program, Denis is a seasoned communicator who is known for his ability to distill complex information into simple terms and is regularly called upon to speak at conferences.

REPRESENTATIVE WORK

Ernst Young Inc.
Acting for **Ernst & Young Inc.**, a Court-appointed Monitor, in connection with the restructuring of Quebecor World Inc. and 53 of its subsidiaries in excess of US$2.8 billion of liabilities and emerged from protection under the *Companies' Creditors Arrangement Act* and Chapter 11 of the U.S. *Bankruptcy Code* pursuant to Plans of Reorganization approved by creditors and courts in both countries.

Freemark Apparel Brands Inc., Freemark Apparel Brands USA, Inc., Freemark Apparel Brands ESP Inc. and Freemark
Acting for Freemark Apparel Brands Inc., Freemark Apparel Brands USA, Inc., Freemark Apparel Brands ESP Inc. and Freemark Apparel Brands TEC Inc., in their restructuring under the *Bankruptcy and Insolvency Act* (Canada).

Raymond Chabot Inc.
Acting for Raymond Chabot Inc. in its capacity as trustee to the proposal of Peloton Pharmaceuticals Inc.

HSBC Bank Canada
Acted for HSBC Bank Canada in connection with the restructuring under the *Bankruptcy and Insolvency Act* of the Gray Aqua Group, a major aquaculture group of companies with operations in various eastern Canadian provinces.

HSBC Bank Canada
Acting for HSBC Bank Canada, the most significant creditor of Béton Brunet and its affiliates, in its restructuring attempt under the *Companies' Creditor Arrangement Act*.

MEXX Canada Company

Acting for Mexx Canada Company in its restructuring proceedings under the *Bankruptcy and Insolvency Act*.

Hale Capital Partners
Acting for Hale Capital Partners in connection with a debtor in possession loan to RB Energy Inc. in a *Companies' Creditors Arrangement Act* proceeding.

HSBC Bank Canada
Acting for HSBC Bank Canada, a significant creditor of Homburg Invest Inc. and its subsidiaries, in the restructuring attempt of Homburg Invest Inc. under the *Companies' Creditors Arrangement Act*.

RSM Richter and Royal Bank of Canada
Acted for RSM Richter and Royal Bank of Canada in connection with a personal bankruptcy involving claims of $30 million and the validity of a protective trust.

Ingram Micro Inc.
Acted for Ingram Micro Inc. in connection with the restructuring of Groupe Dumoulin and its affiliates under the *Companies' Creditors Arrangements Act*.

Aleris International, Inc.
Acted for Aleris International, Inc. in connection with the bankruptcy of Aleris Aluminum Canada S.E.C.

Dune Capital Management LP
Acted for Dune Capital Management LP, a secured creditor in connection with the *Companies' Creditors Arrangement Act* proceedings of White Birch Paper Holding Company.

Shermag Inc.
Acted for **Shermag Inc.** and its subsidiaries in connection with its *Companies' Creditors Arrangement Act* proceedings.

RECOGNITIONS

Chambers Global: The World's Leading Lawyers for Business—Restructuring/Insolvency ("long track record and very thorough knowledge of the restructuring environment")

Chambers Canada: Canada's Leading Lawyers for Business—Restructuring/Insolvency

Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms & Attorneys—Insolvency (Litigation Star)

IFLR1000: The Guide to the World's Leading Financial Law Firms—Restructuring and Insolvency

The Legal 500 Canada—Restructuring and Insolvency (Recommended)

The Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada—Insolvency and Financial Restructuring

Report on Business/Lexpert Special Edition *Canada's Leading Corporate Lawyers*

Report on Business/Lexpert Special Edition *Canada's Leading Litigation Lawyers*

Lexpert Guide to US/Canada Cross-Border Lawyers in Canada—Insolvency

The Canadian Legal Lexpert Directory—Insolvency and Financial Restructuring: Insolvency Litigation (Most Frequently Recommended); Financial Restructuring (Most Frequently Recommended)

The Best Lawyers in Canada—Insolvency and Financial Restructuring Law (Lawyer of the Year 2015, Montréal)

Who's Who Legal: Canada—Restructuring and Insolvency; *Who's Who Legal: Restructuring and Insolvency*

Expert Guides—Restructuring and Insolvency

INSIGHTS

The Role of the Monitor and Its Impact on U.S. Restructurings
Dec. 01, 2014

Sino-Forest: Ontario Court of Appeal Agrees That Indemnity Claims of Auditors and Underwriters Are Equity Claims
Nov. 29, 2012

EDUCATION

Université Laval, LLB, 1983

PROFESSIONAL AFFILIATIONS

Insolvency Institute of Canada

International Association of Restructuring, Insolvency & Bankruptcy Professionals (INSOL International)

Turnaround Management Association

BOARD MEMBERSHIPS

Insolvency Institute of Canada

COMMUNITY INVOLVEMENT

Barreau de Montréal, Liaison Committee of the Superior Court, former president

TEACHING ENGAGEMENTS

Denis teaches at Université Laval and the National Insolvency Qualification Program – PNRPI.

MARY FERNÁNDEZ RODRIGUEZ

Founding partner of *Headrick Rizik Alvarez & Fernández*, Dominican Republic. The Firm was founded in 1985 and was recognized as Law Firm of the Year by IFLR and by Chambers & Partners Latin America.

Arbiter and President of the Mediation, Conciliation and Arbitration Committee of the *Asociación Interamericana de Propiedad Intelectual (ASIPI)*. Ambassador to the Dominican Republic for the Commission on Intellectual Property of the International Chamber of Commerce (ICC). Judge of the Disciplinary Panel of the *ASIPI.* Arbiter and member of the Board of the Center for Resolution of Controversies (CRC) of the Chamber of Commerce and Production of Santo Domingo, Inc. (CCPSD). Past president of the Board of Directors of the American Chamber of Commerce (AMCHAMDR) and past Chair of its Legal Committee. Editor for the Dominican Republic of the "International Opposition Guide" of the International Trademark Association (INTA) and, member of the editorial committee of *Gaceta Judicial*, the only legal periodical in the country. President of the Board of *Instituto Tecnológico de Santo Domingo* (*INTEC)*. Mary is past president of the *Asociación Dominicana de Propiedad Intelectual, Inc. (ADOPI)* and of *Fundación Institucionalidad y Justicia, Inc. (FINJUS*).

She specializes in corporate and business law, banking law, agency and distribution law, foreign investment, intellectual property, arbitration, and trusts and estates. Her professional practice has been recognized and ranked in *Band 1* by Chambers Global 2018 in Corporate/Commercial/Intellectual property, by Chambers Latin America 2019 in Corporate/Commercial and in Intellectual Property. She is recommended by *Latin Lawyer 250* 2018. She is also recommended by the Latin American Corporate Counsel Association (LACCA) for Corporate/M&A in 2019. She teaches contracts in intellectual property for a Master´s Program on Intellectual Property at the Pontificia Universidad Católica Madre y Maestra (PCUMM).

Mary is Dominican, studied law at the Universidad Pedro Henríquez Ureña (UNPHU), where she graduated summa cum laude in 1979. Immediately after, 1979-80, she attended postgraduate courses in Political Science and International Relations at Georgia State University. She has an LLM in Intellectual Property from the John Marshall Law School of Chicago, Illinois. She graduated in 2016, with honors. She speaks Spanish and English.

HEADRICK

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RELATED PRACTICES

Litigation

- Commercial Litigation
- Securities Litigation
- White Collar Defense and Investigations

EDUCATION

- Washington & Lee University School of Law
  J.D., *magna cum laude,*
  Order of the Coif, 1987
  Lead Articles Editor, *Washington & Lee Law Review*
- Washington & Lee University
  B.A., *cum laude*, 1983

ADMISSIONS

- New York

Daniel Fetterman, a former federal prosecutor, is recognized as one of the country's leading trial and white collar lawyers. He represents corporations and individuals in significant securities, white collar, commercial, accounting and trade secret litigation. *Chambers USA* describes him as a "go-to litigator for high-profile individuals and institutions" and a "fantastic courtroom lawyer" who is "very strategic" and "held in high esteem." Dan also is praised in *Chambers USA* as "a genuinely gifted trial lawyer" who is "well known for his expert defense of individuals and corporations" and for his "extensive expertise in complex litigation and white collar criminal defense." *The National Law Journal* honored Dan as a White Collar Trailblazer, a ranking honoring 50 of the country's elite white collar lawyers for their "deep passion and perseverance ...having achieved remarkable successes." Dan is also recognized in *Super Lawyers, Best Lawyers in America* and *The Legal 500*, and he is a fellow in the Litigation Counsel of America's trial lawyer honorary society.

Dan has won numerous jury trials and successfully argued appeals in federal and state courts. He recently served as lead trial counsel for MF Global Holdings in a highly publicized $3 billion lawsuit against PwC, which settled during the third week of trial. He also tried a 17-month jury trial, the longest in Alabama history, which resulted in more than $100 million in jury verdicts. *The Washington Post* described the case as a "huge victory" in a "landmark" lawsuit. Dan represents clients in their most significant matters, including MF Global Holdings in multiple enforcement investigations following MF Global's bankruptcy, Hilton Worldwide in civil litigation and a high-profile grand jury investigation relating to its alleged theft of trade secrets, the New York Jets in litigation over its attempt to build a stadium in Manhattan, and a consortium of private equity firms in connection with funding their $8.5 billion acquisition of Home Depot Supply. Dan has conducted numerous internal investigations on behalf of corporations, boards, and special committees concerning, among other things, alleged securities fraud, insider trading, FCPA violations, theft of trade secrets, accounting malfeasance and obstruction of justice.

Before joining Kasowitz, Dan was an Assistant United States Attorney for the Southern District of New York where he received the Justice Department Director's Award for Superior Performance as an Assistant United States

Attorney. Dan also co-edited and co-authored a highly acclaimed white collar treatise, *Defending Corporations and Individuals in Government Investigations*. The treatise, which has been used in law school courses at Harvard and Yale, has been praised as a "must-have resource and reference for any lawyer involved in white collar matters," and an "extraordinary contribution to the white collar bar." Dan is frequently quoted as a legal authority and has been quoted in publications including *The Wall Street Journal, International Financing Review*, the *FCPA Report* and *Compliance Week*.

Dan also frequently speaks at industry conferences, including for the last four years serving as co-chair and speaker at the "Defending Corporations and Individuals in Government Investigations" conference. He has also presented "Great and Not So Great Moments in Litigation," at the American Law Institute's 2017 Accountants' Liability conference, as well as "The Emerging Law of Cybersecurity and Data Breach Liability," in Palo Alto, CA.

Dan has served as adjunct professor of law at Washington & Lee University School of Law, and is a member of the American Bar Foundation. Dan clerked for the Honorable Ellsworth A. Van Graafeiland, United States Court of Appeals for the Second Circuit.

WORK HIGHLIGHTS

TRIALS & COMPLEX LITIGATION

- Lead trial counsel for MF Global Holdings, a former global financial derivatives broker, in a $3 billion lawsuit against its outside auditor, PwC, which settled during trial. Also, representing MF Global Holdings in investigations by the U.S. Attorney's office, the Securities and Exchange Commission and the U.S. Commodities Future Trading Commission and the Plan Administrator for MF Global Holdings in various actions arising out of MF Global Holding's bankruptcy.
- Hilton Worldwide in trade secret litigation pending in the Southern District of New York brought by Hilton's competitor, Starwood Hotels & Resorts, alleging trade secret misappropriation, and a related grand jury investigation by the United States Attorney's Office (S.D.N.Y.).
- A Fairfield Greenwich Group founder in connection with the highly publicized multi-district litigation pending in the Southern District of New York and related state court actions arising out of the Madoff ponzi scheme. Fairfield Greenwich Group entities were the largest so-called "feeder funds" into Madoff.
- Successful representation of a consortium of three well-known private equity firms (Bain Capital, The Carlyle Group and Clayton, Dubilier and Rice) in a multi-billion dollar dispute with major banks over acquisition financing for their $8.5 billion acquisition of Home Depot Supply - a deal that ultimately funded and was closed.

- Co-lead trial counsel for Southern Union Company in a three-week jury trial over charges concerning Southern Union's allegedly illegal storage of elemental mercury at its Pawtucket, Rhode Island, facility. While the company faced maximum penalties of $67 million, it only was sentenced to a $500,000 fine after the jury acquitted Southern Union of two out of three counts.
- Lead trial counsel in successful jury trial on behalf of an investment bank in the Southern District of New York which resulted in a $1.5 million verdict.
- Successful representation of hundreds of Vioxx plaintiffs. Dan also participated in mock jury trials of bellweather trials for other law firms to prepare several winning trial teams (including the Lanier Law Firm's Ernst trial team which won $250 million). He taught a CLE with Mark Lanier and others on how to successfully try a Vioxx case to approximately 250 Vioxx lawyers from around the country.
- Pro Bono representation of The Consumer Watchdog, a national, non-partisan, non-profit organization representing the interests of consumers, in its amicus curiae brief opposing federal court approval of the proposed class settlement of Authors Guild et al v. Google Inc., a putative class action charging Google with copyright infringement for scanning books and displaying them online.

WHITE COLLAR CRIMINAL DEFENSE & INTERNAL INVESTIGATIONS

- Representing both corporate and individual defendants in a criminal securities fraud and SEC enforcement action pending in the Southern District of New York arising out of an alleged scheme to defraud relating to the resale of tickets for Hamilton and other Broadway shows and concerts.
- Successful representation of a major financial insurer in an insider trading investigation by the Securities and Exchange Commission.
- Successful representation of a senior bank executive in connection with a government investigation concerning bond pricing and trading practices.
- Successful representation of an international manufacturing company executive in a FCPA investigation by the United States Department of Justice and the Securities and Exchange Commission.
- Successful representation of a senior Merrill Lynch executive in an investigation before the Securities and Exchange Commission relating to the financial crisis and in CDO litigation in the Southern District of New York.
- Successful defense of executives in the U.S. Foodservice/Royal Ahold investigation relating to the $800 million accounting fraud scandal. One of Dan's clients was never charged and the other received six months of home confinement.
- The special committees of publicly traded companies, including

video-game maker Take-Two Interactive Software and semiconductor manufacturer Emcore Corporation, in connection with internal investigations into potential stock option backdating.

- Successful defense of an executive who was the subject of the criminal investigation by the United States Attorney's Office for the Northern District of Illinois into alleged corruption by Governor Blagojevich and his administration.
- Successful representation of mutual fund managers and operations personnel from Alliance Capital in investigations by the Securities and Exchange Commission and the New York Attorney General's Office into the alleged market timing and late trading in those funds.
- Successful defense of a Port Captain in the grand jury investigation by the United States Attorney's Office for the Eastern District of New York into the crash of the Staten Island Ferry, Andrew J. Barberi, on October 15, 2003. Dan's client was the only one of the five publicly identified subjects at the Staten Island Ferry Service who was not indicted.
- Post-charge representation of the former CEO of Invesco in the highly publicized enforcement actions concerning market timing in mutual funds by the Securities and Exchange Commission and the New York Attorney General's Office.

Baker McKenzie.

Glenn G. Fox

Partner

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Global areas of practice

Tax

Wealth Management

Tax Dispute Resolution

Financial Institutions

Glenn G. Fox is a partner of Baker McKenzie's Wealth Management and Tax Practice Groups in New York and a member of the firm's Global Tax Wealth Management Steering Committee. He is a domestic and international tax, estate planning, and tax exempt (charitable) organizations lawyer with vast experience working with families and charitable organizations from the US and overseas. Glenn is a member of the American College of Trust and Estate Counsel and of the Society of Trust and Estate Practitioners and has been recognized for ten consecutive years (2007-2016) as a "New York Super Lawyer" by the *New York Times*.

Practice focus

Glenn's wealth management practice focuses on the use of sophisticated wills, trusts, closely held entities, and tax exempt (charitable) entities to enable clients to bequeath and gift assets with the imposition of the least amount of transfer and income taxes. He has significant experience in dealing with closely held business interests, retirement assets, foreign assets, foreign trusts and US and foreign tax exempt organizations. He represents domestic and foreign clients with worldwide assets in estate, trust, tax and tax exempt/not-for-profit organization matters. Glenn's tax exempt/not-for-profit practice includes all elements of establishing and operating US and non-US charitable organizations that do business in the US and abroad.

Representative clients, cases or matters

- Represented a university involved in a large estate litigation.
- Represented a family with significant New York real estate holdings.
- Advised the heirs of a pharmaceutical manufacturing company in a significant family trust litigation and settlement.
- Represented a royal family from Europe with respect to the restructuring of various US trusts that date back to the 1920s in order to avoid foreign gift taxes.
- Represented a family owning a very successful, closely held business with respect to a business succession planning and possible sale of the company.

Baker & McKenzie LLP
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United States

Baker & McKenzie LLP is a member of Baker & McKenzie International, a Swiss Verein.

Baker McKenzie.

- Guided the formation of a public environmental charity.
- Assisted various charitable foundations with international ties for the purpose of establishing public charity branches in the United States.
- Represented families with significant wealth for purposes of establishing private charitable foundations.

Publications, presentations and articles

- Co-author, "U.S. International Trust Reporting and Planning," *NYSBA International Law Practicum, Vol 29, No. 1, 2016*
- Co-author, "Impact on Business Valuations of Lapsed Rights and Restrictions on Liquidation of an Interest: Is this the End of Valuation Discounting as we Know it? - Section 2704 Proposed Regulations Released," Baker & McKenzie alert, August 2016
- Co-Author, "FATCA and Non-U.S. Trusts and Trust Structures—Compliance Options Exist," Journal of Taxation, August 2013
- Panel Chair and Speaker, "Hot Federal and New York Issues in Estate Planning," New York City Bar, 10 November 2016
- Speaker at HSBC conference on family business succession planning, 3 November 2016
- Speaker, "US-Cross Border Estate Planning," Iranian-American Bar Association, 2 November 2016
- Panel Chair and Speaker, "Common Reporting Standards for Trustees, Family Offices and Protectors," NYSBA International Section Paris Meeting, 21 October 2016
- Speaker, "US-Israel cross border wealth and tax planning," STEP Israel Conference, Tel Aviv, Israel, 16 June 2016
- Speaker, "US Expatriation Tax Regime," Israel Bar Association, Tel Aviv, Israel, 14 June 2016
- Speaker, "Worldwide Charitable Planning," New York State Bar Association International Section Sao Paulo, Brazil Meeting, October 2015
- Speaker, "Cross-Border Estate Planning," PKF International Tax Meeting, October 2015
- Speaker, "US Offshore Voluntary Disclosure Program," Israel Chapter of Society of Trust and Estate Practitioners, June 2015
- Speaker, "US Pre-Immigration Planning for Germans," NY Chapter of Society of Trust and Estate Practitioners, November 2014

Baker McKenzie.

- Chair and Speaker, "Living With the New NYS Estate, Gift & Trust Income Tax Provisions," New York City Bar Conference, October 2014
- Chair and Speaker, "Trusts in Civil Law Jurisdictions," New York State Bar Association International Section Vienna, Austria Meeting, October 2014
- Speaker, "US Offshore Voluntary Disclosure Program," NY Chapter of Society of Trust and Estate Practitioners, August 2014
- Chair and Speaker, "Global Wealth Transfer Planning – A comparison," New York State Bar Association International Section Hanoi, Viet Nam Meeting, October 2013
- Speaker, "US Cross Border Wealth Transfer Planning," Israel Chapter of Society of Trust and Estate Practitioners, June 2014

Professional Honors

- Who's Who Legal, Private Client, 2016
- Best Lawyers, Trusts & Estates, New York Times
- New York Super Lawyer, New York Times, 2007-2016
- Recommended Lawyer, Legal 500 US, 2015

Professional affiliations

- American College of Trust and Estate Counsel - Member
- New York Chapter, Society of Trust and Estate Practitioners - Vice Chair
- International Section of the New York State Bar Association (NYSBA) - Member of House of Delegates and Former Section Chair
- UJA-Federation of New York Trusts and Estates Group - Member
- New York City Bar Association - Member

Education and admission

Education

- New York University (LL.M. Taxation) (1994)
- Albany Law School of Union University (JD, Cum Laude) (1990)
- Cornell University (BA) (1987)

Admission

- District of Columbia~United States (1992)
- New York~United States (1991)
- Connecticut~United States (1991)
- New Jersey~United States (1990)

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DANIEL FRAJMAN
Partner
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(514) 875-8949

Areas of Practice

Daniel Frajman is a partner at the Montreal law firm of Spiegel Sohmer Attorneys. Daniel's practice concentrates on estate planning (including Quebec trusts and trust substitutes), tax and corporate aspects of non-profits and charities and also corporate and commercial transactions, including the interface between Quebec civil law and other jurisdictions.

Daniel also strongly believes in giving back to the legal and financial community, through his frequent articles, presentations and involvement with community and professional boards and committees.

Accomplishments

Daniel represents important clientele (entrepreneurs, executives, professionals, real estate developers, investors, knowledge-based industries, financial institutions, charitable organizations and foundations) in a wide variety of significant transactions and settings (estate planning, formation of organizations/trusts, CRA charitable registrations and audits, asset and share transfers, leases, establishment of collateral), including in cross-border and interprovincial matters.

Daniel has published numerous legal articles in national publications that include *Tax Topics*, *Canadian Tax Highlights*, *Tax Profile*, *The Canadian Taxpayer*, *Gift Planning in Canada*, *Canadian Not-For-Profit News*, *American Bar Association Nonprofit Organizations Committee Newsletter*, *CALU INFO exchange*, *STEP Inside*, *STEP Journal*, *Lawyers Weekly* and the *Canadian Bankruptcy Reports*. He has made legal presentations for such organizations as the Board of Trade of Metropolitan Montreal, the Foundation of Greater Montreal, the Jewish Community Foundation of Montreal and McGill University.

Selected Publications and Presentations

"The Canadian Media and Non-Profit Status: Mixed Signals on Potential Change"
"Worldwide Use of Canadian Charitable Foundations"
"Estate Donations and Independent Trustees"
"Review of Civil and Tax Law: Using a 'Substitution' as a Deemed Trust to Avoid the Quebec Independent Trustee Rule"
"Alter Ego Trusts and Land Transfer Tax in Quebec"
"NPOs: Courts Continue to Show More Flexibility than CRA"
"Update on Charitable Giving – including donation credits, foundations and CRA administrative policies"
"Flexibility of Trusts and Corporations as Business (and Non-Business) Vehicles"
"Graduated Rate Estate: Current Debt"
"A 'Will' for a Foundation"
"Correction (Rectification) of Contracts: The Quebec Court of Appeal and the Supreme Court of Canada Speak"
"Estate Planning: Personally, Corporations, Estate Freezes, Trusts, Life Insurance"
"Corporate Wind-Ups: Recent Developments"
"Leases and Intellectual Property: Counter-Intuitive Amendments"
"Foundations and Disbursement Quota Reform"
"Death Under Shareholders Agreements and Corporate Articles"
"Death of a TFSA holder: Quebec and the Rest of Canada"
"Opco Granting Security Over Investments: New Rules"
"RRSP Unseizability: Expanding or Contracting?"
"SCC Highlights 'Antiquated' Quebec Law on Security Over Personal Property"

Community Involvement

- Immediate Past Chair of the Montreal Branch of the Society of Trust and Estate Practitioners (STEP); Member of STEP Canada Trust and Estate Technical Committee
- Guest lecturer since 2015 in trust, corporate and tax law at McGill University, Faculty of Law
- Current and past board and committee member of several community organizations, including current Advisory Committee member of the Peri Operative foundation of Montreal General Hospital

FRANCISCO FRANCO-RODRIGUEZ

EDUCATION

Columbia University School of Law, New York, NY
Master of Laws (LL.M.), May 2013
Activities: *Columbia International Arbitration Association*, Event Chair; Research Assistant to Prof. George Bermann

University of Geneva/Graduate Institute Geneva, Geneva, Switzerland
Master in International Dispute Settlement (MIDS), September 2011

Universidad Iberoamericana, Mexico City, Mexico
Licenciado en Derecho (LL.B.), June 2009

EXPERIENCE

Baker McKenzie, Mexico City, Mexico
Associate, International Arbitration, August 2018

- Head of the international arbitration practice in Mexico City.

Fulbrook Capital Management, New York, NY
Associate, *Litigation and Arbitration Funding*, July 2017 – August 2018

- Assessed the merits of claims to determine whether they are worth sending to potential investors for funding.

Wilmer Cutler Pickering Hale & Dorr, London, United Kingdom/New York, NY
Visiting Foreign Lawyer, July 2015 – July 2017

- Advised a Cypriot group of companies in a dispute against an Eastern European country over the country's politically motivated harassment campaign against the group's investment.
- Represented a construction company in a case against Middle Eastern country over the government's unlawful interference in a power plant construction project awarded to the client.
- Represented a pharmaceutical company against a Latin American State in an UNCITRAL/PCA arbitration over the misconduct of the State's judiciary and other authorities.

Freshfields Bruckhaus Deringer, New York, NY
Foreign Associate, August 2013 – March 2015

- Represented an East African government in a major highway construction dispute against a Japanese company.
- Represented a gold mining corporation against a Latin American State in arbitration over the expropriation of the company's rights over a major gold deposit.
- Represented a consortium of water treatment companies against Argentina in the quantum stage of an ICSID arbitration over the mistreatment of the companies' investments.

Shearman & Sterling, Paris, France
Trainee, International Arbitration, September 2011 – February 2012

- Advised a Spanish energy company in an investor-state dispute against Peru under the Spain-Peru Bilateral Investment Treaty.

Baker McKenzie, Mexico City, Mexico
Associate, Dispute Resolution, February 2008 – July 2010

- Represented clients in civil, commercial and public law proceedings before the Mexican Federal and Municipal Courts, as well as in commercial arbitrations involving governmental entities and private companies in connection with the construction of a power plant in Northern Mexico.

BAR ADMISSIONS AND LANGUAGES

- New York (2015) (passed bar exam in 2013 after completing LL.M.); Mexico (2009)
- Spanish (native), English (fluent), German (proficient), French (basic)

Bio of David Franklin

David Franklin, Ad.E. Graduated from McGill Law School Montreal in 1959 and joined the law firm of Franklin & Franklin in Montreal, which was founded by his father M.H. Franklin Q.C. in 1925, joining his brother Martin Franklin (retired) and currently Jonathan Franklin, B.Comm, LLC. The firm is a general commercial and business law firm and David concentrates on international commercial debt recovery.

International Conferences:

He has been Chairman of various international law conferences of the Commercial Law League of America in London, Amsterdam, and Dublin and in 1992, in China between the Barreau du Quebec (Bar of Quebec) and the All China Bar Association.

He is an active member of the New York State Bar Association, of which he is the Montreal Chair of the International Section and is Chair of the International Creditors' Rights Committee. David co-chaired the panel on Debt collection in the Pacific Rim at the annual International section of New York State Bar Association (NYSBA) Conference in Sydney Australia, 2010.and in September, 2011 he co-chaired the Panel on Debt collection in Latin America at the NYSBA. Conference in Panama City, Panama. and in Lisbon Debt collection in EU (2012).and in Vietnam(2013)

Lectures and Publications:

David has given lectures in over twenty countries, most recently in Ghana and Cameroon, and has written numerous articles on international commercial debt recovery. He has published with Thomson Reuters the following books, "**International Commercial Debt Collection**" 2007, and co-author with Steve Harms "**International Commercial Secured Transactions**" 2010, , and co-author with Martin Franklin of "**Introduction to Quebec Law"**, Copp-Clark. And recently published with Thomson Reuters is **Commercial Debt Collection in Canada (**2012).in September 2016 published with Thomson Reuters **Statute of Limitations for International claims**
He was a professional adjunct lecturer at Concordia University in Montreal, MBA programme, teaching international business law, for 46 years.

Law Association and Honours:

He is member of the Quebec Bar, and the Canadian Bar, . On May 29th, 2008, he was honored by the Quebec Bar with the honourific designation of *Avocat Emeritus* for outstanding contribution to the Quebec Bar.

Academic:

David was a Professional Adjunct at Concordia University in Montreal, where he taught law in the John Molson School of Business for 46 years and is guest lecturer at the University of Montreal.

Diplomatic Position:

From 2001 to 2016, he was the Honorary Consul of Iceland in Montreal.

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Nicole Friedlander

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Special Counsel since 2016
New York University School of Law, J.D. 2001
University of Pennsylvania, B.A. 1998

"Nicole Friedlander has spent much of her legal career fighting … cyber criminals on behalf of the U.S. government."
Leading Questions: A Chat with Ex-Cybercrime Prosecutor Nicole Friedlander, The Wall Street Journal, 2017

S&C named "**Cybersecurity Leader**" among "BTI Law Firms Best at Cybersecurity."
BTI Consulting Group, 2017

Nicole Friedlander is co-head of the Firm's Cybersecurity Practice and a member of the Firm's Criminal Defense and Investigations Group. Ms. Friedlander's practice focuses on internal investigations, regulatory enforcement proceedings and white-collar criminal defense. She has particular expertise in cybercrime, fraud, anti-money laundering and tax matters.

Government Service

Ms. Friedlander joined the Firm in 2016 from the United States Attorney's Office for the Southern District of New York, where she was Chief of the Complex Frauds and Cybercrime Unit. During over eight years of service, she prosecuted sophisticated financial frauds, cybercrimes, money laundering and Bank Secrecy Act offenses, FCPA violations, and criminal tax cases. Ms. Friedlander's cybersecurity experience includes leading the successful investigation of the largest-ever cyber theft of customer data from a U.S. financial institution; overseeing the indictment of Iranian state-sponsored hackers for coordinating cyberattacks on 46 financial institutions; leading cutting edge virtual currency-related cases; and prosecuting a Russian national for hacking U.S. banks in a case the FBI named one of its top ten of the year. Her white collar work includes leading major prosecutions of offshore banks for facilitating tax evasion, securing one of the largest-ever FCPA resolutions and bringing a groundbreaking, successful racketeering case against the owner of multibillion-dollar internet payday lending companies. For its consumer protection work during her tenure, the FTC awarded the Complex Frauds and Cybercrime Unit its Criminal Liaison Unit Award in 2016.

During her tenure at the U.S. Attorney's Office, Ms. Friedlander also successfully tried numerous federal criminal cases and briefed and argued appeals before the U.S. Court of Appeals for the Second Circuit.

Selected Rankings and Recognitions

- Named to *Global Investigations Review*'s Top 100 Women in Investigations worldwide (2018)
- Named a Rising Star by *The New York Law Journal* (2016)
- Recipient of National Association of Former U.S. Attorneys' Exceptional Service Award (2015)
- Recipient of Federal Executive Board's Distinguished Teamwork Award (2013)
- Named Federal Law Enforcement Foundation's "Prosecutor of the Year" (2012)

Recent Speaking Engagements and Events

- Keynote with Brian Krebs (Legaltech 2018, January 30, 2018)
- "What Makes a Hacker? Two Cyber Experts Explain" (Fortune, July 26, 2017)
- "Responding to Emerging Threats in Cybersecurity" (Sullivan & Cromwell and the Harvard Law School Women's Alliance (HLSWA), July 13, 2017)
- "Managing Risks in the Current and Emerging Threat Landscape" (New York Bankers Association, May 16, 2017)
- "Cybersecurity Issues for Boards of Directors: The Geography of Future Markets" (Women Corporate Directors 2017 Global Institute, May, 10, 2017)
- "Cross-Border Cybersecurity Threats" (Harvard Law School, April 21, 2017)
- "Hot Topics in Cyber Risk: Cyber Risk Governance and Accountability; Managing Insider Threat Risk; and Third Parties, Audits and Cyber Risk" (Sandpiper Partners, January 26, 2017)

rjgaito
LAW FIRM

Luxembourg: Ronnen J. Gaito,
RJ Gaito Law Firm

RJ Gaito Firm

RJ GAITO's is an international independent boutique Luxembourg law firm, with a wide range of significant experience covering transactions in: Corporate, Mergers & Acquisitions; Venture Capital; Private Equity; Implementation of Tax Structures and Group Reorganizations, Banking and Finance Transactions; Financial Services; Capital Markets; Asset Management; Establishment of Regulated and Unregulated Investment Funds; International Investment Solutions as well as post transactional Cross-Border Dispute Resolutions.

The firm is experienced in the sectors of Communications Technology and Software Licensing; FinTech, Clean-Tech, E-commerce and Data Privacy; Life Science; Real Estate; Regulatory & Procurement; Supply Chain Matters; Outsourcing Transactions; Retail and with significant expertise in the Diamond and Luxury Goods Industries.

The firm provides effective Luxembourg law advice to foreign law firms, entrepreneurs, multi-nationals, private equity funds, asset managers, venture capitalists and high net worth individuals.

We regularly act as local Luxembourg counsel for US, Canadian, Brazilian, Israeli, Scandinavian and UK law firms in connection with various finance and corporate transactions taking place in or via the Luxembourg financial market with high expertise in issuances of international legal opinions to financial institutions, international venture capital funds and private equity houses.

Contact Details:

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Cell: +352 621 323 734
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www.rjgaito.com

MICHAEL W. GALLIGAN

Partner

mgalligan@phillipsnizer.com
212.841.0572 Direct
212.262.5152 Fax

Michael Galligan is a partner in the Trusts & Estates Department at Phillips Nizer LLP, where he practices primarily in the areas of domestic and international estates and trusts, U.S. and cross-border estate and income tax planning, private international law, and immigration.

Mr. Galligan concentrates his practice in complex U.S. and international estate planning and the administration of U.S. and non-U.S. trusts, estates and other wealth transfer and wealth preservation vehicles. In addition to clients who are U.S. citizens and residents with family members and property holdings located only in the United States, his clients include U.S. citizens and residents with property holdings abroad; non-U.S. citizens and residents who own property and invest in the United States; families whose members are citizens and residents of different countries and often own property in different countries; non-U.S. persons planning to become U.S. residents; and U.S. citizens and residents leaving the United States permanently or temporarily. He also represents individual and corporate fiduciaries in connection with these matters. With the assistance of qualified counsel in the relevant jurisdictions, Mr. Galligan has worked on cross-border wealth transfer, trust and succession projects involving well over thirty countries worldwide.

In connection with the international aspect of his practice, Mr. Galligan also advises clients on immigration law and directs Phillips Nizer's services to clients who need specialized assistance in obtaining or maintaining legal immigration status in the United States as well as close coordination of their immigration goals with their tax and estate planning objectives.

Mr. Galligan is a graduate of the Columbia University Law School (J.D., 1985), where he was an Editor of the Columbia Law Review and a Harlan Fiske Stone Scholar. He received his B.A. Degree from the University of San Francisco and also holds a Doctorate of Philosophy in Religious Studies from the Yale University Graduate School and a Master's Degree in International Affairs from the Columbia University School of Public and International Affairs.

Mr. Galligan regularly lectures and writes articles and reports in the area of domestic and international estate planning and administration, including:

- "U.S. Taxation of U.S. LLCs: Major Considerations in the International Context," *TaxStringer*, a publication of the NYS Society of Certified Public Accountants, (a three-part series: June, July and August 2018)
- "U.S. expatriate persons and property owners, the European Union Succession Regulation and the choice of New York law," Trusts & Trustees, Vol. 23, No. 3 (April 2017);
- "The Hague Convention on Trusts and the Uniform Trust Code," Trusts in Prime Jurisdictions (Fourth Edition, 2016);
- "'Forced heirship' in the United States of America, with particular reference to New York State," Trusts & Trustees (February 2016);
- "U.S. Residence: A Tale of Two (or More) Definitions" (with Ira Olshin), New York Law Journal (August 5, 2013);
- "Adjusting the Globe's Tilt Just a Little: Foreign and U.S. International Taxpayers After the First Fiscal Cliff of 2013," Leimberg's Estate Planning Newsletter (http://www.leimbergservices.com/, March 4, 2013);
- "U.S.A. Tax Effects of a Hindu Undivided Family" (with Laura Schiller), Legal Era, an Indian-based legal publication (October 2010);
- "International Estate Planning for U.S. Citizens: An Integrated Approach," Estate Planning, a Thomson Reuters publication (October 2009);
- "Ties to U.S. and Canada: Differences in taxation of transfers affect bequests and gifts," New York Law Journal (September 17, 2007);
- "Buying USA: Ways of minimizing US transfer taxes on US property interests of non-US persons," in STEP USA (June 2007);
- "Modern Inheritance Develops in China: U.S. investments are affected by changes in requirements on ownership and disposition of property," New York Law Journal (February 13, 2007);
- "You Must Remember This: Ten key principles to keep in mind when planning for U.S. clients with non-U.S. family or property, and non-U.S. clients with U.S. family or property," Trusts & Estates (December 2005);
- "Making Sense of Four Transatlantic Estate Tax Treaties: US-Netherlands, US-Germany, US-France and US-UK," New York State Bar Association International Law Practicum (Spring 2004);
- "International Charitable Giving and Planning Under U.S. Tax Law," Tax Management Estates, Gifts and Trusts Journal (May – June 2004);
- "Ten Important Points to Remember About International Estate Planning," New York State Bar Association International Law Practicum (Spring 2003);
- "U.S. Trust Law and the Hague Convention on Trusts," New York State Bar Association Trusts and Estates Section Newsletter (Fall 2000);

- "Foreign Trusts and U.S. Estate Planning: A Client-Centered Analysis," published in the Journal of Asset Protection (July/August 1999); and
- "Maintaining a Trust's U.S. Tax Status," New York Law Journal (March 24, 1999).

From 2014 to 2018, Mr. Galligan served as a member-at-large of the Executive Committee of the New York State Bar Association, the largest voluntary state bar association in the United States with over 75,000 members and, in that capacity, also served as Executive Committee liaison to the Association's Trusts and Estates Section, Intellectual Property Section, as well as to its Committee on LGBT People and the Law. From 2009 to 2010, Mr. Galligan served as Chair of the International Section of the New York State Bar Association (NYSBA International), which counts among its members over 2,200 international legal practitioners from New York and around the world. He was a member of the NYSBA Task Force on New York Law in International Matters and a contributor to the Task Force's Report, which was approved by the NYSBA House of Delegates in June, 2011. He continues to actively support the "Three Missions" that the NYSBA International adopted during his chairmanship: (1) Custodian of New York Law as an international standard, (2) Guardian of the New York Convention on Arbitral Awards and the international arbitral process and (3) Monitor of international law developments in the United Nations system. In this connection, he has also authored:

- "Why Choose New York Law?" (New York Dispute Resolution Lawyer, Spring 2016, Vol. 9, no.1; published by the New York State Bar Association)
- "Choosing New York Law as Governing Law for International Commercial Transactions" (Appendix A and Appendix B), New York State Bar Association, International Law Practicum (Autumn 2013);
- International Practice Comparative Charts with Annotations (September 2012)

Prior to joining Phillips Nizer as a member of the firm in 2000, Mr. Galligan practiced law in affiliation with two other distinguished New York law firms. In 1990, Mr. Galligan was a member of the delegation of the Committee on International Human Rights of the New York City Bar Association to Kosovo. A co-chair of the Committee on Asylum and Refugees of the American Immigration Law Association from 1989 to 1991, he was the principal author, with the late Arthur C. Helton, of the 1989 publication of the Lawyers Committee for Human Rights, "Immigration Options for Chinese Nationals." With the late Mr. Helton, he drafted, for the Human Rights Committee of the Russian Parliament, a Statement of Principles on Refugee Protection. Mr. Galligan was also a member of the team that developed pioneer legal instruments regarding health care decisions and health care agents for clients of the New York-based Gay Men's Health Crisis [GMHC] during the height of the AIDS crisis in the late 1980's.

Prior to commencing the practice of law, Mr. Galligan was a visiting professor in the faculty of theology at the Gregorian University in Rome from 1973-1976 and held several

pastoral and administrative positions in the Roman Catholic Diocese of Santa Rosa in California from 1976 through the end of 1980. He is the author of God and Evil (Paulist Press, 1973).

Rankings and Ratings:

- Chambers and Partners, High Net Worth Edition (2016 - 2018)
- The Best Lawyers in America© (2009 – 2019; Trusts and Estates)
- Super Lawyers® -- Metro New York Edition (2006 – 2018; Estate Planning & Probate, International and Immigration)
- Martindale-Hubbell (AV Preeminent Rated)
- Who's Who Legal: Private Client (2014 - 2018)

Professional Memberships:

- American College of Trust and Estate Counsel (Fellow)
- International Academy of Estate and Trust Law (Academician)
- New York State Bar Association
- The Society of Trust and Estate Practitioners (STEP)
- New York City Bar Association
- American Society of International Law
- American Immigration Lawyers Association
- New York International Arbitration Center
- National LGBT Bar Association: Family Law Institute and Trusts and Estates Institute

Awards:

- Woodrow Wilson Fellow
- Berger Prize in International Law, Columbia University
- Moses Gitelson Prize in International Affairs and Human Values, Columbia University

Education:

- Columbia University School of Law, J.D.
- Columbia University, M.I.A.
- Yale University, Ph.D.
- University of San Francisco, B.A.

Bar Admissions:

- New York
- U.S. District Ct., SDNY
- U.S. District Ct., EDNY
- U.S. Supreme Court

Martin Glenn was sworn in as a United States Bankruptcy Judge for the Southern District of New York on November 30, 2006. He received his B.S. degree from Cornell University in 1968 and his J.D. degree from Rutgers Law School in 1971. He was an Articles Editor of the Rutgers Law Review.

Judge Glenn was a law clerk for Hon. Henry J. Friendly, Chief Judge of the U.S. Court of Appeals for the Second Circuit, from 1971-72. From 1972 until his appointment to the bench, Judge Glenn practiced law with O'Melveny & Myers LLP, in Los Angeles from 1972-85 and in New York from 1985-06, focusing on complex civil litigation, including securities, RICO, financial and accounting fraud, and unfair competition.

Judge Glenn is a member of the following: Committee on International Judicial Relations of the United States Judicial Conference; New York Federal-State Judicial Council; American Law Institute; International Insolvency Institute; American Bankruptcy Institute, New York City Bar; National Conference of Bankruptcy Judges; and Federal Bar Council.

Judge Glenn is an Adjunct Professor at Columbia Law School and a Contributing Author of Collier on Bankruptcy. He is a frequent lecturer on bankruptcy-related issues.

AVI GOMBERG – BIOGRAPHY

Avi Gomberg is a partner with Gomberg Dalfen having founded his own immigration law firm in 1992 and formed the partnership with Seth Dalfen in 2000. The firm and Mr. Gomberg focus exclusively on immigration related matters and clients include foreign individuals and Canadian employers. Assistance is provided in the relocation to Canada of executives, businesspeople and skilled professionals.

Born March 31, 1961 in Montreal, Quebec, Canada. Mr. Gomberg obtained a Bachelor of Commerce with distinction in 1983 from McGill University in Montreal. He completed in 1986 his Common Law degree at Osgoode Hall Law School in Toronto and in 1987 he obtained his Civil Law degree from Laval University in Quebec City. Admitted to the Bar of Quebec in 1988. Mr. Gomberg was admitted to the Bar of Ontario in 1995.

Mr. Gomberg's three decades of experience in the field and his passion for the domain of Immigration law have made him a successful, passionate and compassionate advocate on behalf of his clients including many multinational corporations and skilled foreigners.

Mr. Gomberg has authored numerous articles, spoken at conferences and moderated panels on various immigration topics (including Canadian temporary work permits, challenges faced when an applicant has medical or criminal difficulties and the Canadian and Quebec permanent residence immigration programs).

LEXPERT has recognized Avi Gomberg as a leading practitioner in Immigration law. Avi has received a Martindale-Hubbell peer review rating of A-V the highest rating attesting to his legal ability and professional ethics.

Avi is fluent in English and French.

MEMBERSHIPS AND ACTIVITIES

- Canadian Bar Association Immigration Section
- Executive member of the Canadian Bar Association Quebec Division Citizenship and Immigration Section (1995 – 2004)
- Alliance of Business Immigration Lawyers
- Quebec Immigration Lawyers Association
- Ontario Bar Association Immigration Section
- American Immigration Lawyers Association
- Lord Reading Law Society

DAVIES

Elliot A. Greenstone
Partner

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Expertise
Mergers & Acquisitions
Private Equity, Hedge Funds & Venture Capital
Technology
Life Sciences

Bar Admissions
Québec, 2003

Education
Université de Montréal, LLB (Excellence in Intellectual Property Award), 2002
John Molson School of Business, Concordia University, MBA, 2002
McGill University, MSc (Physiology), 1999
McGill University, BSc (Physiology) (with Distinction), 1997

Elliot Greenstone is a partner in the Montréal office of Davies Ward Phillips & Vineberg LLP. His practice focuses mainly on representing large private equity investors and market-leading companies – both public and private – in their mergers and acquisitions, as well as financing and licensing transactions. Clients in Canada and internationally regularly call on him for their most important transactions. Elliot's formal education in business and science (MBA from John Molson School of Business and MSc from McGill University) gives him a unique perspective on corporate matters, including intellectual property and information technology. As a result, he is regularly chosen to advise on a broad range of complex issues for high tech, life science and retail companies. Elliot is a member of the American Bar Association, Private Equity and M&A subcommittees, and a member of Davies' Technology and Professional Development Committees in Montréal.

Elliot is recognized in The Canadian Legal Lexpert Directory for Corporate Commercial Law and in The Best Lawyers in Canada for Leveraged Buyouts and Private Equity Law.

Borden Ladner Gervais

FRANÇOIS GRONDIN

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Class Actions
Product Liability
Privacy and Data Protection
Environmental Law
Corporate Commercial Litigation and Arbitration

Education / Bar Admissions

LLB. Université Laval, 1990

LLM in International Law (Honourable Mention), University of Nottingham, 1992

Québec, 1991

Professional Involvement

Member, Canadian Bar Association

Member, The Advocates' Society

Instructor, Pierre-Basile-Mignault course on pleading at the Université de Montréal, 1998□2005

Instructor, course on evidence, procedure and obligations at the École du Barreau du Québec, 2006-present

Approved training officer, Maître de stage, 2003-08

Community Involvement

Member of the Board of Directors, Mira

Member of the Board of Directors, Huntington Society of Quebec

EXECUTIVE SUMMARY

François Grondin is a seasoned and versatile litigation lawyer who regularly pleads before both the Superior Court and the Court of Appeal of Québec. His main areas of practice are civil and commercial litigation, professional liability (civil and disciplinary), access to information, and defamation. François also practises environmental law and has significant experience in administrative litigation and professional law, including judicial ethics.

REPRESENTATIVE WORK

- Represents Canadian Pacific Railway Company in the class action related to the Lac-Mégantic train derailment.
- Represents Google and Aéroports de Montréal in class action matters before the Quebec Superior Court.
- Represents Conférence des juges de la Cour du Québec in the referral before the Court of Appeal regarding the constitutional validity of the Quebec Court's jurisdiction as conferred by the Quebec government.
- Involved in class actions related to smoking, as well as the defence of the action taken by the Attorney General of Québec to recover healthcare costs allegedly caused by tobacco consumption.
- Represented the Commission Chamberland in its inquiry into police surveillance of journalists.
- Participated in the Oliphant Commission and was part of a team of lawyers that represented the Right Honourable Brian Mulroney.
- Pleaded before the Gomery Commission and defended judges before the Canadian Judicial Council and the Conseil de la magistrature du Québec.

RANKINGS & RECOGNITIONS

- Selected by peers for inclusion in the 2018 edition (and since 2012) of The Best Lawyers in Canada® (Corporate and Commercial Litigation).
- Recognized in the 2018, 2017, 2016 and 2015 editions of Benchmark Canada – The Definitive Guide to Canada's Leading Litigation Firms & Attorneys as a "Local Litigation Star: Québec" and "Litigation Star: General Commercial, Professional Liability".
- Recognized in the 2018 edition of Canadian Legal Lexpert® Directory (Litigation - Corporate Commercial, Litigation - Product Liability).

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Fidelity Insurance
Directors & Officers Liability
General & Commercial Liability
Insurance Coverage/Insurance Fraud/Policy Interpretation
Professional Liability

Call to the Bar

Admitted to Ontario Bar, 1977

Professional History

Partner, Lerners LLP (2017 - present)
Managing Partner, Poss & Halfnight, Halfnight & McKinlay (1990-2016)
Partner, Poss & Halfnight (1982-1990)
Associate, Fitzpatrick & Poss (1977-1982)

Professional Memberships

Canadian Bar Association
American Bar Association
Coalition Against Insurance Fraud
International Association of Arson Investigators
Professional Liability Underwriting Society
Canadian Defence Lawyers
DRI International

REPRESENTATIVE WORK

Jamieson Halfnight is a Partner in the commercial litigation and insurance defence practice groups at Lerners LLP. His practice consists exclusively of insurance litigation and coverage advice for specialty claims under fidelity, directors' and officers', professional liability, CGL and property policies. He frequently represents most major insurers in Canada, as well as Lloyd's Underwriters in complex coverage litigation, as well as subrogation and recovery matters.

Jamie regularly appears at all levels of trial and appellate Courts, including the Supreme Court of Canada. His practice is centered in Ontario, but he has handled numerous cases in other provinces.

He is currently the Co-Chair of the International Fidelity Law Division, ABA TIPS FSLC, and Contributing Editor and member of the Editorial Board of the Canadian Institute Insurance Law & Litigation Journal.

He is a former Director of The Advocates' Society, having chaired its Insurance Committee. Jamie has taught at the Bar Admission Course in civil litigation and has lectured and published on insurance and litigation subjects on numerous occasions.

RANKINGS/ RECOGNITIONS

- Recognized in ***Best Lawyers*** *in Canada* in the areas of Insurance Law (2006-2019) and Product Liability Law (2008-2019)
- Recognized in the *Canadian Legal* ***Lexpert®*** *Directory* (1997-2018) - Current Practice Area Ranking - **Most Frequently Recommended** in Litigation - Commercial Insurance
- Recognized in the *Lexpert®/ROB Special Edition:* ***Canada's Leading Litigation Lawyers*** (2014-2017)
- Recognized in ***Who's Who*** *Legal* in the area of Insurance & Reinsurance (2006-2018)

LERNERS

LAWYERS

NOTEWORTHY CASES

- *The Brick Warehouse LP v. Chubb Insurance Company of Canada,* 2017 ABQB 413 (summary trial judgment on fidelity coverage)
- *TD v. Lloyd's Underwriters et al* (fidelity coverage defence)
  - *2017 ONCA 1011 Dec. 2017* (successful appeal of partial summary judgment)
  - *2016 ONSC 8006 Dec. 2016* (summary judgment defence)
  - *2016 ONSC 5993 Oct. 2016* (settlement privilege)
  - *2016 ONSC 4188 June 2016* (regulatory and banking privilege)
- *James Dick Construction v. Courtice Auto Wreckers, 2015 ONSC 5377* (summary judgment defence on covenant to insure)
- *PCL Constructors v. Allianz Global, 2014 ONSC 7480* (Rule 22 Special Case, faulty workmanship exclusion)
- *Durling v. Sunrise Propane, 2012 ONSC 4196* (class action defence)
- *Royal Bank v. Société Générale* (largest fidelity coverage case litigated in Canada)
- *Lilydale v. Meyn, 2013 ONSC 5313, aff'd 2015 ONCA 281* (fire claim, choice of law)
- *Lilydale Cooperative Limited v. Meyn Canada Inc. (2007), 84 O.R. (3d) 621 (S.C.J.), aff'd 2008 ONCA 126* (fire claim, jurisdiction)
- *Alie v. Bertrand, 2002 CanLII 31835 (ON CA)* (the most significant CGL coverage litigation in Canada)
- *Guarantee Company v. Gordon Capital, [1999] 3 S.C.R. 423* (the most important modern Canadian fidelity insurance contract case)

SELECTED PRESENTATIONS/PUBLICATIONS

- Presenter, "*Cyber Coverage – Meeting the Requirements of Loss Events in Canada*", Northwind Professional Institute insurance CEO summit, Cambridge Ontario, June 7, 2018
- Presenter, *Scope of Coverage under Bond and Stand-alone Cyber Policy Wordings*, *Fidelity Insurance and the Directness Requirement*, client coverage seminar April 9, 2018
- Author "*Cyber Coverage Problems – Where to Turn*", Canadian Institute's Insurance Law Review, Vol. 1, No. 1, 2017
- Co-author, Guest Blog Post: "First Canadian Cyber-Coverage Decision Joins Series of U.S. Judgments on Social Engineering Frauds", The D&O Diary, August 9, 2017
- Presenter: "Professionalism in Complex Insurance Claims", presentation to Toronto-based senior claims managers and handlers, December 2016
- Author: "Cyber Coverage Problems: Where to Turn?", for the Canadian Institute Law & Litigation Journal, July 2016
- Presenter: "Recent Developments in Fidelity Law", presentation to the Toronto-based fidelity industry, senior claims managers and handlers, April 2016
- Author: "Working on Faulty Workmanship: Modern Era Changes to the Faulty Workmanship Exclusion", Insurance Law Journal (Federated Press) January 2016
- Author: "Dealing with Experts in Canadian Litigation", For The Defence, DRI July 2015
- Co-presenter: "Hot Topics and Recent Developments in Canadian Fidelity and Speciality Claims", joint presentation with BBCG Claims Services to London UK-based claims representatives, brokers and underwriters, March 2015

Federal Court Cour fédérale

The Honourable Sean J. Harrington

Born in Montréal, Québec, Canada. Educated at Loyola College of University of Montreal and McGill University Law School. Called to the Québec Bar in 1969 and the Law Society of Upper Canada in 1978. Partner with Borden Ladner Gervais LLP, Past President of the Canadian Maritime Law Association, Past Chairman of the Average Adjusters Association of Canada, Past Treasurer of the Bar of Montreal, Past Vice President of the Association of Maritime Arbitrators of Canada. Appointed Judge of the Federal Court and *ex officio* member of the Federal Court of Appeal, 16th September, 2003. Appointed as a Judge of the Court Martial Appeal Court of Canada on 23rd March 2004. Appointed Member of the Public Servants Disclosure Protection Tribunal Canada from 2011 to 2015. Guest lecturer at McGill University, Dalhousie University, Université de Montréal, University of Ottawa, the IMO International Law Institute and the University of Queensland Australia.

DAVIES
COLLISON
CAVE

INTELLECTUAL PROPERTY

Marion Heathcote - Trade Marks Attorney

BSc LLB, LLM, BAppSc(Wine Science), Principal, Trade Marks Attorney

Areas of Expertise

- Agribusiness, Food and Nutrition
- Arts, Marketing and Media
- Biotechnology
- Building and Construction
- Chemical Engineering & Materials Science
- Clean Technology and Energy
- Electrical and Electronic Engineering
- Engineering and Manufacturing
- Fashion, Architecture and Design
- Food, Beverages & FMCG
- ICT & Software
- Medical Devices & Technologies
- Mining and Resources
- Pharmaceuticals & Chemistry
- Universities and Research
- Trade Marks

Qualifications

- Admitted: Barrister and Solicitor of the Supreme Courts of New South Wales, Queensland and Victoria and the High Court of Australia
- Appointed public Notary (1995)
- Bachelor of Applied Science (Wine Science), Charles Sturt University
- Bachelor of Science/Bachelor of Law, Macquarie University
- Master of Laws, University of Sydney
- Registered Trade Marks Attorney (Australia)

Awards

- Managing Intellectual Property World Survey and Global Awards: Leading individual for Trade Marks, 2014
- Managing Intellectual Property 'IP Stars': Ranked highly as an Australian 'IP Star', 2014, 2015, 2016, 2017 & 2018
- World Trademark Review 1000: Listed as a leading individual for Trade Mark Prosecution and Strategy, 2012, 2013, 2014, 2015, 2016 & 2017
- Best Lawyers Australia: Ranked Highly for Intellectual Property Law, 2008 - 2018
- Expert Guides - Trade Mark Lawyers: Nominated as being among the World's Leading Trade Mark Law Practitioners, 2009, 2012, 2014, 2016 & 2018
- Asia IP Experts: Leading lawyer in Trade Marks, 2013. Leading lawyer in Trade Marks, Enforcement and Copyright, 2015, 2016 & 2017
- International Who's Who of Trade Mark Lawyers: Listed as a leading Trade Mark practitioner, 2014, 2015, 2016, 2017 & 2018

Contact

02 9293 1000

mheathcote@davies.com.au

Locations

Sydney

Brisbane

Newcastle and The Hunter Region

Parramatta and Greater Western Sydney

- Asialaw Leading Lawyers: Leading lawyer for Intellectual Property, 2015, 2016, 2017 & 2018
- International Trade Marks Associations (INTA): Volunteer Service Award for the Advancement of Trade Mark Law 2009
- Euromoney Legal Media Group: Australasia Women in Business Law Awards: Best in Patent Trade Mark and Prosecution 2012, 2013 & 2014
- Doyle's Guide: Recommended as a 'Leading Intellectual Property Lawyer', 2015; recommended as a 'Leading Trademark Lawyer', 2016
- World IP Review: Listed as a leader in IP Private Practice, 2016
- Managing Intellectual Property Top 250 Women in IP: Listed as a Leading Female IP Practitioner, 2016, 2017 & 2018
- Expert Guides - Women in Business Law: Listed as one of the leading Trade mark practitioners in the World, 2016 & 2017
- WIPR Leader 2017 & 2018
- Who's Who Legal: Thought Leaders: 2017 & 2018

Profile

Marion's major area of practice is in Trade Mark law where she has extensive experience in strategically advising on international trade mark portfolio management and protection particularly within the Asia Pacific region. She also has particular knowledge in relation to geographical indications. Marion has also completed the WIPO Academy's Advanced Course on Intellectual Property, Traditional Knowledge and Cultural Expressions. In addition Marion's studies in Science include Biochemistry, Microbiology and Wine Science. She is currently completing a degree in Ecological Agriculture Systems.

Marion is the recipient of numerous peer accolades and has been repeatedly featured as one of Australia's leading Trade Mark Law Practitioners in the Managing Intellectual Property's (MIP) Expert Guide, as an MIP 'IP Star' as well as being included in their Top 250 Women in IP. She has been ranked consistently listed by Best Lawyers as one of 'Australia's Top Lawyers' in Intellectual Property since the inception of their Australian rankings and as one of Asia Law's leading lawyers, among the worlds leading practitioners in the Expert Guides: Trade Marks edition. She is also listed as an Asia IP Expert, a leading individual in the World Trade Mark Review 1000 and the World IP Review's list of Leaders in IP Private Practice. The Australasian Legal Business Guide on Intellectual Property Law describes her as being 'brilliant in regards to all TPA-related issues'. WTR says she is "always sensible, always professional" and a "touchstone for those seeking watertight protection across Asia-Pacific".

Marion is currently Chair INTA's Indigenous Rights Committee and sits on both their Asia Pacific Council and Advocacy Council. She previously served on their Board of Directors. Marion has also been a recipient of INTA's 'Volunteer Service Award for the Advancement of Trademark Law'. She is a member of the Marques IP Outer Borders Team chairing their Indigenous People's Rights subcommittee. She is a co-author the Australian Chapter of Lexis Nexis' International Pharmaceutical Law and Practice, and was a co-editor of the JIPLP special issue on Indigenous intangible property rights.

Memberships

- Member: American Bar Association
- Member: Institute of Patent and Trade Mark Attorneys of Australia
- Member: Intellectual Property Constituency
- Member: Intellectual Property Society of Australia and New Zealand
- Member: International Association of the Protection of Intellectual Property
- Member: International Trade Mark Association
- Member: International Wine Law Association
- Member: Law Council of Australia

- Member: Law Societies of New South Wales and Victoria
- Member: LAWASIA
- Member: Marques

GENEVIÈVE HÉNAULT – BIOGRAPHY

Geneviève Hénault is a law partner with Gomberg Dalfen, where she has been practicing Canadian immigration law since May 2008. The firm and Ms. Hénault focus exclusively on immigration related matters and clients include foreign individuals and Canadian employers. Ms. Hénault is providing assistance in the relocation to Canada of executives, businesspeople, skilled professionals and students.

Born September 2, 1972 in Montreal, Quebec, Canada, Ms. Hénault obtained a Bachelor of Laws degree from Montreal University. Admitted to the Bar of Quebec in 1999, Ms. Hénault has been practicing exclusively Canadian immigration law since then.

Ms. Hénault's nineteen years of experience has enabled her to develop a diverse clientele to whom she provides highly professional, conscientious and personalized services.

Ms. Hénault has authored several articles, spoken at conferences and moderated panels on various immigration topics (including Canadian temporary work permits, port of entry issues and the Canadian and Quebec permanent residence immigration programs).

Ms. Hénault accompanied clients during selection interviews in the offices of the Bureau d'Immigration du Québec (BIQ – Québec immigration office) in over three continents.

Geneviève is fluent in French and English and has intermediate knowledge of Spanish.

MEMBERSHIPS AND ACTIVITIES

- Canadian Bar Association Immigration Section.
- Executive member of the Canadian Bar Association Quebec Division Citizenship and Immigration Section since 2004.
- Member of the Board of Directors of the International Network of Boutique and Independent Law Firms since 2018.

Borden Ladner Gervais

ELISA HENRY

Partner

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Montréal
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Privacy and Data Protection
Information Technology
Licensing
Intellectual Property
Cybersecurity

Education / Bar Admissions

LL.M., McGill University, 2000

D.E.A. in Private International Law, University Paris II (Assas), 1998

Master of law, Université Paris XI (Sceaux), 1997

Licence en droit, Université Paris XI (Sceaux), 1996

Paris, 2002

Québec, 2011

Professional Involvement

Officer, International Bar Association

Member, ITECHLaw

Member, CAN-TECH

EXECUTIVE SUMMARY

Elisa Henry is a partner at Borden Ladner Gervais LLP in the Privacy and Data Protection Practice Group. She advises international and domestic clients on a broad range of Canadian and European privacy and data protection issues, technology, e-commerce and commercial law. Her clients operate in various industries, including IT, energy, telecommunications, online media and advertising, aviation and aeronautics, financial services, retail, chemicals and pharmaceuticals.

Prior to joining BLG, Elisa practiced technology and privacy law in Montréal and in Paris.

Elisa is a member of the Paris Bar since 2002 and of the Québec Bar since 2011. She is an officer of the Technology Law Committee of the International Bar Association (IBA) and is acting as the liaison agent for the Paris Bar in Québec. She is also a Registered Trademark Agent in Canada and a member of ITechLaw and CAN-TECH.

Elisa regularly speaks at Canadian and international conferences on privacy and IT law and is the author of several publications on this topic, including *Practical Guide to eCommerce and Internet Law* (Lexis Nexis, 2015), which she co-authored with Éloïse Gratton.

REPRESENTATIVE WORK

- Advises Canadian companies with respect to GDPR compliance
- Advises Médecins sans frontières (Doctors without borders) in the context of new drug treatments projects
- Advised various canadian entities on to privacy and data security compliance (data mapping, risk analysis, policies, procedures and training).
- Advised an international energy supplier with respect to processing of personal information by third parties, privacy compliance and training.
- Advised an international electric battery manufacturer regarding international supply agreements and patent licensing.
- Advises an international digital advertising and marketing solutions provider with respect to its establishment in Canada, privacy and commercial law

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matters.

PUBLICATIONS & PRESENTATIONS

Presentations

- Speaker, "Contracting in the era of the European union's new general data protection regulation (GDPR)," Ontario Bar Association, May 2018.
- Speaker, "Cracking the glass ceiling, World Women Lawyers' Conference," International Bar Association, April 2018.
- Speaker, "Privacy and Data Protection Representations and Warranties," Mergers & Acquisitions in the Technology Sector Conference, International Bar Association, February 2018.
- Speaker, "Personal data protection and data analytics for targeting purposes," Québec Digital Analytics Group, January 2018.
- Speaker, "Sharing is Caring: A Case for Value Chain Collaboration What can we learn from one another?," Aviation Data Symposium, November 2017.
- Speaker, "Why do IT projects fail? Parties behaviour following contracting," International Bar Association Conference, October 2017.
- Speaker, "It's all about the apps Silicon Beach Conference," International Bar Association, February 2017.
- Speaker, "Online Advertising to Children, Annual Advertising and Marketing Conference," January 2017.
- Speaker, "What you should know about intellectual property, contracts and litigation in Canada," Hamburg Aviation Cluster Workshop, November 2016.
- Speaker, "Cross-Border Compliance Programs," Privacy, Data Protection and Cybersecurity in Canada, McMillan client / Third Certainty Seminar, November 2016.
- Panel Moderator, France Canada Investor Summit, October 2016.
- Speaker, "Privacy Compliance Programs," Association of Corporate Counsels, April 2016.
- Speaker, "Internet dans la mire de l'Europe : Google AdWords, la responsabilité des places de marché et développements en matière de noms de domaines," APRAM, September 2015.
- Speaker, "Contrefaçon sur les réseaux sociaux: les nouveaux visages de la cybercriminalité," Conference organised by the Paris Bar, March 2015.
- Speaker, "Using trademarks to advertise to Québec consumers," Annual Advertising and Marketing Conference, January 2015.
- Speaker, "Email Marketing à l'ère de la loi C-28: atelier pratique sur la nouvelle loi anti-spam canadienne," Email marketing Conference, October 2014.
- Speaker, "Innovation in the healthcare field: from New York to Canada , Supporting the innovation start-ups in the healthcare field Conference," organized by UBISTART, May 2014.

Publications

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- Author, "*International Data Transfers to and from Canada in the era of the Trans-Pacific Partnership and the General Data Protection Regulation*," (with M. Reid and D. Ammerman), Canadian Corporate Counsel, Vol.25, No.6; September 2016
- Author, "Protection of Corporate Data from Disgruntled Ex-Employees (with S. Munk-Manel)," Canadian Corporate Counsel, Vol. 25, n.1
- Author, "Online Behavioural Advertising: An Update for Advertisers, Ad Networks and Agencies," (with A.M. Jarvie and H. Hennick), CCC Vol.24, n.7 (July/Aug.2015); (2014-14) 16 I.E.L.C. Vol.16, n.5
- Author, "Social Media and Websites as National Communication Platforms in Canada in Light of French Language Requirements," (with P. Giddens), (2014-15) 16 I.E.C.L.C vol.16, n.3 (July 2015)
- E. Henry and E. Gratton, "Practical guide to e-Commerce and Internet Law," Lexis Nexis, Toronto (January 2015)

RANKINGS & RECOGNITIONS

- Recognized in the 2018 edition of Who's Who Legal – Data: expert
- Recognized in the 2017 edition of *Leaders League* : Highly Recommended Lawyer for IT-Outsourcing

ABOUT BORDEN LADNER GERVAIS LLP

Borden Ladner Gervais LLP (BLG) is a leading, national, full-service Canadian law firm focusing on business law, commercial litigation and arbitration, and intellectual property solutions for our clients. BLG is one of the country's largest law firms with more than 700 lawyers, intellectual property agents and other professionals in five cities across Canada. We assist clients with their legal needs, from major litigation to financing to trademark and patent registration.

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Renata B. Hesse

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Partner since 2017
University of California, Berkeley School of Law (Berkeley Law), J.D. 1990
Wellesley College, B.A. 1986

"The headline-grabbing news is the arrival of former DOJ antitrust chief Renata Hesse, which certainly strengthens and deepens the firm's antitrust practice."
GCR 100 2018

Renata Hesse is a member of the Firm's Litigation Group. Her practice focuses on antitrust counseling, cartels and merger clearance. Ms. Hesse is frequently recognized as a leading and influential antitrust lawyer, with a particular emphasis on the intersection of antitrust and intellectual property matters in high-tech industries. She is currently co-chair of the ABA Antitrust Section's Spring Meeting and is a frequent speaker at antitrust and legal forums.

Ms. Hesse counsels some of the world's biggest companies on a range of high-stakes antitrust matters. Over the last year she advised client Amazon on its $13.7 billion acquisition of Whole Foods Market; Tanker Investments on Hart-Scott-Rodino matters for its $188 million merger with Teekay Tankers; and United Rentals Inc., the world's largest equipment rental company, on antitrust matters in its $1.3 billion acquisition of Neff Corp.

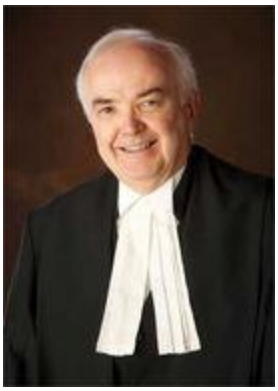
Ms. Hesse joined Sullivan & Cromwell following a distinguished career in government, including leading the Antitrust Division at the Department of Justice twice as Acting Assistant Attorney General and serving that division for more than 15 years. During her time at the Division, Ms. Hesse worked on a number of high profile transactions, as well as other key initiatives related to the licensing and enforcement of standards-essential patents. She also had oversight of the criminal program as the Principal Deputy Assistant Attorney General, where she was a decision-maker on a range of significant criminal matters. Ms. Hesse was previously Chief of the Networks and Technology Section (now the Technology and Financial Services Section) and a Trial Attorney in two Division sections, and has worked extensively with antitrust and competition law enforcement agencies at the highest levels across Asia, Europe, Australia and Latin America.

Ms. Hesse also served as Senior Counsel to the Chairman of the Federal Communications Commission, where she advised Chairman Genachowski on transactions pending FCC approval. In 2018, she co-authored the United States chapter of the Third Edition of "The Intellectual Property and Antitrust Review."

Rankings and Recognitions

- Euromoney's *Benchmark Litigation* – Top 250 Women in Litigation (2018)
- Euromoney's *Americas Women in Business Law Awards* – Best in Antitrust/Competition (2018)
- *The Legal 500 United States* – Recognized for Antitrust: Merger Control (2018)
- Lead partner on the Amazon/Whole Foods deal, which was recognized as the "2018 Merger control matter of the year – Americas" by *Global Competition Review*

The Honourable Allan R. Hilton



Justice Hilton was born in Montreal on June 18, 1949 to Catherine Ross and Allan L. Hilton.

He graduated with a Bachelor of Arts degree from Sir George Williams University (now Concordia University) in 1970, and during the 1969-1970 academic year, he was a member of the University's Board of Governors as a student representative. He obtained a B.C.L. degree in 1973 and an LL.B. degree in 1974, both from McGill University.

Justice Hilton was admitted to the Quebec Bar in 1975, and began his practice at Laing, Weldon, Courtois, Clarkson, Parsons Gonthier and Tétrault, which has since become McCarthy Tétrault. His practice was concentrated on civil, commercial, constitutional and administrative law litigation, as well as medical liability. He appeared regularly before trial and appellate courts, including the Supreme Court of Canada on several occasions.

In 1996, Justice Hilton was admitted as a Fellow of the American College of Trial Lawyers and he has been a Judicial Fellow since 1998.

Justice Hilton sat as a councillor on the Council of the Bar of Montreal and the General Council of the Quebec Bar , as well as on numerous committees, including the Bar of Montreal's Liaison Committee with the Court of Appeal, which he presided for several years, and the Quebec Bar's Discipline Committee. He was also a Director of the Bar Foundation.

Justice Hilton was appointed to the Superior Court on January 29, 1998. He was appointed to the Court of Appeal on September 26, 2003.

Jay L. Himes
Labaton Sucharow LLP
Partner
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Co-Chair of the Labaton Sucharow's Antitrust & Competition Litigation Practice, Jay Himes has more than 40 years of experience, which includes all facets of antitrust law, as well as all aspects of litigation and trial practice in both antitrust and complex litigation generally.

- Appointed by United States District Judge Orrick to serve as the monitoring trustee under the final judgment in *United States of America v. Bazaarvoice, Inc*., No. 13-cv-00133-WHO (ND Cal.).
    - Upon completion of the four-year appointment, recognized by the Court for having "diligently and effectively monitored the defendant's compliance," and for having "worked through innumerable complex issues . . . with obvious skill and sensitivity."
- The 2014 recipient of the William T. Lifland Service Award, presented by the Antitrust Law Section of the New York State Bar Association (NYSBA) for distinguished service.
- Described by Chambers USA sources as "a thoughtful, well read and a first-rate lawyer"—"one who "inspires respect from peers," and who "plays an active and important role in the antitrust market." And by The Legal 500s sources as "smart and trustworthy."
- Served as the Antitrust Bureau Chief in the New York Attorney General's office for nearly eight years, leading significant, high-profile antitrust investigations and enforcement actions.
    - The States' principal representative in the marathon negotiations that led to a settlement of the government's 2001 landmark monopolization case against Microsoft, and a leader thereafter in the *Microsoft* judgment enforcement activity.
- A regular author and speaker at conferences spanning a range of subjects, including antitrust, class actions, data security and privacy, international litigation and arbitration, state aid under the TFEU, and trade law.
- Lectured and presented in Amsterdam, Antigua, Dublin, Geneva, Hanoi, Krakow, Lisbon, Paris, Sao Paulo, Seoul, Vienna, Winterthur, and Zurich, as well as in the United States.

- A member of the U.S. advisory board of the Loyola University Chicago School of Law's Institute of Consumer Antitrust Studies, the advisory board of MLex, and the editorial advisory group of the Antitrust Chronicle.
- A past chair of NYSBA's Antitrust Law Section and the Section's past delegate to NYSBA's House of Delegates, as well as co-chair of the antitrust committees of NYSBA's Commercial and Federal Litigation and International Sections. Currently senior vice-chair committees of NYSBA's International Section. Also a member of antitrust, litigation, information technology and intellectual property groups in the American Bar Association.
- Practiced complex litigation for 25 years at Paul, Weiss, Rifkind, Wharton & Garrison LLP, representing plaintiffs and defendants in a wide range of litigation, including securities class actions as well as civil rights, contract, construction, constitutional, entertainment, environmental, real property, tax litigation, and pro bono matters.

Mr. Himes graduated from the University of Wisconsin Law School, where he served as the Articles Editor of the Wisconsin Law Review. Following law school, he pursued independent study at the University of Oxford in England.

STEVEN HOLLANDER

STEVEN HOLLANDER
Partner
New York

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Steve is a corporate, securities and private equity lawyer with an international practice focused on representing companies, sponsors, acquirers, targets and private equity firms in connection with M&A, securities and corporate matters. His corporate practice includes matters involving control acquisitions and dispositions, equity investments, commercial contracting, joint ventures, public and private securities offerings, regulatory filings, restructurings, other complex business transactions and general corporate matters. He also drafts Securities and Exchange Commission and stock exchange filings and submissions, particularly relating to foreign private issuers.

Steve is admitted to practice law in New York, New Jersey and the Republic of the Marshall Islands. He advises and issues opinions relating to entities formed in the Marshall Islands and Liberia, including corporations, limited liability companies, limited partnerships and general partnerships.

Steve is the author of numerous articles relating to mergers, acquisitions, securities law, Marshall Islands and Liberian law and disclosure requirements of public companies, and has taught a continuing legal education course in securities law.

Andrea Huber, attorney-at-law, LL.M.

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Andrea Huber, attorney-at-law, is a local partner with the law firm Loyens & Loeff in Zurich. She is a member of the banking and finance practice group and specializes in financial services and regulatory including FinTech and advises in both regulatory matters and transactions. Andrea regularly represents clients in proceedings before the Swiss Financial Market Supervisory Authority FINMA, the SIX Swiss Exchange, the Swiss Takeover Board and the CDB Supervisory Board (*VSB Aufsichtskommission*). Andrea Huber regularly advises banks, securities dealers, (re)insurers, asset managers, trading venues and other financial services providers on all regulatory and legal aspects of their business operations, organization and products and assists them in obtaining the regulatory approvals. Andrea advises on and establishes investment/private equity structures as well as banking and asset management services and products to both institutional and retail clients. She is further advising fund management companies, promoters, investment banks and distributors with respect to the structuring, listing and distribution of collective investment schemes and structured products. In addition, Andrea provides advise on issues of institutional governance, stock exchange disclosure rules, market conduct law, regulatory compliance, know-your-customer and anti-money laundering. Prior to joining Loyens & Loeff Switzerland, Andrea worked for more than eleven years in a leading Swiss law firm.

Education

Columbia University School of Law, New York, LL.M. (2008)

Exchange Trader Examination SIX Swiss Exchange (2004)

Bar admission Zurich (2003)

University of Zurich, law degree (2000)

NORTON ROSE FULBRIGHT

Azim Hussain

Of Counsel, Montréal

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Azim Hussain practises in international commercial arbitration, commercial litigation and constitutional law. He has particular experience in multi-jurisdictional disputes and litigation, especially involving foreign states and the related issues of jurisdictional and execution immunity. Mr. Hussain is a member of our international arbitration team, our Supreme Court of Canada and appellate advocacy team and our transnational litigation team. He has made submissions to all levels of court in Quebec as well as in the federal courts and the Supreme Court of Canada. He has acted for clients before arbitral tribunals under the leading rules, such as the ICC, ICSID and UNCITRAL Rules.

Mr. Hussain clerked at the Supreme Court of Canada for Mr. Justice Gonthier in 2001-2002. He was editor-in-chief of the *McGill Law Journal*. In addition to English and French, Mr. Hussain is fluent in Urdu and also speaks Hindi.

Practices

- Alternative dispute resolution (ADR)
- Appellate
- Construction and engineering
- Dispute resolution and litigation
- Insurance
- International arbitration
- Professional negligence
- Transnational litigation

Education

B.C.L./LL.B., McGill University, 2000

M.Sc., London School of Economics and Political Science, 1996

B.A., McGill University, 1995

Admissions

- Ontario 2002
- Quebec 2001

Andre R. Jaglom

Partner
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Andre R. Jaglom

Andre R. Jaglom is the co-chair of Tannenbaum Helpern's Corporate group and of its Franchise Law, Distribution and E-Commerce practice. Drew also leads the Firm's multi-disciplinary Cybersecurity and Data Privacy practice.

Drew regularly counsels clients in the distribution and marketing of goods and services. His distribution experience includes the establishment and restructuring of distribution networks; domestic and international distribution and supply contracts; mergers and acquisitions of distribution companies; the acquisition, sale and exchange of distribution rights; e-commerce distribution agreements; distributor and supplier relations, and dealer termination litigation.

Drew has led our teams in numerous major distributor acquisitions and joint ventures, and has structured and handled many brand distribution rights transactions, including structuring tax-free exchanges as well as more typical purchases and sales. In addition, he assists clients with the development of corporate legal compliance programs in antitrust and other areas, as well as providing general corporate counseling to new and established businesses.

In addition, Drew leads Tannenbaum Helpern's Cybersecurity and Data Privacy practice. This interdisciplinary team has experience in the many facets of this critical area of importance to all businesses, including technology issues, cybersecurity and data privacy regulation and compliance, data breach planning and response, and dispute resolution. He has helped guide clients in complying with the varying regulations of data privacy and protection in the U.S., Europe and other jurisdictions around the world.

Drew has decades of experience representing clients in the food and beverage industry, including alcoholic beverage law and soft drink distribution, franchise agreements and offering circulars, computer law, and trade associations and non-profit organizations. Drew was the principal draftsman of the New Jersey Malt Alcoholic Beverages Practices Act, which was signed into law on December 15, 2005. He is frequently quoted in beer, wine and spirits industry trade publications.

For over thirty years, Drew chaired the annual American Law Institute-American Bar Association Course of Study on Product Distribution and Marketing, to rave reviews from lawyers who attended. Drew has spoken for many years on international distribution and marketing law, privacy and data protection and intellectual property protection issues at meetings of the New York State Bar Association International Section. He is a member of the NYSBA Executive Committee; a former Chair of the NYSBA International Section and Chair of its International Distribution, Sales and Marketing Committee, Treasurer of the NYSBA Business Law Section and its Chair-Elect as of June 1, 2018, a member of the Executive Committees of the International Section and the Business Law Section, and former Chair of the NYSBA Section Delegates Caucus. He served for eight years on the Computer Law Committee of the Association of the Bar of the City of New York, including five as Secretary.

Drew has been selected for inclusion in *New York Metro Super Lawyers* continuously from 2006 through 2017 – every year that selections have been made. He has also been selected for inclusion in the 2013, 2014, 2015, 2016, 2017, and 2018 *Best Lawyers in America Guide.*

Practice Areas:

- Franchise Law, Distribution and E-Commerce
- Intellectual Property
- Technology, Outsourcing and Telecommunications
- Cybersecurity and Data Privacy
- Corporate, Capital Formation & Securities Law

Areas of Focus:

- Distribution and Marketing
- Antitrust & Competition Law
- Food and Beverage
- Mergers and Acquisitions
- Commercial Transactions
- Trademark and Copyright
- Software and Computer Law

Education:

College:

- Massachusetts Institute of Technology, 1974, B.S. Physics, B.S. Management

Law School:

- Harvard Law School, 1977, J.D.
- *Honors*: Magna cum laude

Prior Affiliations:

- Paul, Weiss Rifkind, Wharton & Garrison, 1977-1984
- Stecher Jaglom & Prutzman LLP, 1984-2000

Memberships:

Professional:

- New York State Bar Association: Past Chair, Section Delegates Caucus
- New York State Bar Association: International Section: Former Chair; Executive Committee Member; Delegate to House of Delegates; co-chair, International Distribution, Sales and Marketing Committee
- New York State Bar Association: Business Law Section; Treasurer; Chair-Elect as of June 1, 2018; Executive Committee; Franchise, Distribution & Licensing Law Committee

Civic:

- Trustee, Bronxville (N.Y.) Board of Education, 1997-2001

Others:

- Board of Directors, Institute of Masters of Wine (North America) Ltd.

Keri Johnston (JD 1994, Osgoode Hall Law School)

Ms. Johnston represents domestic and foreign clients in contentious cross-border and multi-jurisdictional litigation in all areas of intellectual property law and has managed international and national patent and trademark portfolios on behalf of small Canadian and Fortune 500 corporations. In addition Ms. Johnston has been an active member of numerous national and international non-governmental organizations and she and her firm provide *pro bono* legal services in the area of intellectual property and criminal law. Ms. Johnston is published internationally and currently sits on the Editorial Board of the *Journal of Intellectual Property Law & Practice* (Oxford University Press).

Selected Professional Volunteer and Committee work

MARQUES Representative to Diplomatic Conference for the Adoption of a new Act of the Lisbon Agreement – The Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (Geneva May 11-21, 2015);

MARQUES – NGO Observer and Intervenor on behalf of MARQUES at the Working Group Meeting on the Development of the Lisbon System at WIPO (Appellations of Origins) (June, 2014);

Journal of Intellectual Property Law – Editorial Board of the Journal of Intellectual Property Law, Oxford University Press (2015 to present);

INTA – Leadership Development Committee and Bootcamp Subcommittee (2018 – 2019);

INTA – Programming Advisory Council [by appointment 2016 – 2017];

INTA – Co-Chair Geographical Indications Conference, Rome (December, 2015);

INTA – Vice-Chair Related Rights Leadership Committee (2014 – 2015);

AIPPI – Litigation Committee (2017 – 2018);

MARQUES – Vice-Chair Geographical Indications Team (2008 – 2017);

AIPPI – Geographical Indications Committee (2016 – 2017);

Appointed as the Canadian Bar Association Representative of the Federal Court of Canada IP Users Committee (2013 - 2014);

Canadian Bar Association - Chair of the IP Court Practice Committee (September, 2011 – June, 2014);

Canadian Bar Association – Chair of the IP Section Federal Court Judges Dinner in Ottawa, Canada (May 17, 2012; May 4, 2013 and June 12, 2014);

Canadian Bar Association – Chair of the Federal Court Town Hall Meeting for Bar and Bench in Ottawa, Canada (May 17, 2012; May 4, 2013 and June 12, 2014);

Advisor to the INTA Board and President regarding *Veuve Clicquot Ponsardin* v. *Boutiques Cliquot Ltée*, 2006 SCC 23; *Mattel, Inc.* v. *3894207 Canada Inc.*, 2006 SCC 22; and *Kirkbi AG* v. *Ritvik Holdings Inc.*, 2005 SCC 65; and counsel of record in SCC on behalf of INTA in *Kirkbi AG*.

Selected Publications

March, 2014
Co-Guest Editor and Co-Author (Guest Editorial) *Journal of Intellectual Property Law & Practice, Special Issue: "The quest for 'real' protection for indigenous intangible property rights"*, Volume 9, Issue 5, 1 May 2014 [Co-edited with Marion Heathcote];

April, 2012
Co-Guest Editor and Co-Author (Guest Editorial) *Journal of Intellectual Property Law & Practice, Special Issue: "The Geographical Factor"*, Volume 7, Issue 4, 1 April 2012, [co-edited with Miguel Angel Medina].

Borden Ladner Gervais

FRANÇOIS JOLI-COEUR

EXECUTIVE SUMMARY

François Joli-Coeur is a senior associate in Borden Ladner Gervais' Privacy and Data Protection practice group. He advises and assists international and domestic clients from various sectors on a wide range of issues, including privacy and anti-spam, information technology, cybersecurity issues and data breach management, and telecommunications (including CRTC regulatory requirements).

François received a bachelor's degrees in civil law from University of Montreal and a Master of Laws degree from University of California, Berkeley with a specialization in technology law.

François is a member of the Québec Bar and the California Bar.

REPRESENTATIVE WORK

- Has advised a federal public sector organization, an important retailer and a professional services firm in the context of data security breaches involving different Canadian jurisdictions. Has assisted the clients in assessing the obligation to notify individuals of the breaches and drafting notification letters.
- Has advised various clients about the legal risks related to the management of personal information, including in the context of online advertising, big data projects, cloud computing and outsourcing.
- Has provided advice on Anti-Spam Legislation requirements to various clients, including software developers, large online and physical retailers and an automobile manufacturer.
- Has assisted a multinational company in an investigation carried out by the Office of the Privacy Commissioner of Canada concerning the management of anonymized personal information.
- Has assisted many employers in issues concerning the cross-border transfer of personal information.
- Has advised clients on cross-border requirements for employee data and drafted relevant policies.

PUBLICATIONS & PRESENTATIONS

- Author, "California's New Privacy Law and What It Means for Canadian Businesses," *BLG's Privacy and Data Protection Bulletin*, July 16, 2018.
- Panelist, "General data protection regulation and data privacy," IBA Annual Employment and Discrimination Conference, Montréal, May 4, 2018.
- Speaker, "Protection de la vie privée: cadre juridique et bonnes pratiques pour les créateurs," Colloque annuel de l'AJAVA, Montréal, April 20, 2018.
- Interview, Jennifer Campbell. "Today's kids will need right to remove online posts about them," 570News, The Jennifer Campbell Show, February 1, 2018.
- Interview, "British Columbia: Brecknell ruling continues "recent trend" of extending jurisdiction to online companies," DataGuidance, January 17, 2018.
- Interview, "Canada: R. v. Marakah "may inspire" other courts to expand individuals' expectation of privacy," DataGuidance, December 14, 2017.
- Co-Author with Éloïse Gratton, Online Advertising and Linking, Lexis Practice Advisor Canada.

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Bio for Rosalie Jukier

Rosalie Jukier is a Full Professor in the Faculty of Law at McGill University where she has been teaching since 1985 both in the civil and the common law legal traditions, primarily in the areas of Contracts and Judicial Institutions and Civil Procedure. Her research focuses on the comparative law of Contracts (with specific reference to contractual remedies and the interface between private law and religion), the impact of legal traditions on Civil Procedure and Judicial Methodology, as well as on Legal Pedagogy. Professor Jukier is a graduate of McGill University's Faculty of Law where, in 1983, she obtained her B.C.L. and LL.B. degrees graduating with the Elizabeth Torrence Gold Medal and the Aimé Geoffrion National Programme Gold Medal. She went on to pursue graduate studies in law at Oxford University and has been a member of the Quebec Bar since 1986.

In 2004, 2016 and 2018, she was recognized with the John W. Durnford Teaching Excellence Award and in 2010 with the Principal's Prize for Excellence in Teaching. She has served the Faculty of Law as Associate Dean on three occasions and from 1995-2001, she held the position of Dean of Students of McGill University. From 2005-2007, she served as senior advisor to the National Judicial Institute, an organization dedicated to the development and delivery of legal education for judges.

ALLEN E. KAYE, ESQ

BIOGRAPHY

ALLEN E. KAYE is Of Counsel at Pollack, Pollack, Isaac & DeCicco, LLP. He graduated Phi Beta Kappa from Queens College of the City University of New York in 1961, obtained his law degree at Columbia Law School in 1964, and obtained his LLM (Master of Laws) degree at New York University Graduate School of Law in 1965. He is a nationally recognized lawyer in the field of U.S. Immigration and Naturalization law and is Past President of the American Immigration Lawyers Association. He works with individuals and employers to assist with visas, I-9 audits, and other immigration and naturalization issues. Mr. Kaye is frequently featured in publications such as Biz India, India Abroad, and many others. He has won the Super Lawyers® award every year since 2006 and was also listed in the 2019 Best Lawyers® by U.S. News & World Report.

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Ho May Kim has an active commercial litigation and arbitration practice in complex corporate, commercial and fraud cases. She also has a keen interest in mediation and has successfully mediated a considerable number of matters. She appears regularly before the High Court of Singapore.

May Kim's clients say that she "does not beat around the bush." A client also commended her written brief for being "highly persuasive, thoroughly researched and goes to the heart of the dispute." She is a highly regarded lawyer who is "invaluable in securing a win for a complex international arbitration matter."

May Kim read law at the University of Cambridge where she earned a B.A. (First Class Honours) and an LL.M (First Class, with a Commercial law specialisation). She also ranked in the top 5 percent of her cohort for the Singapore Practical Law Course. Before joining private practice, May Kim was a Justices' Law Clerk to the Chief Justice, appellate judges and judges of the Supreme Court of Singapore. She also served as a judicial officer pursuant to her appointments as a Magistrate and Assistant Registrar of the Supreme Court of Singapore. May Kim was handpicked to represent NUS at the Phillip C Jessup International Law Moot Court Competition in Washington, D.C, USA, where the team reached the quarterfinals out of 500 teams from 80 countries.

Representative Matters

- **Settlement:** Advising a client on achieving settlement in a divorce.
- **Settlement:** Obtained a settlement for a major Korean commodity trading company.
- **International Arbitration:** Appearing before The Honourable Justice Vinodh Coomaraswamy in the High Court of Singapore to successfully resist an application to set aside an arbitration award.
- **Probate and Estate Administration:** Obtaining directions from the Family Court of Singapore for administrators of a deceased's estate to invest money held on trust for an infant after the deceased died suddenly in an AirAsia air crash. This involved an analysis of the interplay between the Trustees Act and the Guardianship of Infants Act which is a novel point in Singapore.
- **Breach of director's duties:** Successfully defending a breach of director's duties claim in the Singapore High Court case of *Prima Bulkship Pte Ltd (in creditors' voluntary liquidation) and another v Lim Say Wan* and another [2016] SGHC 283 as well as in the Court of Appeal of Singapore (the highest Court in Singapore).

- **Illegal money lending:** Successfully defending a multi-million dollar claim in the Singapore High Court case of *Ochroid Trading Ltd and another v Chua Siok Lui (trading as VIE Import & Export) and another* [2017] SGHC 56 on the basis that the loans were illegal money lending transactions.
- **International Arbitration:** Assisted and/or advised on arbitrations under the SIAC, ICC, UNCITRAL and LCIA rules relating to a wide range of disputes, including disputes relating to oil and gas drilling work, private banking claims, a construction project in Myanmar, claim for damages to an offshore oil rig, claims for demurrage and other shipping related claims and a dispute relating to a joint venture agreement.
- **Contract:** Lead counsel in a High Court and Court of Appeal case on contract formation, restitution and failure of consideration.
- **Construction:** Handed down the decision of the High Court in *Chip Hup Hup Kee Construction Pte Ltd v Ssangyong Engineering & Construction Co Ltd* [2009] SGHC 269 on the validity of an adjudication decision.
- **Employment:** Advising one of the largest manpower providers to the restaurant industry in Singapore on a claim against its former employee.
- **Freezing injunction:** Successfully obtaining a worldwide freezing injunction of around $9.5 million.
- **Trust:** Lead counsel in the High Court case of *Cost Engineers (SEA) Pte Ltd v Chan Siew Lun* [2015] SGHC 262 on a taking of account for shares held on trust.
- **Insurance:** Obtaining full recovery for insurers in relation to an accident causing property damage at a prominent and historical site in Singapore.
- **Employment:** Representing an employer in successfully requiring a former employee to stop publishing negative comments about the company and its personnel on social media.
- **Winding up:** Representing clients in terminating the winding up of an Indian shipping conglomerate.
- **International Arbitration:** Representing an Indonesian listed company on a contractual dispute relating to oil and gas.
- **Contract:** Advising an Indonesian state-owned oil and natural gas corporation on its multi-million dollar contractual disputes with its suppliers.
- **Employment:** Advising an Australian company in the technology industry on the termination of its CEO's employment.
- **Property:** Representing family members of a prominent Singaporean family and establishing their beneficial interests in their family home.
- **Company:** Successfully obtaining an order from the court to carry out a shareholder's meeting to remove a director.

Areas of Practice

- Complex Commercial Litigation and International Arbitration

Professional Activities

- A member of the conference organizing committee of the inaugural Family Conference 2018 by the Law Society of Singapore
- Singapore Chair for the New York State Bar Association, International Practice Section
- Member of the prestigious International Association of Defense Counsel
- Committee Member of the Alternative Dispute Resolution Committee of the Law Society of Singapore
- Committee Member of the Professional Development and Practice Chapter, Singapore Academy of Law
- Fellow of the Chartered Institute of Arbitrators
- Volunteer of the Primary Justice Project
- Associate Mediator, Singapore Mediation Centre

Admissions

- Singapore
- England and Wales
- New York

Education

- University of Cambridge, B.A. (Hons) Law (First Class)
- University of Cambridge, LL.M. Law (First Class with a specialization in Commercial Law)

Experience

- Selvam LLC, Singapore
- Tan Kok Quan Partnership, Singapore
- Clifford Chance, Singapore
- Supreme Court of Singapore

Honors and Awards

- Listed in *Singapore Business Review* as one of Singapore's Most Promising Legal Luminaries Aged 40 and Under
- Singapore Academy of Law Overseas Attachment Award
- Cambridge University, Girton College, Cambridge Lillian Knowles Prize
- Cambridge University, Girton College, Mary Graham Scholarship (won this twice)
- Cambridge University, Girton College, Margaret Hastings Prize
- Cambridge University, Girton College, Good Examination Book Prize

Selected Publications

- Co-author, "Court of Appeal Reaffirms Singapore's Tough Stance Against Illegal Money Lending," *Duane Morris Alert*, February 28, 2018

- Author, "Complying with the Personal Data Protection Act: A Roundup of 2017 Personal Data Protection Cases in Singapore," *Duane Morris Alert*, December 12, 2017
- Contributor to a leading book on civil procedure entitled "Singapore Civil Procedure 2015"
- Challenging Jurisdiction and Anti Suit in Singapore, LexisPSL Arbitration, 2015
- Stay of Proceedings (Arbitration) in Singapore, LexisPSL Arbitration, 2015
- State Immunity and Arbitration in Singapore, LexisPSL Arbitration, 2015
- Quoted in, "In-House Summit," *Asian Legal Business*, May 2015
- Contributor, "The AEC: Managing Risks and Opportunities in Trade, Tax and IP," Thomson Reuters, White Paper, 2015
- "Piercing the Corporate Veil as a Last Resort," *Singapore Academy of Law Journal*, March 2014
- "Sitting with a Silk," *Law Gazette*, February 2013
- "Tricks of the Trade: An Interview with Ms. Ho May Kim," *UKLSS Law Review*, Lex Loci 2012

Selected Speaking Engagements

- Speaker and Panel Moderator, "Asian Civil vs. Common Law Pre-Trial Procedures," International Association of Defense Counsel Asian Regional Meeting, Hong Kong, October 19, 2017
- Speaker on "Reducing Delays in Arbitrations" at the Sri Lanka National Law Conference in Sri Lanka, 2016
- Speaker on "Intellectual Property Disputes - Arbitration or Litigation" organized by the Law Society of Singapore, August 2015
- Speaker on "Minimizing Payment Defaults for Business Success" organized by the Singapore Business Federation, March 2015
- Facilitator for the Preparatory Course leading to Part B of the Singapore Bar Exams 2010- present
- Adjunct Faculty at the Singapore Management University, lecturing Business Law, 2008

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FASKEN

Peter E. Kirby

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Areas of Practice

International Arbitration
Tax Law
Corporate Social Responsibility
Anti-Bribery and Corruption
Litigation and Dispute Resolution
International Trade & Customs Law

Education

1985, LLB, McGill University
1984, DEA, University of Montpellier, France
1983, BCL, McGill University
1979, BA (Hons), Concordia University

Year of Call/Admission

New York, 1995
Massachusetts, 1994
Ontario, 1987
Quebec, 1986

Languages

French
English

Peter E. Kirby provides counsel on all aspects of cross-border trade. He advises on regulatory compliance, trade agreements, and trade remedies such as anti-dumping and countervailing duty actions. His practice extends to international commercial arbitration and investor-state arbitration, customs law, and export and import controls.

Appearing before governmental and administrative agencies and the Federal Court, Peter also represents clients in appellate litigation relating to trade and customs issues.

Peter represents various clients including corporations, state enterprises, and federal and provincial government departments and agencies. He has acted as counsel in several investor-state arbitrations under Chapter Eleven of NAFTA and under the Bilateral Investment Treaties. Peter has also assisted public and private sector clients on investor-state disputes. He has acted as counsel in more than 50 anti-dumping and countervailing duty investigations.

As part of his regulatory practice, Peter advises companies and associations in the food-industry on a wide range of issues including novel food approvals and product recalls.

Peter speaks frequently in Canada and abroad on international trade issues. He has been invited to speak on international law at numerous meetings of the American Bar Association.

Peter is recognized by Chambers as Band 2 in the International Trade/WTO-Canada category in 2017 and named Montréal's International Trade and Finance Law Lawyer of the Year for 2017 by Best Lawyers. He has been recognized by The American Lawyer and Lexpert as one of Canada's leading 500 lawyers since 2012.

Experience

- Oil Country Tubular Goods from Thailand, Canada Border Services Agency Investigation and Administration Appeals (2013-2017)
- Aluminium Extrusion from China, Canada Border Services Agency Investigation and Administration Appeals (2013-2016)
- Canada (Attorney General) v. Bri-Chem Supply Ltd. 2016 FCA 257 (Federal Court of Appeal)
- Canada (Attorney General) v. Evergreen Ecological Services Inc. 2016 FCA 257 (Federal Court of Appeal)
- Canada (Attorney General) v. Southern Pacific Resource Corp. 2016 FCA 257 (Federal Court of Appeal)
- Fabricated Industrial Steel Components from Spain, Canada Border Services Agency Investigation
- Fabricated Industrial Steel Components from the U.K., Canada Border Services Agency Investigation
- Gypsum Board from the U.S., Canadian International Trade Tribunal Inquiry
- Bri-Chem Supply Ltd. v. President, Canada Border Services Agency, CITT Appeal No. AP-2014-017
- Ever-Green Ecological Services Inc. v. President, Canada Border Services Agency, CITT Appeal No. AP-2014-027
- Southern Pacific Resource Corp. v. President, Canada Border Services Agency, CITT Appeal No. AP-2014-028
- BSH Home Appliance Ltd. v. President, Canada Border Services Agency, CITT Appeal No. AP-2013-057
  Advised BSH Home Appliance Ltd. in an appeal from a decision of the President of the Canada Border Services Agency pursuant to subsection 67(1) of the Customs Act.
- Aluminium Extrusions from China, Canadian International Trade Tribunal Inquiry
  Advised Electrolux Canada Corp. in the matter of an expiry review pursuant to subsection 76.03(3) of the Special Import Measures Act, of the findings made by the Canadian International Trade Tribunal.
- Frito-Lay Canada Inc. v. President, Canada Border Services Agency, Appeal No. AP-2010-002
  Advised Frito-Lay Canada, Inc.in an appeal filed with the Canadian International Trade Tribunal.
- Ultima Foods Inc. v. Canada (Attorney General) T-1931-11 2012 FC 799 (FC)
  Advised Ultima, Agropur and Danone in an application for judicial review of a decision by the Minister of International Trade.
- Cobra Anchors Co. Ltd. v. President, Canada Border Services Agency, CITT Appeal NO. AP-2008-006
  Advised Cobra Anchors Co. Ltd. in an appeal filed with the Canadian International Trade Tribunal from a decision of the President, Canada Border Services Agency.
- Bicycles from China, Canadian International Trade Tribunal Importer Inquiry
- Grain Corn: Canadian International Trade Tribunal Inquiry No. NQ-2005-001
  Counsel to Commercial Alcohols Inc. and the Canadian Snack Food Association

- Grain Corn from the U.S., Canadian International Trade Tribunal Inquiry
  Counsel to Commercial Alcohols Inc. and the Canadian Snack Food Association.

- Laminate Flooring: Canada Border Services Agency Investigation and International Trade Tribunal Inquiry (2003-2004)
  Counsel to domestic industry

- ADF v. The United States of America
  Counsel to ADF in NAFTA Chapter Eleven investor-state arbitration against the United States

- Champion Trading et al v. Egypt
  Represented U.S. investors in an Investor-State Arbitration against Egypt

- Acted as an expert witness on investor-state arbitration for the Canadian Council for Public-Private Partnerships in the Walkerton Public Inquiry

- Cultural Property
  Representation of art collector in actions under Canadian Law and the UNESCO Treaty

- Customs Law
  Assisted a multi-national beauty products company in its transfer pricing policy for its Canadian imports and its responding to Canadian Customs audit

- Customs Law
  Represented a multi-national clothing retailer with Canadian Customs compliance issues

- Export control and customs compliance
  Counsel to several aerospace and defence companies in export control and customs compliance issues

- Export Controls
  Represented a Canadian company in a voluntary disclosure of its past export control violations and in developing a compliance program

- Trade remedy cases
  Has represented clients in over 50 anti-dumping/counter duty cases.

Presentations

- "Investor Protection under Bilateral Investment Treaties: Choosing a Host Country for the Investment Vehicle", Presented at the International Legal Issues in Oil and Gas Development organized by the International Association of Oil and Gas Negotiators., Lisbon, March 16, 2017

- "Economic sanctions, export controls and anti-corruption rules, the oil and gas sections : The Canadian Rules", Presented at the International Legal Issues in Oil and Gas Development organized by the International Association of Oil and Gas Negotiators., Lisbon, March 16, 2017

- "Sector by sector - A closer look at CETA's impact in five sectors", Presented at the webinars organized by the Canadian Society of Customs Brokers., December 19, 2016

- "The Customs Rules : Origin and Customs Procedures", Presented at the webinars organized by the Canadian Society of Customs Brokers., December 14, 2016
- "CETA - The Big Picture", Presented at the webinars organized by the Canadian Society of Customs Brokers., December 12, 2016
- "Peter Kirby Discusses the Implications of his victory in the Bri-Chem Trilogy of cases before the Federal Court of Appeal", Speaker, conference organized by Canadian Society of Customs Brokers, November 1, 2016
- "Fasken Martineau's Automotive Summit", Fasken Martineau Institute, Toronto, Ontario, June 6, 2016
- "Customs Valuation: The Big Issues", International Trade Issues for 2016 organized by the American Association of Importers & Exporters, Chicago, March 3, 2016
- "How Changes in US-Cuba Sanctions Affect Canadian Business with Cuba", Fall Meeting of the ABA's Section of International Law., Montreal, Quebec, October 21, 2015
- "Impact of Transfer Pricing on Customs Valuation & VAT", Speaker, Impact of Transfer of Pricing on Customs Valuation & VAT organized by the Chamber of Commerce and Industry for Munich and Upper Bavaria, Munich, March 5, 2015
- "Toronto Fasken Martineau Symposium (4th Edition)", Fasken Martineau Institute, Toronto, Ontario, June 5, 2014
- "Fasken Martineau Symposium 2014 - Montréal", 6th Fasken Martineau Symposium, Montréal, Quebec, May 13, 2014
- "Comprehensive Economic and Trade Agreement (CETA) and the Mining and Energy Sectors - Key Issues and Opportunities", Global Mining Group Seminar – Cocktail Reception (FMD at the PDAC), Toronto, Ontario, March 1, 2014
- "Customs Implications of E-Commerce Transactions", Panelist, Customs Trade and Commodity Tax Issues in Electronic Commerce organized by Singapore Management University, February 20, 2014
- "CETA Issues: Food, Fish & Farms", Comprehensive Economic and Trade Agreement (CETA) Information Seminar, November 26, 2013
- "CETA Issues: Trade in Goods", Comprehensive Economic and Trade Agreement (CETA) Information Seminar, November 26, 2013
- "CSR Breakfast Seminar Series", Corporate Social Responsibility Law Group, Montreal, Quebec, October 15, 2013
- "The Use of International Sources in the Canadian International Trade Tribunal : Rules, Possibilities and Practice", Speaker, "Trade, Intellectual Property and Global Recovering Economies : A Search for Best Practices" organized by Federal Circuit Bar Association, Toronto, Ontario, September 17, 2013
- "Conflict between Tax and Customs Valuation", Co-Speaker, Seminar on transfer pricing & customs valuation organized by ICC, Montréal, Quebec, October 25, 2012

- "Dynamic Future for Canada's and Ontario's Agriculture, Food and Agri-businesses", Fasken Martineau Institute, Toronto, Ontario, October 16, 2012
- "Export controls and economic sanctions", What Canadian companies need to know about controls in Canada, the U.S. and beyond, Toronto, Ontario, September 24-26, 2008
- "Building Blocks of a Customs Compliance Program", Infonex Conference, Customs Compliance and Border Security, Toronto, Ontario, January 22-23, 2008
- "The Secrets of a Good Relationship with your Customs Broker", Canadian Association of Importers and Exporters, Montréal, Quebec, November 1, 2006
- "Insight Conference, Fourth Annual Health Policy, Speaking Topic: "NAFTA International Trade and the Implications for Health Care Policy Development"", Toronto, Ontario, April 27-28, 2006
- "Insight Information's 4th Annual Health Policy Summit", Toronto, Ontario, April 27-28, 2006
- "What Every Business Person Needs to Know About International Trade Agreements and International Investor Protection", Concordia University – International Business Course , Montréal, Quebec, October 12, 2005
- "Working With Your Customs Broker", Montréal, Quebec, October 5, 2005
- "Customs Valuation Update", Canadian Association of Importers and Exporters, Montréal, Quebec, November 24, 2004
- "Issues of Legal Responsibility Arising out of the Customs Broker/Importer Relationship", Canadian Institute – Customs Compliance, June 21-22, 2004
- "Current Developments in International Trade Law and Global Trade Negotiations: A Canadian Perspective", American Bar Association – Section of International Law and Practice Spring Meeting, April 14-16, 2004
- "Challenging Awards, Challenging Arbitrators", American University Conference - NAFTA Investment Law and Arbitration: The Early Years, Washington, District of Columbia, March 22, 2004
- "Advanced Conference on Class Actions", Montréal, Quebec, March 26-28, 2003

Publications

- "CETA Opens Unprecedented Business Opportunities", *International Trade & Customs Law Bulletin*, September 21, 2017
- "China's Priorities for a Free Trade Agreement with Canada", *International Trade & Customs Law Bulletin*, June 6, 2017
- "Budget 2017: What's in Store for Canada's Trade Policy?", March 29, 2017

- "Trading with America: Planning for an Unpredictable Future", *Trump and the Changing Political Landscape in the US*, March 9, 2017
- "Navigating CETA", *International Trade & Customs Law Bulletin*, October 31, 2016
- "Getting The Deal Through - Mining 2016 - Canada", *Law Business Research Limited*, July 4, 2016
- "Quebec Proposes Legislative Amendments to Require More French on Public Signs", *Intellectual Property Bulletin*, May 9, 2016
- "What does Canada's new budget mean for international supply chains and trade laws?", *International Trade & Customs Law Bulletin*, April 1, 2016
- "Amendments to Canada's Sanctions Regime Against Iran: an Alternative Legal Landscape", *International Trade & Customs Law Bulletin*, February 9, 2016
- "The TPP Agreement: A Canadian Business Perspective", *International Trade & Customs Law Bulletin*, October 13, 2015
- "Getting The Deal Through - Mining 2015 - Canada", *Law Business Research Limited*, June 1, 2015
- "The Canadian-European Comprehensive Free Trade Agreement and the Mining Sector: Key Issues and Opportunities", *Global Trade and Customs Journal*, June 30, 2014
- "Getting the Deal Through - Mining 2014 - Canada", *Law Business Research Limited*, June 30, 2014
- "2014 Federal Budget: Seven Important Changes That May Not Be Headline-Grabbing, But That Could Affect Your Business", *International Trade & Customs Law Bulletin*, February 13, 2014
- "The Canada-Honduras Trade Agreement: New market access for beef and pork exports, banks, and infrastructure investments", *International Trade & Customs Law Bulletin*, February 4, 2014
- "WTO Releases Its Decision on European Ban on Importation of Seal Products", *International Trade & Customs Law Bulletin*, December 16, 2013
- "Government Review of the CSR Strategy for the Extractive Sector", *Corporate Social Responsibility Law Bulletin*, December 13, 2013
- "CETA: What Will the Agreement Mean for Canadians?", *International Trade & Customs Law Bulletin*, October 21, 2013
- "Getting the Deal Through – Mining 2013 - Canada", July 1, 2013
- "Canada Preparing to Impose Retaliatory Duties on U.S. Imports", *International Trade & Customs Law Bulletin*, June 12, 2013

- "WTO Appellate Body rules against Canada in renewable energy case", *WTO Appellate Body rules against Canada in renewable energy case*, May 13, 2013
- "Comprehensive Economic & Trade Agreement (CETA): Challenges and Opportunities", *International Trade & Customs Law Bulletin*, April 22, 2013
- "Budget 2013: International Trade Initiatives – Tariffs, Border Measures and Investing In Canada", *International Trade & Customs Law Bulletin*, April 4, 2013
- "Bill S-14: Canada Strengthens Its Anti-Bribery Law", *Bill S-14: Canada Strengthens Its Anti-Bribery Law*, February 6, 2013
- "Griffiths Energy International Inc. Announces Bribery Charges - A Prosecution to Watch", *Griffiths Energy International Inc. Announces Bribery Charges - A Prosecution to Watch*, January 18, 2013
- "Getting the Deal Through - Mining 2012 - Canada", July 1, 2012
- "Getting the Deal Through - Mining 2011 - Canada", *Law Business Research Limited*, July 31, 2011
- "Canada-EU Trade (CETA) Negotiations – Racing to the Finish Line", *World Trade Executive: North American Free Trade & Investment Report, Vol. 21, No.11*, June 15, 2011
- "Libyan Risk Management", *Litigation Bulletin*, March 10, 2011
- "Canada Seeks to Impose Customs Duties on Management Fees and R&D Payments", *International Trade and Customs Law Bulletin*, August 31, 2009
- "Canada: International trade and greenhouse gas regulations: Are disputes in the future over climate change legislation?", *Mondaq Business Briefing*, August 18, 2009
- "Trade Issues Linked to Climate Change Regulation", *Western Climate Initiative Bulletin*, July 22, 2009
- "Canada-EFTA Free Trade Agreement Enters Into Force", *International Trade and Customs Law Bulletin*, July 1, 2009
- "Transfer Pricing and Customs Valuation", *World Trade Executive: North American Free Trade & Investment Report*, January 31, 2008
- "NAFTA Chapter Eleven as a Tool to Influence Government Policy", *World Trade Executive: North American Free Trade & Investment Report*, October 31, 2007
- "NAFTA, International Trade and the Implications for Health Care Policy Development", April 4, 2006
- "The American Lawyer Recognises Fasken Martineau as a Leading Canadian Firm in International Arbitration and Features Fasken's International Litigation Experts Peter Kirby and Henri Alvarez", October 17, 2005
- "Emissions Trading in the International Context: Kyoto Implementation and International Trade Agreements", July 7, 2005

- "Canada Proposes Surtax on Wide Range of U.S. Origin Goods", *International Trade and Customs Law Bulletin*, November 26, 2004
- "NAFTA, Chapter 31 of Doing Business in Canada, Matthew Bender, (Loose-leaf)", July 7, 2004
- "The Choice of the Place of Arbitration in NAFTA Chapter Eleven Arbitration", July 7, 2004
- "Climate change and emission trading: How international trade agreements will affect Kyoto implementation in Canada", October 16, 2003
- "Food labelling: Regulations requiring the declaration of nutritional information in standard Canadian format on almost all foods sold in Canada", April 7, 2003
- "Is the Class Action Law Reform in Québec Compatible with Section 23 of the *Charter of Human Rights and Freedom* and with Chapter 11 of NAFTA?", *Advanced Conference on Class Actions*, March 28, 2003
- "Emissions Trading in the International Context: Kyoto Implementation and International Trade Agreements", February 25, 2003
- "Topical Issues to Consider When Trading With Canada", *Metropolitan Corporate Counsel*, October 1, 2001
- "Legal Comment re CUPE Position on Free Trade and NAFTA Chapter Eleven", September 9, 2001
- "Canadian Trade Digest", July 7, 1995
- "Mexico Trade Letter", July 7, 1991

Rankings and Awards

- *Who's Who Legal: Canada* 2017 in Trade & Customs Law
- Recognized as a preeminent indirect tax adviser in the Indirect Tax Leaders guide, published by International Tax Review (2017)
- *Chambers Canada* 2016-2018 for International Trade/WTO
- Recognized in the Canadian Legal Lexpert Directory 2017 in the area of International Trade Regulation and Commodity Tax and Customs
- Named " Lawyer of the Year " in International Trade and Finance Law by The Best Lawyer in Canada 2017
- Recognized by the 2015 Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada in the area of international trade
- Recognized by the Lexpert 2014 Guide to the Leading US-Canada Cross-Border Litigation Lawyers in the area of international trade regulation

- Recognized by the The Legal 500 Canada 2015 edition in the area of international trade
- Recognized by the Who's Who Legal: Canada 2014 in the area of trade and customs
- Recognized as one of Canada's 500 leading lawyers by Lexpert and The American Lawyer
- Ranked by Benchmark Litigation as a national litigation star in international arbitration
- Recognized as one of Canada's best International Trade and Finance Law lawyers by The Best Lawyers in Canada (2006-2018 editions)
- Recognized as one of Canada's best lawyers in his field of expertise by Chambers Global
- Recognized as one of Canada's best lawyers in his field of expertise by The World's Leading Lawyers
- Recognized as one of Canada's best lawyers in his field of expertise by Euromoney Group
- Recognized as one of Canada's best lawyers in his field of expertise by Guide to the World's Leading Trade Lawyers

Memberships and Affiliations

- Vice-Chairman, Canada Committee, Section of International Law, American Bar Association (2008-2010)
- Vice-Chairman, International Trade Committee, Section of International Law, American Bar Association (2004-2006)
- Member, Appeals Advisory Committee of the Canada Customs and Revenue Agency (2001)
- Member, Editorial Board, North American Corporate Lawyer (2000-2003)
- Member, Auditor General's Advisory Committee on the Special Examination of the Canadian Dairy Commission (1999-2000)
- Chairman, Canadian Importers Association, Québec Chapter (1998 to 2000)
- Member, Canadian Importers Association, National Board of Directors (1998-2000)
- Member, Canadian Bar Association
- Member, Canadian Bar Association, Sales and Commodity Tax Committee
- Member, American Bar Association
- Member, American Bar Association, International Law Section
- Member, New York Bar Association
- Member, New York Bar Association, International Law Section

- President, Ireland-Canada Chamber of Commerce (1990-1993)
- Member, The Canadian International Trade Tribunal, Bench and Bar Committee (1995-1999)
- Member, Auditor General's Advisory Committee on Government Procurement (1995-1996)

AGON PARTNERS COMPETITION LAW & POLICY
SWITZERLAND

Profile

Prof. Dr. iur. Patrick L. Krauskopf, LL.M. (Harvard) | Attorney-at-law (Zurich/New York) | Chairman

Legal areas
- Competition and antitrust law
- Merger law
- Intellectual property rights
- Public procurement law
- Contract and construction law

Languages
German, French, English, Spanish

Memberships
- Academic Society for Competition Law ASCOLA
- American Bar Association ABA
- Board Member/International Advisory Council (UC Berkeley)
- EMBA Berne-Fribourg Alumni
- Harvard Club of Switzerland HCS
- Harvard Law School Association HLSA
- International Bar Association IBA
- Ligue Internationale du Droit de la Concurrence LIDC/ASAS
- New York-State Bar Association NYSBA
- Antitrust lawyers association
- Zurich Bar Association ZAV

Education
2012: Certificate of Advanced Studies in University Teaching (Switzerland, ZHAW)
2005: Bar certification (USA, New York)
2005: LL.M. (USA, Harvard Law School)
1999: Doctor of law (Switzerland, University of Fribourg) with „summa cum laude"
1995: Bar certification (Switzerland, canton of Aargau)
1991: Master/lic. iur (Switzerland, University of Fribourg & USA, University of California Berkeley, with attribute "summa cum laude"

Professional Experience
Since 2014: Partner/Chairman, AGON Partners, Zurich/Pfaeffikon
Since 2003: Head of the Centre for Competition and Commercial Law, Professor at the Zurich University of Applied Sciences (ZHAW) in competition law, contracts, torts as well as negotiation techniques.
2010 - 2013: Partner, KWP Krauskopf Wagner & Partner, Zurich/Basel/Munich/Pfaeffikon
2002 - 2009: Chief International Affairs, Competition Commission WEKO (Bern) | Representation of Switzerland at OECD, WTO, ICN, UNCTAD
2001 - 2009: Vice-Chair, Competition Commission WEKO (Bern), Head of the department Products & Industry
1999 - 2000: Head of legal services, Competition Commission WEKO (Bern)
1998: Case-Handler, Competition Commission WEKO (Bern)
1996 - 1997: Clerk to a Justice, Swiss Supreme Court (Lausanne)
1995: Legal intern, BSH (Zurich/Baden)
1994: Internship, District Court (Baden)
1992 - 1993: Research associate, Institute for construction law (Fribourg)

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CH-8008 Zürich
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Activities

Teaching & Research

Since 2014: Lecturer "Master of International Trade" (Perdana University, Kuala Lumpur)
Since 2010: Lecturer at the FH Luzern
Since 2008: Founder/partner "Ateliers de la Concurrence"
Since 2008: Lecturer at the University of Fribourg
Since 2002: Lecturer at the EMBA FH Fribourg & Bern
Since 2001: Lecturer / appraiser UNCTAD, WTO, ICN, CUTS
Since 1999: Publications (> 60) in German, English, French and Spanish

Legislation

2007: Spearheading the increase of awareness (GVO) of the Competition Commission WEKO (Bern)
2003: Spearheading of sanctions on ordinance of antitrust law (incl. leniency program)
2002: Spearheading the increase of motor vehicle awareness (GVO) of the Competition Commission WEKO (Bern)
2000 - 2003: Spearheading the revision of antitrust law (WEKO)

International Consulting

Since 2001: Spearheading the technical assistance programs or the corresponding involvement in Asia (Vietnam, Lao, Bangladesh), Africa (Mali, Zambia, Namibia, Botswana, Ivory Coast, Niger, Senegal, Guinea Bissau) and in south and central America (Bolivia, Columbia, Peru, Nicaragua, Salvador, Costa Rica).

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David R. Lallouz is a partner in Tannenbaum Helpern Syracuse & Hirschtritt LLP's Business and Finance Group where he advises clients on complex corporate transactions. For nearly two decades, David has helped clients creatively structure, negotiate and implement mergers and acquisitions, private equity and venture capital transactions, joint ventures, strategic investments, financings, and public offerings. In that time, David has successfully negotiated well over a hundred M&A, PE, VC and related transactions, representing clients on both the buy side and sell side, particularly in the "middle market," and across a wide range of industries, including, industrial, manufacturing, commercial and retail business, financial services, including global financial institutions, multi-billion dollar investment funds and family offices, life sciences and health care, staffing, professional services, advertising, and talent management, to name a few. David also represents investors in PIPE (private investments in public equity) transactions and registered direct offerings.

David's experience in the life sciences industry, in particular, is extensive, advising private equity and venture capital funds, as well as issuers in private placements, having closed literally dozens of transactions to date. He is also a member of firm's Cannabis law practice with a focus on investment-related activities in the rapidly expanding industry.

David is also experienced in the field of distribution law, particularly with regard to food and beverage distribution, including drafting and negotiating distribution and supply agreements for distributors and manufacturers alike. Notably, David's M&A experience includes significant acquisitions and joint ventures among distributors and suppliers, including in the alcoholic beverage and soft drink industries. In addition, he regularly advises and counsels clients on corporate governance, business formation and capitalization, as well as commercial and contractual relationships. David is a co-founder of Tannenbaum Helpern's StartMeUp program for entrepreneurs, offering a suite of legal services tailored to the needs of new business owners.

Additionally, David is a member of the firm's Cybersecurity Practice Group, advising clients on the risks and legal requirements associated with emerging technological threats, particularly in the context of corporate transactions.

Given the scope and breadth of David's experience in corporate transactions, he has been retained to provide testimony as an expert witness to a U.S. federal court on the M&A process and best practices.

Prior to joining Tannenbaum Helpern in 2008, David was a partner in a leading international law firm based in Montreal, where his experience included Canadian, U.S. and cross-border mergers and acquisitions. David began his career in Quebec where he remains admitted to practice. Fluent both in English and French, he advises clients in both languages and has been selected for inclusion in Super Lawyers since 2011.

Marie Josee Lamothe

CEO, Tandem International

Board Director,

Professor of Practice

Ex-Google

mj@tandem.international

mariejosee.lamothe@mcgill.ca

Twitter: @MJLAMOTHE

Linked.in: ca.linkedin.com/in/mariejoseelamothe

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A 25 year veteran of the competitive Consumer Products world, Marie Josée Lamothe is best noted for her expertise in International Management and Omni-Channel Branding.

Ms. Lamothe is the Founder and CEO of *Tandem International*, an advisory firm specialized in tech driven omni-channel retailing; covering areas such as brand building, corporate reputation, business restructuring and human capital with an emphasis on profit-driven analytics.

Prior to founding Tandem International, Ms Lamothe was Managing Director at *Google Canada* for nearly 5 years, where she helped brands harness the power of digital to scale their business in Canada and globally.

Ms Lamothe sits on the boards of *The ALDO Group, Reitmans Canada Limited*, and *LightSpeed*, a point-of-sale and e-commerce software provider, as well as *OSMO*, a not-for-profit organization created to support the development of the startup ecosystem in Montreal. Ms Lamothe was also appointed by the *Treasury Board of Canada* to the Audit committee for the Ministry of Employment and Social Development Canada (ESDC).

In addition, Ms Lamothe is a Professor of Practice at the Desautels business faculty of *McGill University*, where she teaches Innovation in Retailing and the Fundamentals of Retail at the Bensadoun School of Retail Management.

Ms Lamothe currently co-chairs the annual campaign for United Way/Centraide Montreal, a not-for-profit organization which invests locally in Montreal to break the cycle of poverty and social exclusion.

Prior to joining *Google*, she held various roles during her 12 years at *L'Oréal,* from International Marketing Director in France to CMO & CCO in Canada where she leveraged the strengths of digital to help L'Oréal's 33 beauty brands compete.

Ms Lamothe was also appointed to the 2017 *Advisory Council on Economy and Innovation for the*

Government of Quebec and was a Member of *Canada 150 Research Chairs* Multidisciplinary Review Panel which aims to award research chair positions to Canadian universities and enhance Canada's reputation as a global centre for science, research and innovation excellence.

Since her return to Canada, Ms Lamothe has been awarded *the Desautels Achievement award* by McGill University, which recognizes individuals who serve as role models for students in their education, career, and philanthropic contributions. She received an *honoree diploma from the University of Montreal* for her contribution to the advancement of our society. The Boardlist named her among the *Top 10 women in tech in Canada*, InfoPresse nominated her as a *Personality of the Year* in Quebec. She was also recognized among *Canada's Top 100 Most Powerful Women* in the Financial Post and *Canada's Marketers of the Year* by Strategy magazine. Forbes Magazine and Social Media Magazine (US) recognized her among *Top Marketing Minds To Follow on social media in North America* and Canadian Business magazine nominated her among *Canada's 40 Global Leaders*.

Ms Lamothe is a graduate of Mathematics and Economics from the University of Montreal.

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Andrew Lanouette is a Partner in Cassidy Levy Kent's Ottawa office and has been recognized by several lawyer-ranking guides as a rising star and up-and-coming lawyer practicing international trade law.

He has experience in all aspects of anti-dumping and countervailing duty proceedings including judicial reviews. In such trade litigation matters, Mr. Lanouette has appeared before Canada's Federal Court of Appeal, the Canadian International Trade Tribunal, and the Canada Border Services Agency. Mr. Lanouette has appeared before the U.S. Department of Commerce and the U.S. International Trade Commission as an associate working in the Washington, DC office. He has also assisted clients with enforcement issues before the Canada Border Services Agency. Mr. Lanouette has worked with clients on export controls and sanctions matters including permit applications and non-compliance reports. He has provided advice and representation on issues relating to international trade treaty compliance and advocacy including under the WTO and NAFTA, customs tariff classification, public procurement, and federal regulatory law.

Mr. Lanouette holds an LL.B. from the University of Ottawa (*summa cum laude*) where he was the recipient of the Gold Medal for highest academic performance. He also won several other awards for his academic performance and for his service to the law school. Mr. Lanouette mooted extensively while at the University of Ottawa, where he won the Canadian national round of the Philip C. Jessup International Law Moot Court Competition. Prior to law school, Mr. Lanouette attended the Arthur Kroeger College at Carleton University where he received a Bachelor of Public Affairs and Policy Management with a specialization in International Studies. He graduated from that program with Highest Honours and received a Senate Medal for his academic achievement.

Honors and Awards

- Recognized by *Chambers Canada* as an "Up and Coming″ lawyer in the field of International Trade
- Recognized as a "Rising Star" by *Expert Guides* in the field of International Trade
- Recognized in *Who's Who Legal* as a foremost international trade and customs law practitioner

Education

- LL.B., *summa cum laude*, University of Ottawa (University Gold Medal; County of Carleton Law Association Scholarship; George E. Ainslie Memorial Prize; Donald Scarth Thorson Award; Rémi Michel Beaupré Memorial Prize; Osgoode Society Prize for Canadian Legal History; McCarthy Tétrault LLP Second Year Prize; University of Ottawa Merit Scholarship; McCarthy Tétrault LLP First Year Prize; Aird & Berlis LLP Prize; Gordon Blair Prize; University of Ottawa, Faculty of Law, Common Law Entrance Scholarship)
- B.P.A.P.M., *Highest Honours*, Carleton University (Carleton University Senate Medal; Arthur Kroeger College Prince Memorial Book Prize; Carleton University Faculty; TRG Fletcher Scholarship)

Bar Admissions

- Ontario

Professional Affiliations

- Chair, Canadian Bar Association, International Law Section
- Board Member, American Bar Association Section on International Law
- Former Executive Member-at-Large, Ontario Bar Association, Young Lawyers' Division East
- Former Vice President, Canadian Council on International Law
- Member, American Bar Association Section on International Law

Select Publications and Speaking Engagements

- Senior Editor, Canadian International Lawyer Journal (2014 to present)
- "Canada and the Ambitious Free Trade Agenda: Free Trade Meets Election Politics", ABA Section of International Law International Trade Committee Newsletter Volume VIII, No. 1 (February 2015)
- Speaker, ""Handling Procurement Complaints Before the Canadian International Trade Tribunal: Process and Strategies from Recent Cases", The Commons Institute (October 2014)
- "Case Comment: The Canadian International Trade Tribunal Makes First Finding Concerning Capital Goods in 20 Years", ABA Section of International Law International Trade Committee Newsletter Volume VII, No. 1 (October 2013)
- "Canada: high deference, stark reality" in Müslüm Yilmaz, ed., Domestic Judicial Review of Trade Remedies: Experiences of the Most Active WTO Members (Cambridge: Cambridge University Press, 2013), with Christopher Kent
- Speaker, "Export Controls: Update from the Department of Foreign Affairs and International Trade Export Controls Division," CBA International Trade and Investment Committee (January 2013)
- Speaker, "Force Majeure and the Doctrine of Hardship: Lessons for Public International Law," Canadian Council on International Law 41st Annual Conference (November 2012)
- "2011 Sanctions Review: Observations and how to stay abreast of fast-changing developments," CBA National International Law Section Newsletter (April 2012)

Languages

- English
- French

Lawyer Profile

Stéphanie Lapierre

1155 René-Lévesque Blvd. West, 41st Floor, Montréal, Canada, H3B 3V2
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Stéphanie Lapierre is a partner in the Litigation and Dispute Resolution Group. Her practice is mainly focused on securities, financial and business law. She represents clients both in the first instance and on appeal in matters involving hostile take-over bids, contested change of control transactions, shareholder disputes, derivative actions, plans of arrangement, dissidence rights and judicial liquidation.

Stéphanie has a solid expertise in litigation matters pertaining to securities law. She regularly represents reporting issuers in connection with internal investigations instituted in response to allegations made by whistleblowers and with investigations instituted by the Securities Commission and other self-regulatory organizations. She also represents clients following the filing by the Securities Commission of penal or administrative proceedings alleging infractions to the Securities Act, including insider trading, tipping, market manipulation and inadequate or misleading disclosure of material information.

Accolades

- *The Best Lawyers in Canada* 2018 and 2019 in Corporate and Commercial Litigation.
- *The Canadian Legal Lexpert Directory 2018*, as a leading lawyer in Corporate Commercial Litigation and Securities Litigation.
- *Benchmark Canada's* Top 25 Women in Litigation for Canada, 2017 and 2018.
- *Lexpert 2017 Guide to the Leading US/Canada Cross-border Litigation Lawyers in Canada* in the area of Litigation Securities.
- *Legal Media Group's The Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2017*.
- *Lexpert/ROB Special Edition: Canada's Leading Litigation Lawyers,* November 2017.
- *Lexpert Leading Canadian Lawyers in Global Mining*, October 2017.
- *Lexpert Guide 2016 to the Leading US/Canada Cross-border Litigation Lawyers in Canada*.
- *The 2015 Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada*.

Professional Activities

Ms. Lapierre is Chair of the Canadian Bar Association's Business Law Section's Commercial Litigation Committee and Co-Chair of the American Bar Association's Business Section's International Litigation Sub-Committee. She is a member of the Liaison Committee of the Superior Court's Commercial Division.

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Avv. Pierodavide Leardi

Consulenti:

Avv. Alex Alessi
Avv. Daniela Ciccone
Avv. Roberto Fiorina
Avv. Marcella Mensi
Avv. Martina Sabatini
Dr. Ennio Esposito

Mr. Pierodavide D. Leardi - Biography

Pierodavide Leardi specializes in Intellectual Property law.

His practice, Studio Leardi - Intellectual Property Management, which is headquartered in Milano, Italy - focuses on Intellectual Property and unfair competition litigation and Intellectual Property management.

Mr. Leardi advises national and multinational companies in all areas of Intellectual Property, including patents, trademarks, designs, and copyright. He also has extensive experience in the protection of trade secrets and know-how and in leading disputes involving trade secrets misappropriation.

Mr. Leardi also advise on advertising law issues. Thus, he represents advertising agencies before the Italian ordinary courts, the Italian Advertising Self-Regulatory Body (IAP) and the Italian Antitrust Authority (AGCM) in cases of unauthorized reproduction of advertising campaigns, and in cases of deceptive, misleading and illicit publicity.

In addition to his judicial activity, he regularly assists his clients in the strategic management of Intellectual Property assets and in contractual issues. He has recently assisted companies in legal matters concerning biotech, mechanical and electronic projects, and also top fashion and design clients.

Mr. Leardi participated as a delegate in the sessions of UNCITRAL's Sixth Working Group in New York, where a worldwide project concerning a legislative guide on secured transactions dealing with security rights in Intellectual Property was discussed and adopted.

He graduated in Law from the prestigious Università Cattolica del Sacro Cuore, Milan, with a thesis on The Protection of Trade Secrets. Aside from his professional activity, he regularly teaches at academic level and writes on Intellectual Property and competition law issues.

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He is currently working on his PhD in commercial law – intellectual property and competition law – at the Università degli Studi di Parma, where he continues to elaborate patent law issues and questions related to trade secrets protection.

Pierodavide is a member of the Italian Bar (Bar of Milan), of the New York State Bar Association, of Asseprim and Confcommercio.

Pierodavide speaks and writes English fluently.

Email: leardi@leardi.it

Scott Little, Trade Law Bureau, Government of Canada

Scott Little has over twenty years' experience in international trade and investment law in each of the private, public and international sectors. Scott has served as Director and General Counsel of the Investment and Services Division (JLTB) of the Government of Canada's Trade Law Bureau. He has acted as case lead in a number of recent investor-state arbitrations against the Government of Canada under NAFTA Chapter Eleven, including the recently concluded *Bilcon v. Canada* arbitration. Scott has also served as legal advisor to Canadian negotiators in past and ongoing FTA and FIPA negotiations and is currently Canada's chief legal counsel in the ongoing Canada-MERCOSUR FTA negotiations. Scott is a member of the Law Society of Ontario and the New York State Bar.

JUDGE RAYMOND J. LOHIER, JR.

Judge Lohier is a judge on the United States Court of Appeals for the Second Circuit. He was nominated by President Barack Obama in March 2010 and unanimously confirmed by the United States Senate in December 2010.

Judge Lohier graduated from Harvard College in 1988 and earned his J.D. in 1991 from New York University School of Law. Judge Lohier served as a law clerk for the Honorable Robert P. Patterson, Jr. of the United States District Court for the Southern District of New York and was associated with the law firm of Cleary, Gottlieb, Steen & Hamilton in New York.

Following his work at Cleary, Gottlieb, Steen & Hamilton, Judge Lohier served as a Senior Trial Attorney with the Civil Rights Division of the United States Department of Justice, where he spearheaded employment discrimination-related litigation and worked on other civil rights matters of importance to the federal government. Judge Lohier thereafter served as an Assistant United States Attorney in the Southern District of New York, where he served among other roles as Senior Counsel to the United States Attorney, Chief of the Securities and Commodities Fraud Task Force, and Chief of the Narcotics Unit. As the Chief of the Securities and Commodities Fraud Task Force, Judge Lohier was responsible for overseeing the Bernard Madoff prosecutions, the investigation and prosecution of Marc Dreier, the joint investigation and prosecution, along with Canadian authorities, of an insider trading case, the Galleon and other hedge fund-related insider trading cases, as well as several other high-profile fraud cases.

Judge Lohier is the current Chairperson of the Defender Services Committee of the Judicial Conference of the United States. He is a lifetime director of the New York University School of Law Alumni Association, as well as a member and chair of the Awards committee of the Council of the American Law Institute, and the New York University School of Law Board of Trustees, for which he chairs the Nominating committee. Judge Lohier also teaches as an adjunct professor of law at New York University School of Law and is a recipient of the New York University Alumni Association's Eugene J. Keogh Award for Distinguished Public Service.

Lindsay Lorimer is a partner in the Litigation and Dispute Resolution Group at McMillan LLP. Her practice is focused on product liability litigation, class actions, and complex commercial litigation. Lindsay assists a number of companies with national coordination and management of their litigation matters. In addition, Lindsay has advised clients in crisis situations dealing with privacy and data breaches. Lindsay also regularly advises manufacturers, distributors, importers and retailers on regulatory requirements of various products, risk management issues and corrective actions including product warnings and recalls. Lindsay enjoys a Distinguished rating from *Martindale-Hubbell,* is recognized in the international Who's Who Legal for Product Liability Defence and is described as a "top tier advocate who is known to be a very effective either at mediation or in the courtroom". She has extensive experience defending class actions and both individual and commercial product liability lawsuits involving a broad range of products including fire and security products, consumer products , food products, pharmaceuticals and medical devices, recreational products, construction and industrial machinery, motor vehicles, building materials and juvenile products. Her broad experience includes cases that involve complex scientific, medical and technical evidence.

Lindsay has been counsel in several class proceedings, national and international, with a strong emphasis on product liability and specifically pharmaceutical products. Her class action experience includes decisions on a wide range of domestic and cross-border issues including those relating to parallel proceedings, cross-border discovery, challenging expert evidence, jurisdiction and class action certification and settlement. She has been involved extensively in multijurisdictional product liability litigation in pharmaceuticals including the Canadian diet drug litigation, Baycol and Prepulsid class actions. As a result of her work, Lindsay has knowledge of medical-legal issues and also the regulatory regime governing the approval and marketing of pharmaceutical products in Canada.

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Janine MacNeil

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education and year of call

- Called to the Ontario bar - 2002
- Dalhousie University, LLB - 2000
- Mount Saint Vincent University, BBA - 1997

practice areas

competition and antitrust

CASL - spam and other electronic threats

marketing and advertising

privacy and data protection compliance

entertainment and media

social media

privacy and data protection

unilateral conduct and distribution practices

cartels

mergers

industries

retail

media, communications and entertainment

media

automotive

manufacturing, distribution and retail

profile

Janine MacNeil is a partner in the firm's Competition and Marketing Law Group. Janine's practice includes advising on advertising matters, promotional contests, games and sweepstakes, related privacy matters, compliance with consumer protection legislation, marketing and advertising-related agreements, and packaging and labelling requirements.

In addition, Janine has assisted clients in complying with the Competition Bureau's merger notification regime, in the creation of competition compliance programs, and responding to Competition Bureau cartel and other investigations.

Janine is Past Chair of the Marketing Practices Committee of the Canadian Bar Association's Competition Law Section.

directorships and professional associations

- Canadian Bar Association, Past Chair, Marketing Practices Committee, Competition Law Section
- American Bar Association, Antitrust Law Section
- Ontario Bar Association
- Advertising Standards Canada
- Canadian Marketing Association
- Promotion Marketing Association
- Certified Information Privacy Professional / Canada (CIPP/C)

representative matters

Janine MacNeil's representative work includes advising some of Canada's largest and most respected companies in the telecommunications, retail, automotive, manufacturing, insurance, mass media and entertainment sectors in the

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following areas:

- Advertising copy review for all media; food, drug and cosmetic packaging and labeling review; drafting and negotiating co-promotion, talent, licensing and sponsorship agreements; identifying and advising on privacy issues relating to consumer promotions; and compliance in the design, review and execution of contests and promotions.
- Privacy law matters including security, compliance procedures and documentation, information audits, privacy policies, consent documentation, organizational procedures and practices, compliance procedures and regulatory matters.
- Information technology/e-commerce matters, including transaction and contracting; website development; online advertising and marketing issues; security of transaction and privacy issues; consumer protection issues; intellectual property rights; jurisdiction and multi-national law issues.
- Merger matters, including Kraft/Cadbury, West Fraser/Weldwood. Kraft/Nestle, Teck Cominico/Aur Resources, Teck Cominico/Inco, Teck Cominico/Fording, Davis + Henderson/Resolve, Poscor/Triple M, among others.
- Cartel investigations, including Liquid Crystal Display, Cathode Ray Tubes, and Copper Concentrates.

awards and rankings

- Recognized by *Best Lawyers in Canada* 2019 as a leading lawyer in the area of Advertising and Marketing Law
- Recognized in *Best Lawyers in Canada* 2018 as a leading lawyer in the area of Advertising and Marketing Law
- Recognized in *Chambers Canada* 2017 as a leading lawyer in the area of Advertising & Marketing - Canada

media mentions

- "Greenwashing: Cleaning up by 'saving the world'" by Rebecca Harris, *Marketing Magazine*, April 22, 2013
- "The Hidden Costs of Canada's Anti-Spam Law" by Rebecca Harris, *Marketing Magazine*, February 25, 2013

publications

July 2018
A $250,000 Reminder that "CASL" is Not Just an Anti-Spam Law
Business Law Bulletin

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June 2017
CASL Private Right of Action Delayed; Enforcement by CRTC Continues
Litigation, Business Law and Technology Bulletin

February 2017
Back to Basics: Acting Chairman Maureen K. Ohlhausen presents near-term FTC reforms
Competition Law Bulletin Lexology

December 2016
Canada Finalizes Changes to Nutrition Labelling Requirements for Packaged Foods
Advertising and Marketing Bulletin

December 2016
Health Canada Consultations on the Prohibition of Partially Hydrogenated Oils in Foods and Front-of-Package Nutrition Labelling
Advertising & Marketing Law Bulletin

December 2016
The Canadian Food Inspection Agency's Food Labelling Modernization Initiative: Phase III Discussion Paper and Questionnaire Launches
Marketing and Advertising Bulletin

December 2016
What's the CFL made of? Not Pizza Pizza: Grey Cup Ticket promotion goes awry
Advertising & Marketing Law Bulletin

August 2016
Enforcement Advisory: Keeping Records of Consent under CASL
Business Law Bulletin

September 2015
Shining Light in Dark Places: GPEN Sweep Targets Children's Mobile Applications and Websites
Privacy Bulletin

August 2015
The Fundamentals of Canadian Competition Law, Third Edition
Jointly published with the Canadian Bar Association's Competition Law Section
Editor, James Musgrove with Assistant Editor, Janine MacNeil
Authors of Chapter 1: Introduction and Overview: The Purpose of Canadian Competition Law, James Musgrove and Janine MacNeil

July 2015
Top 10 Tips for Introducing and Maintaining Effective Competition Law Compliance Programs

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Competition Bulletin

June 2015
Commissioner of Competition Introduces Revised Compliance Programs Bulletin at McMillan Event
Competition Bulletin

March 2015
CRTC Imposes $1.1 Million Penalty for Alleged CASL Violation
Privacy Bulletin

September 2014
Canadian Competition Law Compliance: The Bureau Shows Us the Money
Competition Bulletin

May 2014
Canada's Anti-Spam Law: Are You Ready?
McMillan at a glance

March 2014
Behavioural Remedies: Not Dead, Just Resting
Competition Bulletin

January 2014
Memorandum of Understanding
on *CASL* between the Commissioner
of Competition, the CRTC, and the Privacy Commissioner
Privacy Bulletin

July 2013
Further misleading advertising enforcement activity
Competition Bulletin

June 2013
Criminal conviction in website scam: First conviction for violating a registered consent agreement
Competition Bulletin

presentations

April 28, 2017
Advertising and Marketing Law: Made in Canada
Canadian Bar Association National Competition Law Section's Young Lawyers Symposium

April 25, 2017
Portfolio Management Association of Canada
Compliance Officers' Network, CASL Compliance Recap

February 23, 2017
From Fine Print to Another Fine Mess: Developments in Advertising Law in Canada
Canadian Bar Association National Competition Law Section's

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Marketing Practices Committee

January 11, 2017
Corporate Counseling Committee Monthly Antitrust Update Program December 2016 Developments
ABA Section of Antitrust Law, Toronto, Ontario

June 3, 2015
Professional Responsibilities for In-house Counsel and Compliance Officers
Competition Law Compliance Programs: Meet the Commissioner and the Deputies, Toronto

June 6, 2013
Data Storage: Understanding Your Legal and Ethical Obligations
MagNet 2013

January 31, 2013
New Anti-Spam Regulations
Association of Canadian Advertisers

January 30, 2013
Canada's Anti-Spam Legislation - Revised Regulations Released. Is Your Organization Ready?
McMillan 2013 Corporate Counsel Series

December 6, 2012
Social Media and Mobile Privacy Issues
Information Privacy and Data Protection: Technology, Security and Corporate Responsibility in Today's Marketplace, Lexpert

October 17, 2012
Ontario's *Consumer Protection Act*: Learning from a Decade of Compliance
Consumer Law Essentials, The Canadian Bar Association

OSLER

Lisa Mantello

Partner, Banking and Financial Services

KEY CONTACT:
Derivatives

CONTACT INFORMATION
LMantello@osler.com
tel 416.862.6790

OFFICE
Toronto

BIOGRAPHY

AREAS OF EXPERTISE

- Derivatives
- Financial Services
- Insolvency and Restructuring
- Investment Funds and Asset Management

BAR ADMISSION
Ontario, 2003

EDUCATION

- Osgoode Hall/Schulich School of Business (LL.B/M.B.A, 2002)
- York University (B.A., 1998)

LANGUAGE(S)
English

Lisa Mantello is an experienced transactional lawyer who is recognized for her fresh perspective and creativity in solving problems for her clients.

She is a partner at Osler, who practices in all areas of financial services with particular expertise in banking, fintech, structured finance and derivatives. Lisa brings to the table a wealth of practical knowledge from being involved in some of the most complex and dynamic transactions of the last decade in the Canadian structured finance market.

Lisa is consistently recognized as a leading lawyer by the Canadian Legal Lexpert Directory in the area of derivatives, Best Lawyers in Canada in the area of banking and finance and as a Rising Star by IFLR 1000 in the areas of banking and finance and financial restructuring.

Lisa speaks and writes extensively in Canada and internationally about the derivatives industry, fintech and cross-border financings. She is a board member of the Finance Advisory Board for Practical Law – Canada, established by Carswell.

DEALS & CASES

- Acted for **Merrill Lynch Commodities Inc.** in a commodity intermediation transaction with U.S. Oil and Refining Co., which involved the structured purchase and sale of hydocarbons and included multiple hedging strategies with various parties.
- Helping to shape the current Canadian covered bond market as counsel to **CMHC** in its role as administrator of all Canadian registered covered bond programs.
- Advised **CMHC** in creating and implementing the Canadian Registered Covered Bond Programs Guide which establishes the structure and requirements applicable to registered covered bond issuers and their programs.

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- **Third Party Asset-Backed Commercial Paper Investors Committee** in the $32 billion successful restructuring of ABCP, the largest court-supervised debt restructuring in Canadian history, also believed to be the world's largest private-market restructuring response to the 2008 world-wide credit crunch.
- Represented the **Ad Hoc Committee of Noteholders of Pacific Exploration & Production Corporation** in connection with the company's CCAA restructuring which involved the equitization of approximately US$5.3 billion of Pacific's debt, including the company's senior unsecured notes, credit facilities and certain other obligations.
- Represented **Gramercy Funds Management LLC** in connection with the recapitalization of Banro Corporation which involved the refinancing of approximately US$270 million of debt and preference equity with US$197.5 of new Second Lien Notes issued and US$45 million in new money Gold Forward Financing.

INDUSTRY RECOGNITION

Lexpert

- The Canadian Legal Lexpert Directory, 2017-2018, Consistently Recommended, Derivative Instruments.
- The Canadian Legal Lexpert Directory, 2018, Repeatedly Recommended, Banking & Financial Institutions.

IFLR

- IFLR1000: The Guide to the World's Leading Financial Firms, Rising Star, Banking and Finance and Financial Restructuring.

Best Lawyers

- The Best Lawyers in Canada, 2019: Banking and Finance Law.

AFFILIATIONS

- Canadian Bar Association
- Ontario Bar Association
- Women in Capital Markets

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Lawyer Profile

Frank Mathieu

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Frank Mathieu is a partner in the Tax Group, specializing in Canadian income tax law, including income tax aspects of Mergers & Acquisitions, and Corporate Reorganizations and Restructurings in a cross-border context. He has extensive expertise advising foreign private equity funds in relation to their Canadian investments. Frank is a frequent lecturer and speaker at various conferences.

Accolades

- *The Best Lawyers in Canada 2019* in Tax.
- *The Canadian Legal Lexpert Directory 2018* as a leading lawyer in Corporate Tax.
- *The 2018 Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada* in Corporate Tax.
- *The Best Lawyers in Canada 2018* in Tax Law.
- *Lexpert/ROB Special Edition: Canada's Leading Corporate Lawyers*, April 2018.
- Lexpert's Rising Stars: Leading Lawyers Under 40, 2017.
- *Lexpert Guide 2017 to the Leading US/Canada Cross-Border Corporate Lawyers in Canada* in the area of Corporate Tax.

Publications

- "Canadian Tax Tips and Traps for U.S. Businesses", *Business Law Today*, February 2013 (co-authored with Éric Lévesque).
- "Le dividende discrétionnaire en droit fiscal, corporatif et des contrats", *13 R.J.E.U.L.*, pp.3-43, 1999.

Professional Activities

Frank is a member of the Quebec Bar, the New York State Bar, the Canadian Bar Association, the American Bar Association and the Canadian Tax Foundation. Frank is also a member of the Montréal office's Knowledge Management & Legal Innovation Committee, as well as the Associates Committee. He is president of the board of directors of the Famijeunes Foundation and a member of the Canadian Tax Foundation's Planning Committee in Montréal.

Hodgson Russ LLP ATTORNEYS

BRITTA L. MCKENNA

Partner, International Estates & Trusts Practice Leader

bmckenna@hodgsonruss.com 716.848.1467

Britta concentrates her practice in all areas of domestic and complex cross-border estate and trust matters, including planning for high-end estates, estate and trust administration, and the preparation of wills, trust agreements, and other estate planning documents. Britta regularly counsels individuals regarding a variety of cross-border issues, including U.S. tax planning for foreign spouses, U.S. beneficiaries of Canadian estates, and Canadians with U.S.-situs assets. She also advises on the U.S. tax implications of Canadian family-owned business estate plans. Britta counsels both individuals and entities regarding U.S. tax compliance, estate planning for U.S. citizens living abroad, tax advice and structuring for foreign nationals acquiring U.S. assets, and estate and trust dispute proceedings.

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140 Pearl Street
Suite 100
Buffalo, NY 14202

Areas of Practice

Estates & Trusts

International Estates & Trusts

International Tax

Canada-U.S. Cross-Border

Private Wealth Planning

International-U.S. Cross-Border

Admissions

New York

Education

B.A., Boston College

J.D., cum laude, SUNY Buffalo Law School

Attorney advertising. Prior results do not guarantee a similar outcome. Practice restricted to U.S.

Sophie Melchers

Partner, Norton Rose Fulbright Canada, Montréal

Tel +1 514.847.4784
sophie.melchers@nortonrosefulbright.com

Sophie Melchers practises mainly in the areas of commercial, corporate and securities litigation. She has represented clients before the Quebec courts and the Supreme Court of Canada in connection with disputed take-over bids, dissenting shareholder remedies, plans of arrangement, insider trading and market manipulation. Her broad expertise in securities litigation also encompasses representation of reporting issuers in connection with investigations conducted by the AMF, Quebec's securities regulator, into insider trading, market manipulation and continuous disclosure and their representation in defence before the Tribunal administratif des marchés financiers and the penal courts in proceedings instituted by the AMF.

Representative experience

Ms. Melchers is currently acting or has acted in the following matters:

Corporate and Securities Litigation

- Various public issuers and some of their executives (including the former CEO of Amaya Gaming) in the context of investigations by the AMF into alleged tipping, insider trading and market manipulation
- SNC-Lavalin Group Inc. in connection with a confidentiality order issued by the AMF
- Resolute Forest Products (formerly AbitibiBowater Inc.) in connection with its hostile takeover bid for Fibrek Inc., including on several cease trade applications in respect of poison pills and a private placement of special warrants
- Fibrek Inc. in litigation with dissenting shareholders on the fair value of its shares

Rankings and recognitions

- Fellow, American College of Trial Lawyers (2015) and Litigation Counsel of America (2017)
- *Canadian Legal Lexpert Directory*, 2012-2017: recommended in Litigation – Corporate Commercial; Litigation – Securities
- *Best Lawyers in Canada*, 2010-2017: Corporate and Commercial Litigation
- *Best Lawyers in Canada*, 2017: Bet-the-Company Litigation
- *Chambers Canada*, Quebec: Litigation – General Commercial, Chambers and Partners, 2018
- *Benchmark Canada* : recognized as a local litigation star in Quebec; Litigation star in Canada, namely in Securities 2012-2017; Top 25 Women in Litigation – Canada, 2014-2018

ALEXANDRA MICHALOPOULOS

ALEXANDRA MICHALOPOULOS
Partner
Hamburg

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amichalopoulos@wfw.com

Alexandra is a Partner in the Hamburg Banking & Finance group of Watson Farley & Williams LLP.

Alexandra is an English qualified solicitor and heads the English law practice in Germany. She specializes in asset finance and has extensive experience in ship finance as a member of the firm's Maritime Sector practice. She also advises on all aspects of English law in relation to shipbuilding, chartering, export-credit and joint venture structures in the asset finance realm.

Her clients include international shipping banks and other financial institutions as well as ship owners and operators with non-traditional lending structures and has experience with leasing transactions in the Maritime Sector. She regularly advises banks on all aspects of bilateral and syndicated secured lending including restructuring and other solutions. Alexandra has worked in London and Athens before joining the team in Hamburg.

BIO INFORMATION

CARLOS MAURICIO MIRANDOLA

Carlos Mauricio Mirandola is Chief Compliance Officer and Chief Risk Officer (CCO/CRO) at Vórtx DTVM (Vórtx), a Brazilian fintech operating in the capital markets infrastructure business. He is member in a number of councils and organizations, including the Brazil Chapter of the International Section of the New York State Bar Association (NYSBA), in which he serves as former chair and member of the national steering committee.

Vortx is a technology company operating as a financial institution. As the first and leading B2B fintech in Brazil, the company provides fiduciary services, payments services, integration to markets and technological infrastructure for securitization, asset management, corporate and fund trust. Working as CCO/CRO at Vórtx, Dr. Mirandola is responsible for two main areas: compliance and risk.

In compliance, he creates, updates, implements and maintains the firm's written internal policies and procedures to ensure they are in line with industry standards and pertinent rules and regulations, mainly BR-BACEN, BR-CVM, US-SEC, US-CFTC and KY-CIMA rules, BM&F Bovespa, FINRA and NFA rules, state securities laws, and related securities/ERISA/insurance regulations. He is in charge of the day-to-day management of the firm's Compliance Program, which includes: (i) corporate trust and fund trust compliance; (ii) payments systems compliance; (iii) trade and transactions surveillance; (iv) review of forms and registration documents, brochures and compliance manuals; (v) interface with regulators; (vi) heading the gatekeeping program for partner companies, reviewing policies of clients, investors, outsourced service suppliers, investment adviser companies and banks.

In risk, he is responsible for the risk management operations of the company, including the integration of risk concepts into strategic planning, risk identification and mitigation activities. This involves (i) creating an integrated risk framework for the entire organization, (ii) assessing risk throughout the organization, (iii) quantifying risk limits, (iv) developing plans to mitigate risks, (iv) advising on directing capital to projects based on risk, (v) assisting functional managers in obtaining risk mitigation funding, (vi) monitoring the progress of risk mitigation activities, (vii) creating and disseminating risk measurements and reports, and communicating to key stakeholders risk profiles of their businesses.

Dr. Mirandola is also an expert capital markets regulation, comparative market structures and offshore financial markets. His prior practice included structured products and derivatives; offshore funds and foreign investment structures for asset managers and qualified investors (proprietary trade desks of banks, institutional investors and high net worth individuals); high frequency and quantitative funds for domestic managers trading abroad and foreign algorithmic traders trading in Brazilian securities; structured funds and over-the-counter derivative products; ISDA agreements and other standardized derivative products; organization, set up, incorporation

and registration of foreign broker-dealers and independent asset managers to operate in Brazil; and regulatory and legal compliance systems for sophisticated broker-dealers and high-tech trading systems.

Dr. Mirandola graduated from the University of São Paulo (USP) in 2003, earned an M.A. degree in 2007 and a PhD degree in 2010 from the same university, and an LL.M degree from Columbia Law School (CLS) in 2008. He is currently a JSD candidate at CLS, researching topics in technology and innovation in finance, structure and regulation of capital markets, globalization of financial services, and industrial organization of trade and post-trade services. Working with the Program on the Law and Economics of Capital Markets, a project jointly based at the Columbia Law School and Columbia Business School, Mirandola has published articles and produced papers and empirical studies on diverse aspects of capital markets.

Formerly the Head of the Agriculture and Industry Department at the Antitrust Division of the Brazilian Ministry of Justice (2004-2006), Dr. Mirandola led a team of lawyers and economists specialized in antitrust law and regulated sectors, which was responsible for negotiating contracts and cease-and-desist orders; litigating in federal courts and superior tribunals; issuing subpoenas; executing dawn-raids, search warrants and led investigations; prosecuting cartel and monopolization cases before the Brazilian Administrative Competition Tribunal (CADE); and coordinating the exchange of economic and legal information with national and international competition agencies and bodies. He was also appointed by the Minister of Justice to serve as competition and regulation expert for the sectors of financial services, telecommunications, energy and infrastructure, professional and legal services, integrating the Brazilian Mission in Geneva for negotiations in services in the WTO as capital-based official. Dr. Mirandola also served as Director of the Department of Efficiency, Quality and Reform of the Public Administration at the Office of the Chief of Staff, Government of the State of São Paulo (2007).

The Honourable Regional Senior Justice Geoffrey B. Morawetz

Regional Senior Justice Geoffrey Morawetz received a Bachelor of Laws from Western University in London, Ontario in 1978 and was admitted to the Ontario Bar in 1980. He is a Fellow of The Insolvency Institute of Canada, a Fellow of the American College of Bankruptcy, and a member of INSOL International and The International Insolvency Institute. He is co-author of Houlden, Morawetz and Sarra – "Bankruptcy and Insolvency Law of Canada", and is an editor of the Canadian Bankruptcy Reports. Prior to his appointment to the Ontario Superior Court of Justice in 2005, RSJ Morawetz was consistently recognized as a top-tier practitioner of restructuring and insolvency law, in both Canadian and international publications. Since his appointment to the Court in 2005, RSJ Morawetz has been based in the Toronto Region hearing civil and commercial matters. He served as Team Leader of the Commercial List from 2010 – 2013 at which time he was appointed Regional Senior Justice for the Toronto Region.

In both 2011 and 2014, he was named in Canadian Lawyer magazine as one of the "Top 25 Most Influential in the Justice System and Legal Profession in Canada". In 2012, Justice Morawetz was honoured with the Distinguished Service Award for Lifetime Achievement by the Emory Bankruptcy Developments Journal (Emory University School of Law, Atlanta, Georgia). In 2016, he was honoured with the Lifetime Achievement Award by the Insolvency Section of the Canadian Bar Association.

In the area of international insolvency, RSJ Morawetz has been an advisor to the Canadian Delegation at the United Nations Commission on International Trade Law (UNCITRAL) - Insolvency Law since 2008. He has also participated in Experts' meetings in connection with ongoing projects of UNCITRAL in the area of insolvency law.

Joseph E. Neuhaus leads the arbitration practice from Sullivan & Cromwell's New York office. He has served as counsel in a variety of arbitrations and arbitration-related international matters. Highlights include numerous representations of investors in investor-state disputes in Latin America, Africa and Central Asia; a number of post-closing adjustment disputes in a variety of industries and IP disputes in various fora; representation of Standard Chartered Bank in the arbitration of Latin American investors' claims arising out of the Madoff scandal; and representation of Banco Popular, the largest bank in Puerto Rico, in a series of arbitrations with the U.S. FDIC. He has also served as arbitrator, including as chair and sole arbitrator, in ICC, ICDR, LCIA and ad hoc arbitrations. Mr. Neuhaus is a frequent speaker on arbitration-related topics and has long served in various capacities in prominent arbitration organizations, including currently as Chair of the Institute for Transnational Arbitration, a member of the Executive Committee of the New York International Arbitration Center, a member of the Board of Directors of the CPR Institute, a Counsellor to the American Society of International Law and a member of the Council of the American Arbitration Association. He has also served as Private Sector Adviser on the United States Delegation to the United Nations Commission on International Trade Law (UNCITRAL) Working Group on Arbitration and as Chair of the International Commercial Disputes Committee of the New York City Bar.

Mr. Neuhaus is also active on bar committees dealing with professional ethics, including serving as chair and now member of the rule-writing and ethics-opinion committees of the New York State Bar Association. He is an adjunct professor of law, teaching professional responsibility, at NYU Law School.

Diane E. O'Connell

Diane E. O'Connell is a Director in the Contracting Controls and Mechanisms group within the Deals practice at PricewaterhouseCoopers LLP. She has experience in international business transactions, finance, M&A, contract negotiations, and international regulation of the financial services industry specializing in private equity, and commodity derivatives.

Before joining PricewaterhouseCoopers, Diane previously worked at the law firms of Paul Hastings, Janofsky & Walker LLP and Fragomen Delrey, Bernsen & Lowey LLP as well as the General Counsel's office of the New York Mercantile Exchange. She has extensive experience in business management and has taught business courses in various universities in the New York Area. She also participates in the Transaction Services Women's Committee and Open Circle group at PwC, and is Chair-Elect of the International Section of the NYSBA.

Diane received her LLM in Financial Services Law from New York Law School in 2011, focused on international regulatory initiatives after the economic crisis of 2008; her J.D. from New York Law School in 2005; her B.A. in Biology from City University of New York, Queens College; and has completed graduate work at the City University of New York Graduate Center in Bioremediation. Diane is a member of the State Bars in New York, New Jersey and Connecticut.

Corey Omer

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S&C Associate since 2014
Harvard Law School, LL.M., 2014
McGill University Faculty of Law,
B.C.L./LL.B., 2012

Corey Omer is an associate in Sullivan & Cromwell LLP's Litigation Group. Mr. Omer's practice focuses on representing clients in a variety of complex civil litigations, including class-action suits and mediation proceedings, as well as in cybersecurity matters and white collar and regulatory investigations. Mr. Omer also represents and advises clients with respect to insurance matters.

Among other clients, Mr. Omer has represented financial institutions in litigations and regulatory investigations alleging the manipulation of reference rates and markets, victims of data breaches and cyber fraud in responding to those incidents and in cyberinsurance disputes, and technology companies in patent ownership and infringement disputes.

Mr. Omer is also co-chair of the New York State Bar Association's International Data Privacy and Data Protection Committee, and his pro bono work includes representing indigent criminal defendants in federal court and the victims of domestic violence and consumer fraud.

Mr. Omer graduated from the McGill University Faculty of Law (B.C.L./LL.B.) in 2012. Prior to joining Sullivan & Cromwell, Mr. Omer clerked for the Honourable Morris J. Fish at the Supreme Court of Canada and obtained a Master of Laws (LL.M.) from Harvard Law School. He is admitted to practice law in New York, Ontario, and Quebec.

In May 2018, Mr. Omer was presented with the Burton Awards for Legal Achievement's Law360 Distinguished Legal Writing Award – Law Firm in recognition of an article he co-authored entitled "The Constitutionality of State Cybersecurity Regulations."

Turenna joined Sánchez Devanny in 2009, to head the firm's International Trade and Customs group. She advises multinational companies on cross-border transactions related to international trade and customs - from strategic planning, preventive and reactive audits by the Mexican IRS, to defense and litigation before the government and the Federal Courts. Turenna has a diverse client base, including automotive, retail, chemical, petrochemical, luxury goods, pharmaceuticals, medical devices, health care, software, cosmetics, electronics, maquiladoras (IMMEX), and trading companies. Turenna advises on foreign trade, multilateral treaties and antidumping laws. Her experience includes design and implementation of business strategies, NAFTA origin verifications and tariff classification, rules of origin, export controls, import/export regimes, bonded facilities structure and management, and wide knowledge of tariff and non-tariff regulatory matters. She has participated in complex, high-visibility matters, international trade negotiations with the Secretary General of the World Customs Organization in a program against forgery and piracy. Turenna is ranked in Chambers Global & Latin America, Legal 500 as a Leading Lawyer and recognized as international trade expert in Who's Who Legal. She is fluent in English and Spanish.

Gregory E. Ostling
Partner, Corporate

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GREGORY E. OSTLING

Gregory E. Ostling is a corporate partner at Wachtell, Lipton, Rosen & Katz, where he focuses primarily on mergers and acquisitions and complex corporate and securities law matters. Greg has been involved in numerous major domestic and cross-border merger and acquisition transactions, leveraged buyouts, joint ventures, divestitures, public offerings, proxy fights and takeover defenses. He also regularly counsels boards of directors and board committees on corporate governance matters.

Greg is chairman of the International Mergers & Acquisitions/Joint Venture Committee of the New York State Bar Association, and frequently speaks on international panels regarding current trends in mergers and acquisitions and corporate governance. He has been selected as dealmaker of the week by various publications and is also listed as a Super Lawyer in the area of mergers and acquisitions by *Super Lawyers* magazine.

Among other matters, he represented:

- **Actelion** in its $30 billion sale to Johnson and Johnson
- **Penn National Gaming** in its pending $2.8 billion acquisition of Pinnacle Entertainment, $575 million divestiture transaction with Boyd Gaming and its $315 million sale-leaseback with Gaming and Leisure Properties
- **Medivation** in its $14.6 billion acquisition by Pfizer
- **Rodale** in its $205 million sale to Hearst Communications
- **Spectra Energy** in its pending $28 billion merger with Enbridge
- **Office Depot** in its $1 billion acquisition of CompuCom
- **W.R. Grace & Co.** in its $2 billion spin-off of its Construction Products business
- **GCP Applied Technologies** in its $1.05 billion sale of Darex Packaging Technologies to Henkel
- **Gaming and Leisure Properties** in its $5.1 billion acquisition of Pinnacle Entertainment's real estate assets
- **WestRock** in its $2.5 billion spin-off of its Specialty Chemicals business
- **The National Geographic Society** in its $725 million expansion of its media joint venture with 21st Century Fox
- **Dresser-Rand** in its $7.6 billion acquisition by Siemens AG
- **MeadWestvaco Corporation** in its $16 billion merger with RockTenn, its $1 billion spin/merger of its Consumer & Office Products business with ACCO Brands Corporation and its $1.5 billion sale of US timberlands to and development joint ventures with Plum Creek and against an activist campaign by Starboard Value
- **RenaissanceRe** in its $1.9 billion acquisition of Platinum Underwriters
- **Aspen Insurance** against a $3.2 billion hostile takeover bid by Endurance Specialty Holdings
- **Cooper Industries plc** in its reincorporation to Ireland and its $11.8 billion sale to Eaton Corporation
- **ConocoPhillips** in its $15 billion joint venture with EnCana Corporation, $5 billion joint venture with Origin Energy, and the

$20 billion spin-off of the company's Refining & Marketing businesses

- **Genzyme's Independent Board of Directors** in its response to an unsolicited takeover bid by Sanofi-Aventis and in the subsequent $20 billion negotiated sale to Sanofi-Aventis
- Various clients, including the **New York Stock Exchange**, for potential listing on the Shanghai Stock Exchange and the development of a PRC International Board for non-PRC companies
- **Marsh & McLennan Companies** in its $1.2 billion sale of Kroll, Inc. to Altegrity, Inc.
- **LSB Industries, Inc.** against activist campaigns by Starboard Value and Engine Capital
- **Motorola, Inc.** against activist campaigns by Carl Ichan, and its initial public offering/spin-off of Freescale Semiconductor, Inc. and spin-off of Motorola Mobility Holdings
- **Mirant Corporation** in its $3.1 billion merger with RRI Energy
- **Phillips-Van Heusen Corporation** in its $2.9 billion acquisition of the Warnaco Group, $3 billion acquisition of Tommy Hilfiger B.V, acquisition of the Arrow brand and various securities offerings
- **Centex Corporation** in its $3.1 billion sale to Pulte Homes
- **Alcoa Inc.** in its $14 billion purchase with the Aluminum Corporation of China of an interest in Rio Tinto plc
- **Apollo Management** in its $27.8 billion buy-out of Harrah's Entertainment with Texas Pacific Group and sale of Pallecon
- **Goldman Sachs**, **AIG**, **Carlyle** and **Riverstone Holdings** in their $22 billion buy-out of Kinder Morgan
- **AT&T** in its $44 billion merger with MediaOne, its $5 billion acquisition of IBM's Global Network Business, its $1.7 billion acquisition of Vanguard Cellular Systems, its $11 billion offer of AT&T Wireless tracking stock and its transfer of cable systems with Comcast
- **Hellman & Friedman** in its acquisition of Blackbaud and LPL Financial Services
- **Joshua Harris** and **David Blitzer** in their $320 million acquisition of the New Jersey Devils from Jeffrey Vanderbeek
- **AG Edwards** in its $7 billion acquisition by Wachovia
- **Steward & Stevenson** in its $800 acquisition by Armor Holdings
- **Knight Ridder** against an activist campaign by Private Capital Management and in the subsequent $4.5 billion negotiated sale to The McClatchy Company
- **Pinault Printemps-Redoute** in its $1 billion divestiture of its Contract Stationery Business to Office Depot

Greg received an A.B. in Political Science from Columbia University in 1991 and a M.A. in Educational Theory from Columbia University's Teachers College in 1992. He received a J.D. from the Columbia University School of Law in 1998, where he was a Kent Scholar and a Teaching Fellow. Prior to law school, Greg was a teacher and professional soccer player. Greg lives in Manhattan with his wife and three sons.

HERNÁN PACHECO O., LL.M.

PARTNER

HERNAN PACHECO joined EY Law in January, 2018 as Leader of the Law sub service line for Central America, Panama and the Dominican Republic. Hernan has 30 years of experience **in** M & A and complex transactions, leading his team of attorneys on all matters related to local and international Mergers and Acquisitions, Joint Ventures, Corporate Restructuring, Project Finance, Anti-Trust and in general Foreign Investment.

Mr. Pacheco has extensive experience in cross-border transactions and has advised both local and foreign clients on the acquisition of commercial and industrial groups, and with investments in Central America and abroad.

EDUCATION

- University of Hull, England, LL.M., 1988
- Autonomous University of Central America, Licentiate in Law, Cumm Laude Probatus and Notary Public, Costa Rica, 1986

PUBLICATIONS AND CONFERENCES

He has published numerous articles in recognized publications and has been speaker in several conferences around the world on subjects such as Government Procurement, Project Finance, Dispute Resolution, Mergers and Acquisitions, Competition and Antitrust, Insurance Law, Taxation, Distribution and Agency and International Trade.

BOARDS OF DIRECTORS

Mr. Pacheco is an advisor to several Board of Directors of companies doing business in Central America and also has served on the board of several NGOs, such as:

- American Chamber of Commerce of Costa Rica (Secretary of the Board 1997-1998, Vice-president 1999 - 2005, President 2005 - 2007)
- International Center of Conciliation and Arbitration (CICA) (Director 1999-2001, President 2001-2003)
- The Costa Rican Union of Private Enterprise Chambers and Associattions (UCCAEP 2008 – 2014)
- The Association of American Chambers of Commerce in Latin America (AACCLA) (2009-2013)

MEMBER

- Costa Rican Bar Association (admitted to Bar 1986)
- International Bar Association
- New York State Bar Association (Chairman of the Costa Rican Chapter 2005)

PERSONAL

- Listed by Chambers Latin America (2008/9/10/11/12/13/14/15/16/17) in “Best in his Field” category - Corporate and Business Law;
- Recorded biographically in “The International Who’s Who of Business Lawyers” – Corporate Tax Section.
- Listed in Legal 500 as prominent practitioner in Corporate M&A
- Listed in Latin Lawyer as a leader in Corporate M&A

Peter G. Pamel graduated from McGill University Law School in 1987 and joined the predecessor firm of Borden Ladner Gervais. He is a partner in their Montreal office and practices exclusively in the area of Maritime law.

Mr Pamel acts as counsel to numerous shipowners, operators, charterers and shipping lines around the world, and advises in such areas of regulatory and environmental compliance, coasting trade and importing of vessels into Canada, pollution and casualty investigations, salvage and general average, drafting of charter parties and bills of lading, dispute resolution and arbitration, civil litigation and penal defence, arrest of vessels, sale and finance, and general commercial activity involving marine property.

Mr. Pamel is regularly appointed by P&I and FD&D Clubs, as well as H&M underwriters.

He is also actively involved in the firm's Northern initiative, Team North, and the development of the firm's marketing efforts in Canada’s North. He often travels to the Canadian Arctic region and is a leader in the field of arctic navigation. Mr. Pamel is a regular conference speaker on arctic issues and past chair of the Arctic Issues Committee of the Canadian Maritime Law Association.

He is a lifetime Montrealer, married, has two boys, and is fluent in English, French and Greek.

mcmillan

Lisa Parliament

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education and year of call

- Called to the Ontario bar - 2004
- University of Toronto, JD - 2003
- University of Guelph, BA (Hons. with Distinction) - 1996

practice areas

litigation

data breach and privacy litigation

product liability

class actions

competition and antitrust

cartels

business litigation

arbitration

product safety regulatory

mediation

industries

food, beverage and agribusiness

life sciences

pharmaceuticals

biotechnology

healthcare

manufacturing, distribution and retail

profile

Lisa Parliament is a partner in the firm's Litigation and Dispute Resolution and Competition Groups. She is also an active member of the firm's Class Actions, Product Liability, and Life Sciences specialized practice groups.

Lisa's practice focuses on complex corporate and commercial litigation, with an emphasis on class action defence, high-stakes product liability matters, consumer protection, and competition litigation. Repeatedly identified by Best Lawyers in The Best Lawyers in Canada and by Who's Who Legal, Lisa is regularly retained to represent leading companies in complex proceedings and regulatory matters. Lisa also acts as national counsel to a number of companies, assisting with coordination and management of their litigation and regulatory matters across Canada and helping them to protect and build their reputation and business in Canada.

Lisa has been lead national counsel in several class proceedings. She has worked alongside leading companies and institutions to respond to numerous high profile national and international class actions in jurisdictions across Canada. Her class action experience includes significant and precedent-setting cases on key issues relating to Canadian class action procedure, pre-certification dismissal or discontinuance of class actions, defence recovery of costs, opt-out procedure in Canadian class actions, cross-border and multijurisdictional discovery, expert challenges, multijurisdictional case management, certification and settlement. She has defended clients in class proceedings involving a wide variety of matters,

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including pharmaceutical products, automotive parts, consumer products, consumer protection matters, privacy issues, competition matters, financial services and building products. Lisa has also provided advice and representation to companies in related multijurisdictional investigations and proceedings relating to product, privacy and data breach, competition and compliance matters.

Lisa regularly advises leading companies on regulatory issues and on risk assessment and management. Recognized in the international Who's Who Legal for Product Liability Defence, Lisa has developed specialized experience in life sciences and federally and provincially regulated products. She routinely advises clients in relation to product liability proactive risk management, contractual negotiations and disputes, compliance matters and the regulatory regimes governing the approval and marketing of pharmaceuticals, medical devices, food, electrical and consumer products in Canada. She has extensive experience managing and resolving compliance issues and working with companies to manage domestic and international product recalls.

Lisa has been counsel in numerous international and cross-border regulatory, cartel and conspiracy investigations and litigation. She has extensive experience in the defence of investigations by Canada's Competition Bureau and the Director of Public Prosecutions. She has been involved in defending many of the recent major civil class action cases involving allegations of anti-competitive activities, including the auto parts, air cargo, air passenger, aftermarket autolights, hydrogen peroxide and chocolate matters.

Lisa has developed expertise in alternative methods of resolving disputes, including arbitration and mediation. She has taught dispute resolution (business disputes) as an Adjunct Professor at Osgoode Hall Law School, one of Canada's leading law schools. She has been admitted as a member of the Chartered Institute of Arbitrators and holds the position of Vice-Chair for the Toronto Chapter of the Chartered Institute of Arbitrators. She has been involved in a number of domestic and international arbitrations. She has also acted as the Assistant to the Tribunal in significant international arbitrations.

directorships and professional associations

- International Association of Defense Counsel (IADC)
- Chartered Institute of Arbitrators (CIArb)
- Ontario Bar Association
- The Advocates' Society
- Defense Research Institute

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representative matters

- Representing a medical device company in litigation alleging injury and death relating to use of a medical device;
- Representing a leading pharmaceutical company in connection with indemnity advice;
- Representing a leading pharmaceutical company in product liability litigation in Ontario, Saskatchewan and British Columbia, including proposed national class actions;
- Representing a leading pharmaceutical company in a class proceeding in British Columbia involving product liability and consumer protection allegations;
- Representing a medical device company in connection with numerous claims alleging negligent manufacture;
- Representing a financial services company in proposed national class proceedings and related litigation involving privacy and data breach allegations;
- Representing a trust company in national class proceedings;
- Representing a developer in proposed class proceedings in Ontario;
- Act as preferred national lead counsel for a multinational company with respect to product liability claims;
- Act as national coordinating counsel for a financial services company, providing advice, advocacy and management of a national claims portfolio;
- Act as national coordinating counsel for a financial services company, managing and coordinating claims across Canada's common law jurisdictions;
- Providing risk management advice and training to leading national and multinational companies and organizations on data and document creation, storage, access, management and destruction protocols and policies;
- Defending a global chemical manufacturer in competition class proceedings in jurisdictions across Canada;
- Acting as national counsel to a major global manufacturer in connection with their product liability litigation across Canada;
- Defending a number of major airlines in multijurisdictional class proceedings involving consumer protection and competition allegations;
- Representing a global industrial corporation and chemical manufacturer in national and province-wide class proceedings in jurisdictions across Canada;
- Representing auto parts companies in multijurisdictional class proceedings involving consumer protection and

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competition allegations;

- Acting as national coordinating counsel for a leading company, with oversight responsibility for more than 100 active cases across Canada;
- Representing a leading automobile company in a national privacy class proceeding.

awards and rankings

- Listed in *Who's Who Legal Canada:* 2018 as a leader in Product Liability Defence
- Recognized by *The Best Lawyers in Canada* 2019 as a leading lawyer in the area of Product Liability Law
- Ranked by *Lexpert Guide (2018)* as a leading US/Canada Cross-Border Lawyer in Canada
- Recognized in *The Best Lawyers in Canada* 2018 as a leading lawyer in the area of Product Liability Law
- Named in *Who's Who Legal Canada: Product Liability Defence 2017*
- Awarded the *Leadership in Mentoring Award* (2012)
- Recipient of the Law Society First Prize in the Ontario-wide bar admission courses (2004)

publications

2017
Product Liability Q&A: Canada
Practical Law – Thomson Reuters

2017
Product Regulation, Safety and Recall Q&A: Canada
Practical Law – Thomson Reuters

2016
Getting the Deal Through - Private Antitrust Litigation 2016, Canada Chapter
Law Business Research

June 2014
Recent Developments for Pharmaceutical Class Actions in Canada
RX for the Defense

2014
Chapter: "*Indirect Purchaser Litigation in Canada*"
Indirect Purchaser Litigation Handbook
ABA

mcmillan

Lisa Parliament
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December 2013
The Essential Guide to Settlement in Canada
LexisNexis Canada

November 2013
Supreme Court of Canada trilogy holds that indirect purchasers may advance class action for recovery of unlawful price-fixing
Class Action Bulletin

December 2012
Waiver of Tort and Other Novel Claims in Canadian Product Liability Cases
Lexpert ALM 500

December 2012
The Indirect Purchaser Trilogy in the Supreme Court of Canada
ABA Business Torts & RICO News

presentations

December 2015
"Class Actions for Regulatory Breaches" - Managing Regulatory Risks: Compliance, Inspections and Investigations
Lexpert

August 2014
"Financing Class Actions"
Third Party Litigation Financing – Opportunity, Threat or Both?, Corporate Counsel Seminar

June 2014
Best Practices for Corporate Document Retention Policies
Speaker, The Six-Minute Business Lawyer 2014, The Law Society of Upper Canada

January 2014
Email Communications and e-Discovery: Is Your Organization at Risk?
Corporate Counsel Series

December 2013
"Privacy Litigation" - Information Privacy and Data Protection: Technology, Security and Corporate Accountability in Today's Marketplace
Lexpert

April 2013
Opting In? The Global Effect of Class Action Orders and Potential Conflicts of Law
Speaker, American Bar Association, Section of International Law

March 2013
Staying Kleen: Predictive Coding and Antitrust Litigation
Speaker, American Bar Association, Section of Antitrust Law

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December 2012
Privacy Litigation
Lexpert Conference - Information Privacy & Data Protection: Technology, Security and Corporate Responsibility in Today's Marketplace

November 2012
Canada's Consumer Product Safety Act: The Year in Review
Corporate Counsel Series

Jan M. Pederson is a shareholder and senior attorney at Maggio + Kattar, PC., in Washington, D.C., She and the firm were recognized as "The Best Immigration Law Firm in America" by *U.S. News and World Report*. Jan was recognized by *The Washington Post* as a leading lawyer in Washington, D.C., as a "Super Lawyer" and as a "Best Lawyer" by *The Washingtonian* magazine. Ms. Pederson has been dedicated to the practice of immigration and nationality law for over 30 years, with a specialization in representation of clients in complex nonimmigrant and immigrant visa cases at American Embassies and Consulates. She served as chair of the AILA DC Chapter and as an elected director of the national Board of Governors of AILA for 18 years. She was an editor of AILA's *Visa Processing Guide and Consular Post Handbook* since inception and is a frequent author and speaker on the topic of consular processing. She has traveled to 25 consular posts to represent clients in person. She has been active in the AILA Access to Counsel Committee for several years and has advocated for worldwide recognition of the right to counsel at visa interviews.

Borden Ladner Gervais

MATHIEU PICHÉ-MESSIER

Partner

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Corporate Commercial Litigation and Arbitration
Fraud
Domestic Commercial Arbitration
Intellectual Property Litigation
Competition and Foreign Investment Review
Information Technology
Privacy and Data Protection
Cybersecurity
Defamation and Media Law

Education / Bar Admissions

LLB, Université de Sherbrooke, 1997

Barreau du Québec, 1998

Professional Involvement

Fellow, American College of Trial Lawyers (ACTL), 2018

President and member, Board of Directors, Centre d'accès à l'information juridique du Québec (CAIJ), 2010-2014

Member, Board of Directors, Fondation du Barreau du Québec, 2009-2010

Member, Québec Bar Executive Committee, 2008-2009

Member, General Council of the Quebec Bar, 2008-2009

Member, Board of Directors and Secretary, The Bar of Montréal, 2008-2009

Member, Executive Committee of the Canadian Bar Association, Québec Division, 2008-2009

President, Young Bar Association of Montréal (YBAM), 2007-2008

Member, Board of Directors, Young Bar Association of Montréal (YBAM), 2001-2009

EXECUTIVE SUMMARY

Mathieu Piché-Messier is the Regional Leader of the Commercial Litigation Group in our Montréal office. He focuses his practice on commercial litigation. He has significant experience in both civil and commercial litigation, particularly in the areas of commercial fraud, high technology, industrial espionage, identity theft, competition law, entertainment law and intellectual property rights.

Mathieu was a member of the parliamentary committees of the National Assembly responsible for reform of the *Québec Code of Civil Procedure*. He was inducted as a Fellow of the American College of Trial Lawyers (ACTL) in 2018.

REPRESENTATIVE WORK

- Has acted for plaintiffs in preparing and enforcing seizures before judgment, injunctions and Anton Piller, Mareva and Norwich injunctions and orders.
- Has acted as an Independent Supervising Solicitor for several Canadian law firms, in civil and commercial law, and particularly in the following areas: commercial fraud and piracy, identity theft, high tech litigation, competition law, industrial espionage, shareholder disputes, unfair competition and intellectual property rights enforcement.
- Has represented various clients before the Superior Court, the Court of Appeal, the Federal Court and various administrative tribunals in Québec.
- Has been involved in negotiating, drafting and reviewing contracts in various areas of law, including commercial leases and IP licensing agreements.
- Participated in the parliamentary committees of the National Assembly responsible for reform of the *Québec Code of Civil Procedure*.

PUBLICATIONS & PRESENTATIONS

- Interviewed, "Anti-counterfeiting possible remedies for IP enforcement," *Canal argent,* April 28, 2015.

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Member, Liaison Committee of The Montreal Bar with the Québec Court of Appeal, 2007-2009

Member, American Bar Association

Member, International Bar Association

Member, Association of Certified Fraud Examiners, Montréal Division

Member, The Advocates' Society

Fellow, American Bar Foundation

Community Involvement

Member, Board of Directors, Cirque Éloize, 2008-present

Member, Board of Directors, Les Ballets Jazz de Montréal, 2015-present

Member, Board of Directors, Fais-Un-Vœu Québec (Make-A-Wish Quebec), 2008-2014

Member, Sortie 13 Collective, 2011

Member, Honorary Committee, Fondation du TNM, 2011-2014

Member, Board of Directors, Enfant-Retour (Missing Children's Network), 2010-2012

Member, Board of Directors, Fondation LOJIQ (Les Offices jeunesse internationaux du Québec), 2009-2011

Member, BLG Pro Bono Committee

Former member, Board of Directors, Tel-aide Québec

Former member, YMCA's Advisory Committee – Ville Saint-Laurent

- Interviewed, "Anti-counterfeiting IP enforcement remedies," *TVA*, April 21, 2015.
- Interviewed on cyber risks, *Techno pour tous,* Canal Argent, January 7, 2015.
- Interviewed, "Cyber-Risques pour les entreprises," *RDI Économie*, December 23, 2014.
- Interviewed, "Les Cyber-Risques : une menace pour les entreprises au Canada," *Première heure avec Claude Bernatchez*, ICI Radio-Canada Première, December 22, 2014.
- Co-Author, "Développements récents : les ordonnances d'injonction de type *Anton Piller*, *Mareva* et *Norwich* en matière de fraude commerciale," *Revue de Droit*, Université de Sherbrooke, Vol. 44, No. 1, 2014, pp.127-171.
- Co-Author of a work of doctrine (325 pages), entitled *L'injonction et les ordonnances Anton Piller, Mareva et Norwich,* Ferron, Danielle, Mathieu Piché-Messier and Lawrence A. Poitras, LexisNexis, 2009, 325 pages.
- Piché-Messier, Mathieu and Amélie T. Gouin, "Les ordonnances d'injonction de type Anton Piller, Mareva et Norwich," *Développements récents en droit de la propriété intellectuelle,* 2014, Cowansville, Les Éditions Yvon Blais, p. 229.
- Piché-Messier, Mathieu and Anne Merminod, "Questions de droit international privé relatives aux personnes morales et aux sociétés," Droit international privé, P.C. Lafond, Ed., Collection de droit civil, LexisNexis, Montréal, 2012, p. 13/1.
- Piché-Messier, Mathieu and Marie-Aude Pigeon, "Recours extraordinaires en matière de propriété intellectuelle : les ordonnances d'injonction de type Anton Piller, Mareva et Norwich," *Développements récents en droit de la propriété intellectuelle,* 2009, Cowansville, Les Éditions Yvon Blais, 465 pages.
- Piché-Messier, Mathieu and Danielle Ferron, "L'Ordonnance Anton Piller : application de cette 'arme nucléaire' en matière de non-concurrence," Continuing Education Service of the Québec Bar, *Développements récents sur la non-concurrence,* 2008, Cowansville, Les Éditions Yvon Blais, p. 37.
- Piché-Messier, Mathieu, "Manutention des informations et documents électroniques dans le cadre de saisies avant jugement et injonctions de type '*Anton Piller*," *Droit et technologies de l'information*, Legal IT, April 21, 2008, p. 121.
- Piché-Messier, Mathieu, "L'Ordonnance '*Anton Piller'* en droit de la propriété intellectuelle – Application particulière au droit du divertissement," Continuing Education Service of the Québec Bar, *Développements récents en droit du divertissement,* 2006, Cowansville, Les Éditions Yvon Blais, p. 23.

RANKINGS & RECOGNITIONS

- Recognized by *Lexpert*® with a 2018 Zenith Award – Celebrating Mid-Career Excellence.
- Inducted in 2018 as a fellow into the American College of Trial Lawyers (ACTL), an invitation-only fellowship in a selection by peers. It is restricted to no more than 1% of lawyers in any state or province. Admittance only occurs after careful investigation to those experienced trial lawyers who the ACTL considers to have mastered the art of advocacy and whose professional careers have been marked by the highest standards of ethical conduct,

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professionalism, civility and collegiality.

- Recognized in the 2018 edition of *Canadian Legal Lexpert® Directory* (Litigation – Corporate Commercial).
- Recognized in the 2018 edition (and since 2015) of *The Best Lawyers in Canada*® (Corporate and Commercial Litigation).
- Winner of the *Benchmark Canada 2018* "Impact Case of the Year" award for the *Julie Snyder v. John Doe et al.* case
- Recognized in the 2018 edition (and since 2013) of *Benchmark Canada – The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a Local Litigation Star: Québec and a Litigation Star: General Commercial. Also recognized in the 2015 edition as a Future Star: Québec.
- Mentioned, "Mathieu Piché-Messier chef du groupe de litige commercial chez BLG Montréal," *Le Monde Juridique,* November 2013.
- Recognized as a "Rising Star – Top 40 Under 40" by *Lexpert*® in 2011.

ABOUT BORDEN LADNER GERVAIS LLP

Borden Ladner Gervais LLP (BLG) is a leading, national, full-service Canadian law firm focusing on business law, commercial litigation and arbitration, and intellectual property solutions for our clients. BLG is one of the country's largest law firms with more than 700 lawyers, intellectual property agents and other professionals in five cities across Canada. We assist clients with their legal needs, from major litigation to financing to trademark and patent registration.

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Michael E. Piston is the senior partner of Piston & Carpenter PC in Troy, Michigan, a firm of four lawyers practicing exclusively in U.S. immigration law. He also works in Manhattan as counsel to Allen E. Kaye & Associates, focusing primarily on Federal litigation, particularly under the Administrative Procedure Act. He has practiced immigration law exclusively for over 30 years, and has spoken at numerous AILA, ILW.COM, and Federal Bar Association conferences and workshops as well as writing articles for AILA's Annual Conferences Handbooks and ILW PERM Handbooks. Mr. Piston has been named a Michigan "Super Lawyer" in the field of immigration law each year for over a decade. He is currently co-chair of the New York AILA Federal Practice Committee.

CHEVEZ RUIZ ZAMARRIPA

Pere M. Pons

Partner – head of Spanish and LATAM practices
Tel. +19173740871
pere.pons@chevez.com

- Spanish
- English
- French

Pere M. Pons joined Chévez Ruiz Zamarripa at the end of 2017, after working in prestigious Spanish firms in Spain and New York. He heads the Spanish and LATAM practices of the firm, which is also the most notorious tax firm in Mexico.

Pere specializes in international taxation, regularly advising on the tax planning of international investment structures in Spain and Latin America, as well as operations of hedge funds and private equity entities in Spain and abroad. He also advises on the tax implications in Spain of financing structures, of swaps and financial products, and on Spanish investments abroad.

Pere has extensive experience in real estate and distressed debt investments, as well as tax planning for tax consolidated groups and subsidiaries of multinational companies. He also regularly assists high net worth individuals and family offices, and has advised on the regularization of off-shore investments and excessive debt push down structures (including legal defence in tax audits and courts of justice).

Relevant experience:

- **Private equity:** Advised a private equity house in their investments in Argentina, Uruguay, Chile, Colombia, U.S.A., and México for an amount exceeding USD 550 million.
- **M&A:** Advised entertainment group in multiple acquisitions in Spain, U.S.A, Brazil, Argentina, Chile, and India.
- **Financing:** Advised syndicate of banks in the financing of energy transportation infrastructure in Colombia, USD 600 million.
- **Family offices:** Advised selling shareholders in the transfer of an educational business in Mexico, valued at USD 250 million; Structured ownership of businesses and assets for international family with relevant interests in Central and South America, among others

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Relevant experience:

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- **M&A:** Advised entertainment group in multiple acquisitions in Spain, U.S.A, Brazil, Argentina, Chile, and India.
- **Financing:** Advised syndicate of banks in the financing of energy transportation infrastructure in Colombia, USD 600 million.
- **Family offices:** Advised selling shareholders in the transfer of an educational business in Mexico, valued at USD 250 million; Structured ownership of businesses and assets for international family with relevant interests in Central and South America, among others

Loretta A. Preska

Judge Preska was appointed United States District Judge for the Southern District of New York on August 12, 1992 and entered duty on September 18, 1992. She served as Chief Judge of that Court from June 1, 2009 to May 31, 2016. Judge Preska received a B.A. from the College of St. Rose in Albany, New York in 1970, a J.D. from Fordham University School of Law in 1973, and an LL.M. in Trade Regulation from New York University Law School in 1978.

Following graduation from Fordham, Judge Preska was an associate at Cahill Gordon & Reindel LLP and an associate and, beginning in January 1983, a partner at Hertzog, Calamari & Gleason until her induction as a United States District Judge in September 1992. Judge Preska was nominated to the Second Circuit Court of Appeals in September 2008. She received the Louis J. Lefkowitz Public Service Alumni Award from Fordham University School of Law in 1992 and served several terms as a Vice President on the Board of Directors of the Fordham Law Alumni Association. The Fordham Law Alumni Association awarded her its Medal of Achievement in 1998. She received a Doctorate of Humane Letters, *honoris causa*, from the College of St. Rose, Albany, New York, in 1998, the Edward J. Weinfeld Award from the New York County Lawyers Association Federal Courts Committee for Excellence in the Administration of Justice in 2001, the Charles Carroll Award from the Catholic Lawyers Guild in 2004, the Stanley H. Fuld Award for outstanding contributions to the development of commercial law and jurisprudence in New York State from the Commercial and Federal Litigation Section of the New York State Bar Association in 2009, the President's Special Award from the New York Women's Bar Association in 2011, the Barbara Jordan Outstanding Public Service Award from Phi Alpha Delta Law Fraternity International in 2012, the Women in Business Law Lifetime Achievement Award in 2013, the Boris Kostelanetz President's Medal from the New York County Lawyers Association in 2014, the James Madison Award from the New York City Lawyers Chapter of the Federalist Society in 2014, and the Honorable John E. Sprizzo Award for commitment to the Rule of Law from St. John's Law School in 2015. She has lectured at Securities Industry Association Legal & Compliance Division, the International Bar Association, and numerous other venues, and was a contributing author to *Federal Civil Practice* published by the New York State Bar Association in 1989.

Judge Preska is a member of the Federal Bar Association, the Federal Bar Council, the New York County Lawyers Association, and the New York State Bar Association. She has served as a member of the Committee on Federal-State Jurisdiction of the Judicial Conference of the United States, as chair of the Benchbook Advisory Committee, the Board of Directors of the Federal Judicial Center, and currently serves on the New York Federal-State Judicial Council. Judge Preska has also served on the Advisory Board of the New York Chapter of the Federalist Society and, from 2001-2009, on the New York Regional Panel for the Selection of White House Fellows. Judge Preska has also served as a Trustee of Fordham University.

Tannenbaum Helpern Syracuse & Hirschtritt LLP

L. Donald Prutzman

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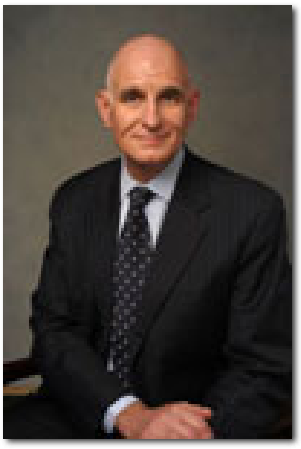

Bio

L. Donald Prutzman is a partner in Tannenbaum Helpern's intellectual property group. His practice encompasses litigation and non-litigated matters. He has broad trial and appellate litigation experience, particularly in disputes involving trademark, copyright, art law, photographers' rights, apparel importation, antitrust issues and matters before the International Trade Commission. His litigation experience includes securities regulation and insurance coverage.

Donald advises on a wide range of non-litigated intellectual property matters including licensing; purchase and sale of intellectual property assets; website development, hosting and content; data licensing agreements; copyright registration; worldwide trademark registration and prosecution which includes representing clients before the Trademark Trial and Appeal Board, and antitrust and trade regulation advice and compliance. Representing clients from across industries, Donald has developed a particular focus in the following industry sectors: financial services, fashion, food and beverage, jewelry design, publishing, entertainment, and art and antiques.

In addition, Donald's practice areas include Tannenbaum Helpern's growing Cybersecurity and Data Privacy practice, an interdisciplinary team with experience in the many facets of this important area, including technology issues, cybersecurity and data privacy regulation and compliance, data breach planning and response and dispute resolution. He has helped guide clients in complying with the varying regulations of data privacy and protection in the U.S., Europe and other jurisdictions around the world, and in responding to data security breaches.

As a member of the American Arbitration Association's Panel of Neutrals, the International Center for Dispute Resolution's Panel of Neutrals, the World Intellectual Property Organization's Panel of Neutrals, the International Trademark Association's Panel of Trademark Mediators, the Eastern District of New York's Panel of Arbitrators, and the FINRA Panel of Arbitrators, Donald serves as an arbitrator and mediator in intellectual property, financial and other commercial matters. He is also a Member of the Chartered Institute of Arbitrators. A frequent speaker and author on intellectual property topics, Donald has been selected for inclusion in New York Super Lawyers for 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, and 2017 and in the forthcoming 25th edition of The Best Lawyers in America.

When not practicing law, Donald enjoys cruising in, and working on, his verde green 1965 Buick Skylark convertible (with the 410 Wildcat V8).

Case Studies

- Tannenbaum Helpern tapped to serve as arbitrator in reviewing the conflicting decisions concerning new gTLD.com
- Defense of An Investment Management Firm in Complex Trademark Infringement Case

Practice Areas:

- Cybersecurity and Data Privacy
- Intellectual Property
- Technology, Outsourcing and Telecommunications

Areas of Focus:

- Intellectual Property Law
- Antitrust and Trade Regulation
- Trademark, Copyright and Patent Litigation
- Commercial Litigation

Education:

College:

- Harvard College, 1973, A.B.
- *Honors*: cum laude

Law School:

- NYU, 1976, J.D.

Prior Affiliations:

- Law Clerk, United States District Court, Eastern District of Pennsylvania 1976-77
- Associate, Cravath Swaine & Moore, 1977-1984
- Partner, Stecher Jaglom & Prutzman, 1984-2000

- Negotiating a Complex Trademark and Copyright License Agreement for Fabrics and Related Products
- Defended Textile Industry Client in Patent Infringement Action
- Representing a Life Science Company with Global Licensing Agreement with a Major Generic Pharmaceutical Company
- Acquisition of Beer Distribution Business in New Jersey
- Acquisition of Intellectual Property Assets of Australian Manufacturer and Distributor of Key Trademarked Product
- Obtained Injunction Against Competitor's Misrepresentation of Status as Authorized Distributor
- Stopped infringement of client's design patent by a foreign firm
- Secured an injunction against infringement of copyright in client's photograph
- Secured preliminary injunction against trademark infringer

Significant Matters

Litigation

- Successful litigation of numerous intellectual property disputes, including *Rogers v. Koons* (landmark Second Circuit copyright case involving infringement of published photograph by creating and selling a derivative sculpture. The case is considered one of the ten most significant art law cases of the Twentieth Century), and *Elizabeth Taylor Cosmetics Co. v. Annick Goutal, Inc.* (secured novel injunctive relief for French senior user of trademark "Passion" for perfume against sale and distribution of "Elizabeth Taylor's Passion" perfume).
- Supreme Court Amicus Brief for group of twenty photographers' and authors' organizations in *New York Times v. Tasini* (holding that, absent a license from the author, separate database use of free lance articles written for periodicals infringed the author's copyright).
- Litigation of antitrust matters, including (a) representation of linen supply industry member in Justice Department Antitrust Division criminal investigation and related civil cases, (b) representation of international chemical and pharmaceutical firm in Justice Department Antitrust Division investigation of dyestuffs industry, (c) litigation involving antitrust claims in food, and alcoholic beverage industries.

Intellectual Property

- Intellectual property aspects of major corporate transactions, including sale of financial industry database and data collection business to major financial data supplier, sales of technology driven businesses with significant international patent issues, and acting as special trademark counsel to a consortium of lenders in financing and acquisition of a worldwide food company and its subsidiaries, secured principally by the borrower's owned and licensed trademarks.
- Resolution of dispute between stock photography agency, motion picture studio and advertising agency over infringing use of *National Geographic* cover photograph in connection with promotion of motion picture.
- Successful trademark opposition proceeding in the French trademark office ("INPI") blocking registration for similar goods of a ".com" mark similar to our client's trademark, based on our client's European Community trademark registration.
- Pre-litigation settlements of numerous disputes over United States trademark use in the financial services industry.
- Representation of a security products firm in connection with a request to take a license under a third-party's patent, including review of patents for vehicle access controllers and electronic control system network and advice on whether a license under third-party's patent was necessary.
- Numerous license agreements of intellectual rights, including (a) license for rights under a foreign patent application and associated US PCT application for a special configuration CD-ROM, (b) license of a hedge fund performance index, related trade secrets and proprietary information, and trademark, between the index owner and developer, and an investment fund manager desiring to operate a fund designed to replicate the performance of the index, (c) software licenses for fixed income securities trading software (1) between owner-developer and major investment bank and (2) between owner-developer and marketer, both including complex provisions concerning intellectual property ownership, (d) trademark licenses involving the food and beverage industry and the garment industry, (e) license agreements for use of works of art on consumer products, and (f) license agreements for various uses of copyrights and other rights in designs of historically important pinball machines, including license to Microsoft for use of intellectual property in the creation and marketing of a "Pinball Arcade" computer game.
- Advising numerous clients on Internet-related matters, including (a) website development, hosting, terms and conditions of use and privacy policies, (b) advice on privacy issues, including EU Privacy Directive, (c) preparation of written and electronic user agreements with clients, vendors and distributors, for an Internet based system for the engagement and management of temporary workers and associated invoicing, (d)

Memberships:

Professional:

- New York State Bar Association (Co-Chair Intellectual Property Sub-Committee, International Law and Practice Section)
- Vice President and Director, Respect for Law Alliance
- Member, Mediation Panel, United States District Court for the Eastern District of New York
- International Trademark Association - U.S. Subcommittee of the Parallel Imports Committee
- American Arbitration Association's Panel of Neutrals

Bar Admissions:

- New York
- Pennsylvania
- Georgia
- United States District Courts
- Eastern and Southern Districts of New York
- Eastern District of Pennsylvania
- United States Courts of Appeals for the Second, Third, Ninth, Eleventh, Federal and DC Circuits
- United States Supreme Court

Award Recognition:

- Best Lawyers in America List 2019
- SuperLawyers 2008-2017
- Avenue Magazine's Legal Elite: 2012
- Fortune's Magazine Top Ranked IP Attorneys: 2012
- Martindale-Hubbell AV Preeminent Rating

preparation of written and online user agreements, terms and conditions of use and privacy policy for website operated by international hedge fund administrator designed to allow selective access to hedge fund account information by investors, investors' counsel or accountant, and securities regulators, and (e) development agreement for co-branded website between internet-based staffing company and various umbrella organizations, including a large bank holding company.

Antitrust

- Antitrust and trade regulation advice in connection with numerous transactions and marketplace behavior issues.

Publications

- THSH Cyber Alert: GoDaddy the latest to leave S3 Bucket Unsecured | August 2018
- Distribution & Agency 2018 - Q&A on the distribution of goods and services in 18 jurisdictions worldwide | *Reproduced with permission from Law Business Research Ltd. This article was first published in Getting The Deal Through: Distribution & Agency 2018 (contributing authors Andre R Jaglom, Donald Prutzman, Michele Itri & Stacey Usiak(Tannenbaum Helpern Syracuse & Hirschtritt LLP). Visit gtdt.link/da-a for more information.* | March 2018
- Disparaging or offensive trade mark registrations in the United States—are there any limits after the US Supreme Court's decision in *Matal v Tam*? | Oxford University Press, Journal of Intellectual Property & Practice | December 2017
- Can a Licensing Agent also Enforce the Copyright in Licensed Works? | E-Alert | September 2017
- Getting the Deal Through: Distribution & Agency 2017 - Q&A on the distribution of goods and services in 17 jurisdictions worldwide | *Reproduced with permission from Law Business Research Ltd. This article was first published in Getting the Deal Through: Distribution & Agency 2017, (published in March 2017; contributing editor: Andre R Jaglom, Donald Prutzman & Michele Itri (Tannenbaum Helpern Syracuse & Hirschtritt LLP). For further information please visit www.gettingthedealthrough.com." | Click here to download a pdf file or an e-book version for your Kindle, iPad or iPhone. For e-book download instructions, click here. | March 2017*
- Global Ransomware Attack: Basic Security Measures Every Business Should Adopt | May 2017
- New Guidance for Human Resource Professionals to Avoid Antitrust Violations | December 2016
- Companies Must Account for New Law Protecting Confidential Information | Employment Notes | December 2016
- Some Common IP Mistakes Businesses Make and How to Avoid Them | E-Alert | June 2015
- 2014 Decisions Clarify How the State of Limitations Applies to Copyright Infringement Claims |E-Alert | February 2015
- Reducing the risk of violating competition law | PEI Alternative Insight – Private Fund Dispute Resolution | January 2015
- Trademark Applications Based on Intent-to-Use a Proposed Mark—Be Prepared to Document Your Bona Fide Intent to use the Mark | E-Alert | January 2014
- Overview of the Madrid System and the United States Perspective | Reprinted with permission from New York State Bar Association | International Law Practicum | Vol. 25, No. 2 | Autumn 2012
- Protecting Your Intellectual Property by Staying Informed and Knowing Your Options | Reprinted with permission from: Inside Newsletter, Vol. 30. No. 2 | Fall 2012
- Recent Court Decision Bolsters Writers' Protection against Idea Theft | E-Alert | July 2012
- ICANN Releases the List of Applicants for New gTLDS—Do You Need to Consider Any Action?, | June 2012
- Does a Publishing agreement granting the right to publish a work "in book form" include the right to publish the work as an e-book? | E-Alert | Vol. 4, No. 1 | February 2012
- With ICANN's Controversial Decision to Expand the Number of Generic Top-Level Domains; Is Your Domain Name Safe? | January 2012
- "Online brawl," by L. Donald Prutzman and Amy S. Beard | Managing Partner Magazine | December 2011/January 2012 edition
- "Blocking Your Mark From Registration as a .XXX Domain Name," | IP In Brief | September 7, 2011
- "The Developing U.S. Law Regarding the Invisible Use of Trademarks of Others in Cyberspace" by L. Donald Prutzman | NYSBA International Law Practicum, Vol. 23, No. 2 | Autumn 2010
- International Intellectual Property Protection: The Berne Convention, The Madrid Agreement and Protocol, and Other International Agreements | NYSBA International Law Practicum, Vol. 22 No. 2 | Autumn 2009
- "Understanding importance of the Territoriality Principle: Protection for famous trademarks not used in the U.S.," | reprinted from International Law Practicum, Vol. 20, No. 2 | Autumn 2007
- "The Territoriality Principle and Protection for Famous Marks in the Americas," | reprinted from International Law Practicum, Vol. 20, No. 2 | Autumn 2007
- Non-U.S. Trademark Owners Should Consider Protecting Trademarks in the US Even if There Is No Current US Use," | Reprinted with permission from the November 2007 issue of the Intellectual Property & Technology Law Journal | November 2007
- United States Patent Protection for Computer Software | NYSBA International Law Practicum, Vol. 19 No. 1 | Spring 2006

- "Geographical Indications - An Emerging Form of Intellectual Property," | International Law Practicum, Vol. 18, No. 1 | Spring 2005
- "International Trademark Protection in the United States and the European Community," | International Law Practicum, Vol. 16, No. 1 | Spring 2003
- Personal Jurisdiction Chapter of *Federal Civil Practice* | Published by the New York State Bar Association | 1989

Events

L. Donald Prutzman has or will serve as a speaker, moderator, event chair or panelist for the following events:

- Copyright and Trademark Developments: What to Expect in 2017 | THSH CLE Program | December 6, 2016
- New York State Bar Association International Section Fall Meeting in Paris, France | New York State Bar Association International Section | October 19-21, 2016
- International Intellectual Property Practice Panel | Cardozo Law School | March 16, 2016
- New York State Bar Association International Section| October 14-17, 2015
- Ten Common Intellectual Property Mistakes Businesses Make and How to Avoid Them | THSH CLE Program | June 4, 2015
- A Guide to Introducing International Products and Services to the U.S. Market | NYSBA – Global Law Week 2015| May 13, 2015
- Drafting an International Contract | NYSBA – Global Law Week 2015 | May 12, 2015
- Using Patent, Trademark and Copyright to Fight Infringement | THSH CLE Program | February 12, 2014
- International Trademark Association's 136th Annual Meeting | Hong Kong SAR, China | INTA.ORG | May 10-14, 2014
- NYSBA International Section – Seasonal Meeting 2013: Building Global Partnerships and Opportunities in the New Asia – Vietnam and the USA as a model for Growth and Success | Hanoi, Vietnam | NYSBA International Section | October 23-26, 2013
- How to Negotiate Your Intellectual Property and Technology Transactions | January 24, 2013 | THSH CLE Program
- How to protect your intellectual property from new forms of online infringements and brand attacks | THSH CLE Program | September 12, 2012
- Trademark Basics: What Lawyers Need to Know to Protect Clients In An Internet Age | Hudson Valley Bank and CUNY Law School | October 23, 2008
- Software and Business Methods Patents program | NYSBA International Law & Practice Section Annual Meeting | October 2005
- Latin American Intellectual Property Issues program | NYSBA International Law & Practice Section annual meeting | November 2004
- United States/European Union Intellectual Property Protection Issues program | NYSBA International Law & Practice Section Annual Meeting | October 2002
- International Trademark Practice | Half Moon Seminars | May 2001
- Electronic Signatures in United States and International Commerce | NYSBA International Law & Practice Section Annual Meeting | October 2001
- Chair of Intellectual Property Protection in Eastern European program | NYSBA International Law & Practice Section Annual Meeting | October 1999

News

- 27 Tannenbaum Helpern attorneys recognized in the 2017 New York Metro Super Lawyers list | September 20, 2017
- 27 Tannenbaum Helpern attorneys selected to the 2015 New York Metro Super Lawyers list, including three in the Top 100 Super Lawyers List | September 17, 2015
- 34 Tannenbaum Helpern attorneys have been selected to the 2014 New York Metro Super Lawyers list, including two commercial litigators in the Top 100 Super Lawyers list | October 8, 2014
- 29 Tannenbaum Helpern attorneys have been selected to the 2013 New York Metro Super Lawyers list, including two attorneys in the Top 100 Super Lawyers list | September 23, 2013
- National Geographic finds a trail through the copyright jungle | Atlanta Daily Journal | June 21, 2007

Manoj Pundit

Partner
Borden Ladner Gervais LLP
Toronto, ON

Manoj Pundit is a partner and the national leader of the firm's corporate finance group at Borden Ladner Gervais LLP, one of Canada's leading national business law firms.

Mr. Pundit regularly serves as lead counsel on complex domestic and international corporate and securities transactions. He acts as counsel to issuers and underwriters on securities and corporate matters including public and private offerings and mergers and acquisitions including, in the case of public issuers, both negotiated and hostile transactions. Mr. Pundit advises special committees and boards of issuers with regard to corporate governance matters and he also acts as counsel in connection with transactional matters for private equity investors, investment funds and venture capital funds.

Mr. Pundit is a regular speaker and writer on securities regulations and mergers & acquisitions and has been interviewed by leading legal and news publications on the application of securities regulations to cryptocurrency transactions.

In the area of Blockchain and Cryptocurrency matters, Manoj advises foreign and Canadian issuers with regard to token presales and initial coin offerings. His advice is sought by some of the leading token issuers and cryptocurrency exchanges with regard to the applicability of securities regulations to coin and token offerings and trading. He has also been engaged to advise issuers and other participants with regard to regulatory investigations and enforcement matters before the securities regulators.

Mr. Pundit holds a BSc and LLB from the University of Alberta and an LLM from Osgoode Hall Law School (Toronto).

In 2013, Manoj received the Queen Elizabeth II Diamond Jubilee Medal for his contributions to Canada.

Paolo M. Quaini is **General Counsel** for **Alitalia SAI S.p.A. in Amministrazione Straordinaria**, based in Rome, Italy.

Alitalia is Italy's largest airline and member of the Sky Team alliance. In 2017 it carried 21.3 million passengers. On May 2, 2017, Alitalia SAI S.p.A. was admitted to the extraordinary administration procedure provided by Italian law for large insolvent companies.

Prior to joining Alitalia, Mr. Quaini was **General Counsel** for **OTB S.p.A.** (holding company of an Italian fashion group operating under the brands of Diesel, Marni, Maison Margiela and Viktor&Rolf, and – as licensee – of DSquared, Just Cavalli and Vivienne Westwood), **General Counsel** for **Cementir Holding S.p.A.** (an Italian group listed on the Italian Stock Exchange which manufactures and distributes worldwide white and grey cement, aggregates and concrete products), **Senior Legal Counsel** for **Parmalat S.p.A.** (a food and beverage multinational group listed on the Italian Stock Exchange), and **Legal Director** for the **Plant Making Division of Techint S.p.A.** (a multinational group engaged in the business of steelmaking, manufacture of complex infrastructures, industrial plants design and construction, oil and gas exploration and production).

Before starting his career as in-house counsel, Mr. Quaini also practiced law for private firms in Italy and, as visiting lawyer, in the US.

Mr. Quaini is a graduate of University of Genoa, Faculty of Law.

NEIL A. QUARTARO

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Of Counsel
New York

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Mr. Quartaro is Of Counsel to the Maritime Services Group in the New York office of Watson, Farley & Williams. An internationally recognized AV-rated attorney for both ethics and skills, his areas of focus include commercial litigation and arbitration matters (particularly those involving international or maritime issues), international contract disputes, creditors' rights in US bankruptcy proceedings, obtaining pre- and post-judgment security, and vessel foreclosure. He also works on international and domestic transactions in the transportation sector, particularly those with maritime legal issues.

Neil is the immediate past Chair of the New York State Bar Association ("NYSBA"), International Section. The International Section has about 2,500 members located around the world, and offers a New York law perspective on critical international law issues at the city, state and federal level. He also co-chairs the NYSBA International Section Transportation Committee and is the Secretary of the Bankruptcy and Insolvency Committee of the Maritime Law Association.

Neil lectures at Columbia University's School of International and Public Affairs ("SIPA"), where he teaches Maritime Transportation, Law & Public Policy, a graduate-level course offered to SIPA and business school students by the Center for Energy, Marine Transportation & Public Policy ("CEMTPP"). Mr. Quartaro serves on the research team at CEMTPP, which is conducting academic and commercial research on the public policy response to strategic issues in marine transportation and the movement of energy supplies globally in light of the current economic climate.

Representative Recent Matters

Representative recent matters include representing a Norwegian ship owner in a multi-jurisdictional dispute, advising secured lenders in complex international shipping bankruptcies, foreclosing on vessels belonging to insolvent borrowers, enforcing a Swedish arbitration award, and handling the sale and purchase of various ocean-going vessels.

Carlos Ramos-Mrosovsky

Counsel

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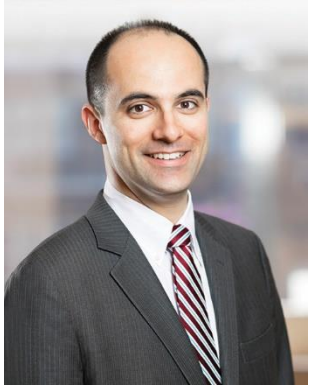

International Arbitration & Dispute Resolution | Litigation

Carlos Ramos-Mrosovsky is counsel with Alston & Bird's International Arbitration & Dispute Resolution Team. Carlos represents multinational companies and sovereign governments in commercial and treaty-based disputes around the world and before U.S. federal courts, with an emphasis on the energy, mining, and infrastructure sectors. Carlos recently acted for the claimant in a case yielding one of the largest investment treaty awards ever granted in an arbitration administered by the World Bank's International Centre for Settlement of Investment Disputes (ICSID) following Venezuela's unlawful expropriation of a foreign gold mining investment. Carlos has also represented French, Spanish and UK investors in parallel U.S. federal district court and ICSID annulment proceedings concerning a pair of arbitration awards against Argentina, and a ConocoPhillips subsidiary in obtaining US$ 380 million in compensation for the expropriation of oil investments in the Ecuadorian Amazon. Carlos has also handled arbitrations under the rules of, among others, the United Nations Commission on International Trade Law (UNCITRAL), the International Chamber of Commerce (ICC), the Stockholm Chamber of Commerce (SCC), and the International Centre for Dispute Resolution (ICDR).

Carlos graduated from Harvard Law School, cum laude. He earned his A.B. in international affairs, cum laude, from Princeton University, where he was a Truman Scholar. He serves as co-chair of the International Arbitration Committee of the International Section of the New York State Bar Association.

Representative Experience

- Represented a Canadian mining company challenging Venezuela's expropriation of a gold-mining project in an ICSID arbitration, resulting in a $1.2 billion award.
- Represented a European energy company in an UNCITRAL arbitration involving a unitization dispute with an African state oil company.
- Represented one of the world's largest energy companies in a multibillion-dollar ICSID arbitration involving the expropriation of its heavy oil investments in Venezuela.
- Represented a subsidiary of one of the world's largest energy companies in an ICSID arbitration challenging Ecuador's expropriation of its oil investments.
- Represented an Asian state oil company in a dispute over joint venture to develop an offshore gas field.
- Represented a U.S. engineering and construction firm in an ICC arbitration involving a licensing dispute with a South Asian chemical company.
- Defended Hungary against a French investor's claims under the Energy Charter Treaty.
- Represented the public works ministry of an African state in an ICC arbitration involving a construction dispute with a Japanese engineering firm.
- Represented a U.S. investor in an ICDR arbitration of a Caribbean telecommunications dispute.

- Represented a South American government in asset recovery efforts spanning multiple jurisdictions.
- Acted as lead counsel to former Iraqi and Afghan interpreters for U.S. armed forces whose special immigrant visa applications had been delayed for as long as six years in a suit to compel U.S. government action.

Publications

- "Corruption as a Defense in Investment Treaty Arbitration," New York Law Journal, August 3, 2018
- "The Next Generation of Investment Treaties," in THE INVESTMENT TREATY ARBITRATION REVIEW (3d ed. 2018)
- "Section 1782 discovery in support of international arbitration in US district courts," LEXIS PSL: Arbitration, Feb. 2017
- "Anti-Suit injunctions in support of international arbitration in New York," LEXIS PSL: Arbitration, Sept. 2015
- "A Constructive Role for International Law in the Senkaku Islands Dispute?" in ISLANDS OF CONTENTION: THE CHINA-JAPAN BORDER DISPUTE IN A MULTIDISCIPLINARY PERSPECTIVE (Liao, Hara & Wiegand eds., 2015)

Recent Presentations

- "Enforcement of Arbitration Awards Against Sovereigns," New York State Bar Association, New York, NY, June 12, 2018
- "Developments in International Trade and Investment: KORUS and the looming trade wars," New York State Bar Association panel, Seoul, Republic of Korea, April 23, 2018
- "Digital Currencies and the Disruption of International Finance," New York State Bar Association Annual Meeting (moderator), New York, N.Y., Jan. 22, 2018
- "Anti-Corruption and Transparency Legislation in the Resource Extraction Industry," New York State Bar Association, Antigua, Guatemala, Sept. 14, 2017
- "Tax issues in investment arbitration," WilmerHale and Queen Mary University, London, United Kingdom, Jan. 31, 2017
- "Investor-state arbitration: what does the future hold?" New York State Bar Association, Paris, France, Oct. 21, 2016

Professional & Community Engagement

- International Bar Association
- New York State Bar Association International Section, International Arbitration Committee, co-chair

Education

- Harvard University (J.D., 2007)
- Princeton University (A.B., 2004)

Languages

- Spanish

Admitted to Practice

- New York

- District of Columbia

Rekha Rangachari is the second Executive Director of the New York International Arbitration Center ("NYIAC"). Founded in 2013, NYIAC is a non-profit organization that promotes and enhances the conduct of international arbitration in New York, offers educational programming, and operates world-class hearing facilities for rent in Midtown Manhattan.

Prior to joining NYIAC in October 2017, Ms. Rangachari was Director of ADR Services for the New York Commercial Division of the American Arbitration Association/International Centre for Dispute Resolution (AAA/ICDR). Therein, she led the New York Corporate InnovAAAtion Team, and served on the Diversity Committee – spearheading initiatives for greater cross-cultural representation and collaboration – and on the AAA/ICDR Foundation Committee. She is a 2017 Recipient of the AAA/ICDR President's Award for Service. Ms. Rangachari also served as Case Counsel for the ICDR, focusing her efforts on the European and Sub-Saharan Africa Regions.

Beyond the AAA/ICDR, Ms. Rangachari serves as Member of the New York State Bar Association (NYSBA) International Section's Executive Committee and Co-Chair of the International Contracts and Commercial Law Committee, Member of the NYSBA Dispute Resolution Section's (DRS') Executive and Diversity Committees and Co-Chair of the NYSBA DRS' International Dispute Resolution Committee (IDRC), Member of the NYSBA Planning Committee for the Judith Kaye Moot Court Competition, Member of the New York City Bar's Standing Committee on Women in the Legal Profession, and Board Member of the New York Coalition of Women's Initiatives, among other professional and personal affiliations. Ms. Rangachari was educated at New York University and the University of Miami School of Law, and is trilingual in English/Tamil/Spanish. She is admitted to practice law in the U.S. (New York).

LEWIS RETIK

Partner
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Co-Lead, Food and Beverage Group
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Lewis Retik is a partner in Gowling WLG's Ottawa office. Lewis' practice focuses on regulatory and commercial issues relating to the commercialization of products, including regulatory licencing, product distribution, manufacturing, advertising, packaging and labelling.

Education

University of New Brunswick, LLB 2001
McGill University, BA, Hons. 1998

Year of Call

Ontario 2002

Lewis has extensive experience working with companies of all sizes, ranging from recent startups to large international companies in a variety of specialized industries, including food, natural health products, cannabis, cosmetic, pharmaceutical and technology. As co-leader of the firm's Cannabis Group, Lewis advises industry participants on the burgeoning regulatory space surrounding the growing, marketing, and sale of cannabis in Canada.

He is often responsible for working with clients to provide advice on the regulatory status of product, and to develop packaging and advertising designs that are both consumer friendly and compliant. Lewis and his team also represent clients subject to regulatory enforcements and product recalls.

In addressing client issues, Lewis regularly interacts with senior officials of government within such departments and agencies as the Competition Bureau, Health Canada, the Canadian Food Inspection Agency and Environment Canada. Lewis is actively involved in a range of community-based initiatives and charitable organizations.

Lewis leads the Advertising and Product Regulatory group and co-leads both the Food and Beverage group and the Cannabis group at Gowling WLG. Lewis is named to Lexpert, Best Lawyers, and Chambers for Advertising and Marketing law. Best Lawyers named Gowling WLG as the 2018 Firm of the Year for Advertising and Marketing law and Gowling WLG is the only Band 1 ranked firm by Chambers 2018 in Advertising and Marketing law in Canada.

GOWLING WLG

Gowling WLG (Canada) LLP is a member of Gowling WLG, an international law firm which consists of independent and autonomous entities providing services around the world. Our structure is explained in more detail at **gowlingwlg.com/legal**

Danielle Rizzo

Danielle Rizzo is Senior Counsel at Harris Beach PLLC, a full-service NY Law Firm with offices throughout NY State. She is immigration counsel at the firm's Buffalo office, where she limits her practice to employment-based immigration. She represent US employers and foreign nationals in obtaining employment-based visas to attract global talent to the US work force. Ms. Rizzo is the immediate past chair of the American Immigration Lawyers Association's (AILA) national liaison committee with U.S. Customs and Border Protection. She has held numerous other volunteer roles within AILA, including Chair of the organization's Board of Publications, as well as editing and authoring numerous business immigration publications.

Sharon Robertson is a Partner at Cohen Milstein Sellers & Toll PLLC and a member of the Antitrust practice group. She co-chairs the firm's Professional Development and Mentoring Committee and serves on the firm's Diversity Committee.

Ms. Robertson has been recognized by *Legal500, New York Law Journal, Benchmark Litigation, Law360,* and Super Lawyers for her success in leading complex, multi-district antitrust litigation. *The Legal 500* selected her as a "Next Generation Lawyer" (2017 and 2018), an honor bestowed upon only 10 lawyers under 40 years old across the country, who are positioned to become leaders in their respective fields. Likewise, *The New York Law Journal* recognized her as a Rising Star (2018) – 1 of only 20 individuals selected to receive this honor. In addition, *Benchmark Litigation* selected Ms. Robertson for inclusion on its "40 & Under Hot List" (2018) and *Law360* named her as 1 of 5 "Rising Stars" (2018) in the area of competition law, as did Super Lawyers (2014-2016). Ms. Robertson has also been recognized by *Law360* as one of a few female litigators to secure leadership roles in high-profile MDLs, such as *In re Lidoderm Antitrust Litigation,* (March 16, 2017).

Ms. Robertson is spearheading the firm's efforts in cutting-edge and industry-defining pay-for-delay pharmaceutical antitrust lawsuits, which allege that the defendant brand manufacturer entered into non-competition agreements with generic manufacturers in order to delay entry of lower-priced generic products. Ms. Robertson also heads up the firm's generic price-fixing cases, which allege that certain generic drug manufacturers conspired to inflate the prices of generic drug products. These cases come on the heels of a government investigation led by the U.S. Department of Justice alleging similar conduct, which, while ongoing, has already resulted in indictments and guilty pleas.

In addition to leading complex MDLs, Ms. Robertson is an accomplished trial lawyer. She served as a trial team member in two of the largest antitrust cases tried to verdict, including *In re Urethanes Antitrust Litigation,* where the jury returned a $400 million verdict, which was trebled by the Court, as required by antitrust law, to $1.06 billion, resulting in the largest price-fixing verdict in U.S. history, as well as *In re Nexium Antitrust Litigation*, the first pharmaceutical antitrust case to go to trial following the Supreme Court's landmark decision in *FTC v. Actavis,* 570 U.S. 756 (2013).

Ms. Robertson represents End-Payor Plaintiffs in the following notable pay-for-delay pharmaceutical antitrust cases in which the firm serves as Co-Lead Counsel:

- ***In re Lidoderm Antitrust Litigation* (N.D. Cal.):** Plaintiffs allege that Endo and Teikoku, manufacturers of the Lidoderm patch, paid Watson Pharmaceuticals to delay its generic launch. On March 20, 2018, Plaintiffs submitted an unopposed $104.75 million settlement for Court approval – more than 40% of Plaintiffs' best-case damages estimate. This case was ranked by *Law360 as* "The Biggest Competition Cases Of 2017 So Far" (July 7, 2017).
- ***In re Lipitor Antitrust Litigation* (D.N.J.):** Plaintiffs allege that Pfizer, the manufacturer of the cholesterol drug Lipitor, the best-selling drug in pharmaceutical history, conspired with Ranbaxy, the generic manufacturer, to delay its introduction of a generic Lipitor product. On August 21, 2017, the Third Circuit handed a sweeping victory to Plaintiffs, reviving their antitrust claims. This case was ranked by *Law360* as "The Biggest Competition Cases Of 2017 So Far" (July 7, 2017).
- ***In re Loestrin Antitrust Litigation* (D.R.I.):** Plaintiffs allege that Warner Chilcott PLC and three others entered into an agreement to delay the introduction of a generic version of the contraceptive drug Loestrin. Following the First Circuit's remand of the case for further proceedings, on August 21, 2017, the District Court, in an unsealed opinion, stated that Defendants must face multidistrict litigation. Discovery is currently ongoing.

In addition, Ms. Robertson serves as a member of the executive committee in similar pay-for-delay cases in which Cohen Milstein plays a significant role in coordinating discovery, including: *In re Niaspan Antitrust Litigation* (E.D. Pa.) and *In re ACTOS Antitrust Litigation* (S.D.N.Y.). Ms. Robertson also represents direct purchaser plaintiffs in *In re Intuniv Antitrust Litigation* (D. Mass.) and *In re Ranbaxy Fraud Antitrust Litigation* (D. Mass.).

Ms. Robertson has successfully litigated the following notable matters:

- ***Urethanes (Polyether Polyols) Antitrust Litigation:*** Cohen Milstein was Co-Lead Counsel in an antitrust class action alleging a nationwide conspiracy to fix the prices of polyether polyols. Ms. Robertson played a leading role in helping obtain settlements with several defendants for $139 million and was a member of the trial team that obtained a $400 million jury verdict (trebled to more than $1 billion), which was affirmed on appeal by the 10th Circuit. The case against Dow ultimately settled for $835 million while Dow's petition for certiorari was pending before the Supreme Court, bringing the total recovery to $974 million – nearly 250% of the damages found by the jury.
- ***In re Solodyn Antitrust Litigation:*** Cohen Milstein served as a member of the executive committee and Ms. Robertson played a significant role in coordinating discovery on behalf of the End-Payor Plaintiffs. The case, which settled mid-trial, resulted in a $43 million recovery for the Class.
- ***In re Blood Reagents Antitrust Litigation:*** Plaintiffs alleged that the two leading producers of blood reagents, Ortho–Clinical Diagnostics, Inc. and Immucor, Inc., conspired to raise prices on traditional blood reagents (TBRs). In September 2012, Immucor reached a settlement with Plaintiffs. On July 19, 2017 the Court denied in part Ortho's Motion for Summary Judgement. Ms. Robertson was slated to serve as one of four lead trial counsel in the case, which was set for trial in June of 2018 but ultimately settled.
- **Albany and Detroit Nurses Litigation:** Cohen Milstein represented registered nurses employed by hospitals in Albany and Detroit in class actions alleging a wage-fixing conspiracy. Ms. Robertson obtained settlements with five Albany Defendants totaling over $14 million. In the Detroit case, Ms. Robertson helped obtain $98 million in settlements with eight Defendants.
- **Indonesian Villagers Litigation:** Ms. Robertson represented Indonesian villagers in a lawsuit against Exxon Mobil over torture and extrajudicial killings allegedly committed by the Defendant's security forces (a unit of the Indonesian military).

Ms. Robertson is an active member of the Executive Committee for the Antitrust Section of the New York State Bar Association.

While attending law school, Ms. Robertson was an intern in the Litigation Bureau of the Office of the New York State Attorney General and the United States Court of Appeals for the Second Circuit. Additionally, while in law school, Ms. Robertson was selected as an Alexander Fellow and spent a semester serving as a full-time Judicial Intern to the Hon. Shira A. Scheindlin, U.S. District Court for the Southern District of New York.

Ms. Robertson graduated from State University of New York at Binghamton, *magna cum laude* with a B.A. in Philosophy, Politics and Law. She earned her J.D. from the Benjamin N. Cardozo School of Law, where she served as Notes Editor of the *Cardozo Public Law, Policy and Ethics Journal.*

Prior to attending law school, Ms. Robertson worked on the campaign committee of Councilman John Liu, the first Asian American to be elected to New York City's City Council.

Brian Rosenbaum joined Aon Reed Stenhouse in November 2006, and is a Senior Vice President and the National Director of the Legal and Research Practice within the Financial Services Group. His department provides risk transfer solutions to many of Canada's most prominent corporate executives and boards. Currently considered an authority on insurance matters dealing with management liability, Brian contributes regularly to prominent industry publications and has made countless presentations to corporate management teams and boards, as well as to organizations such as the Canadian Corporate Counsel Association, The Institute of Corporate Directors and the Canadian Institute of Chartered Accountants.

Prior to entering the insurance industry, Brian developed continuing legal education programs with an emphasis on management liability insurance, worked in private practice, and was General Counsel of a Toronto-based group of companies. Brian is a graduate of Osgoode Hall Law School and a member of the Ontario Bar.

Mark F. Rosenberg

Partner, Sullivan & Cromwell LLP

New York

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Mark Rosenberg is Coordinator of S&C's Environmental Law and Insurance Groups. He has extensive litigation and transactional experience in insurance, reinsurance, environmental and products liability and other matters. Noted by *Chambers USA* as "a talented litigator, who earns praise for his creative negotiation skills," Mr. Rosenberg routinely is recognized for his work by leading industry publications, including the Chambers guides, *New York Super Lawyers*, Euromoney's *Guide to the Leading United States Litigation Lawyers* and *International Financial Law Review*. He has written articles on insurance, environmental, tort, bankruptcy and foreign debt recovery issues, and has a keen interest in Artificial Intelligence developments and their ramifications. He is Vice Chair of the International Section of the New York State Bar Association and the Co-Chair of this Montreal conference.

Sample Rankings and Recognitions

- *Chambers USA* – recognized as a leading lawyer in Environmental Law (2009-2014) and in Insurance: Dispute Resolution (2008-2014)
- Euromoney's *Guide to the Leading United States Litigation Lawyers* – recognized as a leading litigator (2005)
- *New York Super Lawyers* (2006-2017)
- *Super Lawyers Corporate Counsel Edition* – recognized as a leading lawyer in Insurance and International (2009)
- *The Legal 500 United States* – recognized for Transactional and Regulatory Law (2013-2017)
- BTI Client Service All-Star (2018)

TORSTEN ROSENBOOM

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Partner
Frankfurt

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Torsten is a Partner in the Corporate group and heads the Frankfurt office of Watson Farley & Williams.

Torsten specialises in M&A/private equity, joint ventures, inter-company restructuring as well as in corporate and contract law. He regularly leads teams on a variety of national and cross-border transactions and is involved in complex contract negotiations both in two-party and multi-party situations.

Competitors praise Torsten as "… very strong in M&A and Financing, an experienced Strategist" (JUVE Handbuch 2015/2016) and as "… very hands-on and efficient" (JUVE Handbuch 2016/2017).

Torsten has been recognised as a leading German M&A lawyer by well-known business magazine *Wirtschaftsoche*. *Wirtschaftswoche*'s rankings are based on votes collated from M&A professionals by the highly regarded Handelsblatt Research Institute, as well as a distinguished, five member jury appointed by the magazine.

LOYENS & LOEFF

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Filip is a local partner at Loyens & Loeff in Belgium. Loyens & Loeff is an international law firm with an intensified focus on the home markets in the Netherlands, Belgium, Luxembourg and Switzerland. Loyens & Loeff has a full-service practice with an integrated tax and legal approach.

Filip heads the Employment & Benefits Practice Group of Loyens & Loeff in Belgium. Filip has over 28 years of all-round experience in collective and individual employment law. He is a true expert in the employment related aspects of cross-border issues. As such he has advised companies on international management /consulting contracts, executive compensations/packages and even cross-border incentive plans. He has assisted numerous multinationals with regard to international restructurings and transactions from a Belgian employment perspective.

His international focus also follows from his various international memberships. He is a member of the Belgium Hong Kong Society, the Belgo-Indian Chamber of Commerce, the Oxford and Cambridge Club of Belgium, the American Bar Association (ABA), the International Bar Association (IBA), the Global Forum for Cross-Border Human Resource experts (XBHR), the American Chamber of Commerce (AmCham) in Belgium and the American Employment Law Council (AELC). He is also a member of firm-wide sector and region teams, such as the French and German Region Teams.

Filip regularly speaks at national and international conferences on international employment issues and has written various articles on such topics. He has also become a leading voice on the subject of the impact of artificial intelligence on the labor market.

Filip is mentioned as expert by legal directories Chambers & Partners (Europe) and Legal 500 EMA as well as by The International Who's Who of Management Labour and Employment Lawyers.

Qualification

Filip holds an LL.M. from the University of Cambridge (United-Kingdom, 1999-2000). He also holds a Bachelor's degree in Law and a College Level lecturing diploma from the *KU Leuven* (Belgium, 1990). In addition, he was a participant in the ERASMUS Program of Studies related to Social Security in the European Community in Leuven (Belgium, 1989-1990).

Career

2007: Local Partner, Loyens & Loeff
2003: Counsel, Loyens & Loeff
Prior to joining Loyens & Loeff, Filip was Associate and Counsel at several prominent law firms.

Jay G. Safer Bio

Jay G. Safer is a partner at the law firm of Wollmuth Maher & Deutsch LLP in New York City. Jay handles complex litigation in the United States and abroad. Jay represents clients in matters concerning contracts, antitrust, securities, RICO, qui tam, FCPA, international litigation and arbitration, including application of the New York Convention and enforcement of foreign judgments and arbitration awards, banking, financial institutions, corporate governance, technology, privacy, insurance, construction, real estate, labor and employment, product liability, health care, professional ethics, financial, constitutional, and regulatory issues, mediation, class actions, defamation, and media. Jay also counsels clients on commercial matters including, protection and preventative measures and pre-litigation analysis.

He has represented clients in international litigation, including domestic and foreign clients in courts outside the United States and foreign clients in the U.S. courts. He has represented clients from the United States and around the world in international arbitrations. Jay has served on panels, bench-bar forums, and is a member of committees with judges and attorneys discussing and speaking on a wide range of civil litigation issues, litigation skills and U.S. and international arbitration and international litigation practice. He has presented numerous programs and seminars on U.S. and international arbitration and litigation to foreign judges, lawyers, and law students visiting the United States and at seminars abroad. He frequently presents webinars and CLE programs to national audiences.

He is an Adjunct Professor at Law at Columbia Law and Fordham Law Schools, teaching foreign lawyers and LLM candidates American litigation practice and the management of U.S. Litigation, and the role of arbitration and mediation in U.S. proceedings. Jay was appointed to the advisory group to the New York State Federal Judicial Council consisting of federal and state judges appointed by the Chief Judge of the State of New York and the United States Court of Appeals for the Second Circuit. Jay was appointed by the Chief Judge of the State of New York to the Commercial Division Advisory Council that advises the Chief Judge and the Judiciary on matters involving the Commercial Division of the State of New York. He was also appointed by the New York State Chief Administrative Judge to serve on the Advisory Committee on the New York State Civil Practice Law and Rules.

Jay is involved in leadership positions in numerous bar associations, including as past and present chair and member of many bar association sections, executive committees, and committees. Jay has made appearances on television and authored numerous articles and publications.

Jay G. Safer | Wollmuth Maher & Deutsch LLP | Main: 212-382-3300
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MARGARET SANDERSON
Charles River Associates

Margaret Sanderson joined Charles River Associates in August 1998, and has been the global Antitrust & Competition Economics practice leader since December 2006. Prior to joining Charles River Associates, Ms. Sanderson was Assistant Deputy Director of Investigation and Research within the Economics and International Affairs Branch of Canada's Competition Bureau. In that capacity, she managed the provision of expert economic advice on competition cases, regulatory interventions and enforcement policy within the Competition Bureau. Ms. Sanderson has 30 years of experience examining the competitive effects of cases involving price-fixing conspiracies, mergers, vertical restraints, predatory pricing, abuse of dominance, refusal to deal and misleading advertising in a wide variety of industries. She has published numerous articles and made presentations concerning a variety of issues in the field of antitrust economics. In addition to competition cases, Ms. Sanderson has assessed regulatory issues in the telecommunications and broadcasting sectors and has undertaken work in respect of securities regulation. Ms. Sanderson holds a BSc. in Economics & Quantitative Methods and an MA in Economics from the University of Toronto.

LAZAR SARNA

lazarsarna@gmail.com
4473 Ste Catherine Street West, Montreal, Canada

Education: B.C.L. *(McGill University)*; LL.M., LL.D *(Université de Montréal)*

PROFESSIONAL ACTIVITIES:
Commercial litigation practice.
Partner - *Sarna Neudorfer* 1998 to date; former Partner - *McCarthy Tetrault*
Teaching:
Past Sessional Lecturer (Corporate and Business Law) *McGill University*, Law Faculty, and *Concordia University*, Faculty of Management,

PUBLICATIONS:
Law and Professional:
Bills of Lading, Carswell, Toronto, 2017
Cheques and Promissory Notes, Carswell, Toronto, 2018
Law of Bankruptcy and Insolvency in Canada, Lexis-Nexis, Toronto, 1997 to 2017
Letters of Credit, (3rd ed.) Carswell, Toronto, 1997 to date
Law of Declaratory Judgements, 4th edition, Carswell, Toronto,
Editor-in-Chief, *Corporate Securities and Finance Law Report,* Lexis Nexis *(*1999 to date)

LAZAR SARNA
CURRICULUM VITAE
AS OF JULY 2018

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Email:	lazarsarna@gmail.com
Education:	B.C.L. *(McGill University)* LL.M. *(Universite de MontreaO* LL.D. *(Universite de Montreal)*
Languages:	English, French

PROFESSIONAL ACTIVITIES:

Attorney, Bar of Quebec, practicing commercial litigation; Pattner - *Sarna Neudorfer* 1998 to date; former Partner - *McCarthy Tetrault* 1974-1997

PUBLICATIONS:

Law and Professional:

I- Books:

Bankruptcy of C017Jorations, Lexis-Nexis, Toronto, 1992 to date

Bills of LClding, Carswell, Toronto, 2018

Cheques and Promissoi y Notes, Carswell, Toronto, 2018

Letters of Credit, (3rd ed.) CE1rswell, Toronto, 1997 to date

Law of Declaratory Judgements, 4th edition, Carswell, Toronto, 2016

Erica F. Schohn

Skadden

Partner, New York

Executive Compensation and Benefits

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Education

J.D., Duke University School of Law (*magna cum laude*)

B.A., Pennsylvania State University (high honors)

Bar Admissions

New York

Erica Schohn's practice focuses on compensation and benefits arrangements in U.S. and cross-border corporate transactions (including mergers and acquisitions, public offerings, bankruptcy reorganizations and carve-out transactions), the negotiation of executive employment and severance arrangements, and the drafting and implementation of equity and other compensation programs.

Ms. Schohn frequently advises clients on the U.S. Securities and Exchange Commission (SEC) rules governing executive compensation disclosure and corporate governance matters relating to compensation practices. As part of this practice, Ms. Schohn is a member of panels and committees comprised of leading government and private- and public-company governance professionals, and she speaks regularly with representatives from the SEC, stock exchanges, institutional investor groups and proxy advisory firms on the latest issues in corporate governance.

Ms. Schohn also regularly advises clients regarding tax planning with respect to compliance with Internal Revenue Code Section 409A and the tax rules relating to deferred compensation, the excise tax on excess parachute payments and limits on the deductibility of executive compensation.

Her experience includes representing companies, private equity funds and individuals in, among others, the pharmaceutical, medical supply, financial, energy, entertainment and travel industries.

Ms. Schohn is the author and editor of the *Section 409A Handbook*, published by Bloomberg BNA, and speaks at seminars on issues relating to cross-border employee matters, data privacy, executive compensation, tax planning and corporate governance. Ms. Schohn also has repeatedly been selected for inclusion in *Chambers USA: America's Leading Lawyers for Business*, was named as a Rising Star in 2018 by *Law360* and has been named to *The Legal 500 U.S.* She is a member of the Skadden team that was recognized by *Chambers USA* in 2013 with its Award for Excellence, given annually to a select group of firms on the basis of pre-eminence in key practice areas. Ms. Schohn also was named as a 2017 BTI Client Service All-Star for providing outstanding client service.

Ms. Schohn is the founder of Connections, a group of employment and benefits lawyers from more than 30 countries on six continents who meet regularly to educate each other on global employment issues and speak at seminars on changes in laws relevant to multinational companies.

THOMPSON HINE

William H. Schrag

Partner

William.Schrag@ThompsonHine.com

Business Restructuring, Creditors' Rights & Bankruptcy
International

Bill is a partner in the Business Restructuring, Creditors' Rights & Bankruptcy group. With more than 30 years of experience, he focuses his practice in the areas of bankruptcy, commercial litigation and creditors' rights. Bill represents clients in domestic and international bankruptcy litigation, workouts, corporate reorganization and related matters. He represents major financial institutions, including bank lenders, agents and indenture trustees, as well as manufacturers and institutional creditors, official creditors' committees, Chapter 11 trustees, purchasers of estate assets and court-appointed examiners in U.S. and cross-border bankruptcy proceedings. Bill also represents commercial lenders in state and federal courts in actions to enforce creditors' rights and to defend against lender liability claims. Representative engagements include:

- Representing indenture trustee for $250 million public debt issuance of Artsonig Pty Limited in connection with parallel insolvency proceedings in Australia and the United States (Bankr. S.D.N.Y.).
- Representing major manufacturer and beneficial cargo owner in Chapter 15 bankruptcy case of Hanjin Shipping Co., Ltd. (Bankr. D.N.J.).
- Representing major commercial bank, as first lien lender, in out-of-court financial restructuring of corporate borrower with operations in the United States and Canada.
- Representing major creditor in Eastman Kodak Company (Bankr. S.D.N.Y.).
- Representing U.S. indenture trustee in concurso proceedings of Mexican non-bank and mortgage and construction lender.
- Representing administrative agent, collateral agent and secured lenders in Evergreen International Airlines, Inc. (Bankr. Del.).
- Representing agent bank on $770 million secured credit facility involving 24 lenders in Freedom Communications Holdings, Inc. and 49 of its affiliates (Bankr. Del.).
- Representing largest Mexican airline in its Chapter 15 bankruptcy case in the United States involving more than $1 billion in debt (Bankr. S.D.N.Y.).
- Representing largest secured creditor in ROL Manufacturing (Canada) Ltd., involving cross-border proceedings in both Canada and the United States (Bankr. S.D. Ohio).
- Representing largest bank creditor in Escada (USA), Inc., individually and as co-chair of the official creditors' committee (Bankr. S.D.N.Y.).
- Representing various parties in interest in other cases of national significance, including Westinghouse, MF Global, Lyondell, Delaco, Enron, Rockefeller Center Properties, Montgomery Ward, London Fog, Commodore, Barney's and Penrod.

Contact Information

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Education

- Brooklyn Law School, J.D., 1978
- George Washington University, B.A., 1975, Phi Beta Kappa

Admissions

- New York
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York

Scott Schwartz focuses his practice on representing international and domestic insurers in investigating claims, developing coverage analysis and litigating disputes. He has extensive experience addressing coverage issues from multiple angles and experience regarding complex electronic discovery issues that often arise in commercial litigation, as well as experience responding to government requests for information and investigations. Scott has advised clients regarding various types of policies, including D&O policies, E&O policies, property and casualty policies, and financial institution bonds.

Scott joined Clyde & Co. from another Sullivan & Cromwell LLP, where his practice focused on insurance coverage, environmental law, antitrust and government investigations. Following law school, Scott clerked for one year for the Hon. Anthony J. Trenga in the US District Court for the Eastern District of Virginia.

Education

J.D., University of Virginia School of Law, 2009. Order of the Coif, Articles Editor of the Virginia Law Review.

B.A., Environmental Biology, Dartmouth College, 2006, *cum laude*

Publications

"Interplay between the adverse interest rule and misrepresentations in the fidelity bond application," Clyde & Co, October 2016

Co-author, "The Possession and Control Requirement for Third Party Losses Under Fidelity Bonds," Clyde & Co International Review, September 2015

THOMPSON HINE

David M. Schwartz

Partner
Practice Group Leader, International Trade

David.Schwartz@ThompsonHine.com

International Trade
International

Overview

David is the leader of the firm's International Trade practice group, a member of the firm's International Committee and pro bono coordinator for the Washington, D.C. office.

He advises clients on the risks and opportunities presented by U.S. international trade laws and regulations and international trade agreements. He focuses on antidumping (AD), countervailing duty (CVD) and safeguard litigation, international trade policy, and cross-border compliance issues affecting goods, services, technology and investments that involve transportation, customs, export controls, economic sanctions, anti-boycott and anti-bribery laws and regulations.

In April 2006, David was appointed to the U.S. NAFTA Chapter 19 Roster of Panelists to hear disputes under the trade remedy laws. Since 2010, he has served on the editorial advisory board of International Trade Law360.

Prior to private practice, David served as a judicial clerk to the Honorable A. Joe Fish, U.S. District Court for the Northern District of Texas.

Experience

David's areas of experience include:

- Counseling clients on international trade issues under U.S. laws, and NAFTA and WTO rules.
- Advocating for clients in administrative proceedings before the U.S. International Trade Commission (ITC), the Bureau of Industry and Security (BIS) and the Import Trade Administration (ITA) at the U.S. Department of Commerce, U.S. Customs and Border Protection (CBP), the Directorate of Defense Controls (DDTC) at the U.S. Department of State, the Office of Foreign Assets Control (OFAC) at the U.S. Department of the Treasury, the U.S. Department of Transportation (DOT), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at the U.S. Department of Justice (DOJ).
- Representing clients' interests before the U.S. Congress and Executive Branch agencies.

Contact Information

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Washington, D.C. 20036-3537
Direct: 202.263.4170
Fax: 202.331.8330

Education

- Harvard Law School, J.D., 1991, Alpha Lambda Delta Fellowship, McMannis Trust Scholarship, *Harvard International Law Journal*
- Victoria University of Wellington,, 1988, Rotary International Foundation Scholar
- Fletcher School of Law and Diplomacy, M.A.L.D., 1987
- The University of Texas at Austin, B.A., 1984, Highest Honors, Phi Beta Kappa, Presidential Scholarship, College of Liberal Arts "Ten Distinguished Graduates"

Publications

- "Trump Administration Self-Initiates Section 232 National Security Investigation into Automobile and Automotive Parts Imports," Thompson Hine *International Trade Update*, June 2018
- "USTR Releases Proposed Determination in the Section 301 Investigation of China's Policies and Practices Related to Forced Technology Transfers and Discriminatory Intellectual Property Practices," Thompson Hine *International Trade Update*, April 2018
- "Department of Commerce Releases Requirements for Requesting Product-Based Exclusions from the Section 232 Aluminum and Steel Tariffs," Thompson Hine *International Trade Update*, March 2018
- "President Trump Signs Proclamations for Section 232 Tariffs on Aluminum and Steel," Thompson Hine *International Trade Update*, March 2018
- "U.S. Department of Commerce Self-Initiates AD/CVD Investigations on Aluminum Sheet From China," Thompson Hine *International Trade Update*, November 2017
- "CFIUS Annual Report Reflects Increased National Security Scrutiny of Foreign Acquisitions," Thompson Hine *Business Law Update*, Fall 2017
- "U.S. Importers of 5050-Grade Aluminum Alloy Extrusions From China Now Face More Than a 400 Percent Increase in Duties," Thompson Hine *International Trade Update*, July 2017
- "U.S. International Trade Commission Issues Preliminary Recommendations for Miscellaneous Tariff Bill, Will Consider Comments on Certain Rejected Petitions," *International Trade Update*, June 2017
- "Status Report – Recent Actions & Key Policymakers in the Renegotiation of the North American Free Trade Agreement," Thompson Hine *International Trade Update*, May 2017
- "Trump Administration's Second Section 232 Investigation in a Week Focuses on National Security Threat of Aluminum Imports," Thompson Hine *International Trade Update*, May 2017
- "Trump Administration Initiates Rare Section 232 Investigation Into National Security Implications of Steel Imports," Thompson Hine *International Trade Update*, April 2017
- "In 'Unprecedented Action,' Commerce Applies 'Particular Market Situation' Provision of Trade Preferences Extension Act of 2015 in Antidumping Proceeding," Thompson Hine *International Trade Update*, April 2017
- "Office of the U.S. Trade Representative Releases President Trump's Trade Policy Agenda," Thompson Hine *International Trade & Customs Update*, March 2017
- "ZTE Pleads Guilty to Illegal Exports to Iran and North Korea," Thompson Hine *International Trade & Customs Update*, March 2017
- "Trump Administration: Key Players in International Trade," Thompson Hine *International Trade & Customs Update*, January 17, 2017
- "Looking Back: Trump and Trade," Thompson Hine *International Trade & Customs Update*, January 9, 2017
- "ITC Launches New MTB Petition Process," Thompson Hine *International Trade & Customs Update,* October 20, 2016
- "Hanjin Shipping Bankruptcy: What Cargo Owners Need to Know," Thompson Hine *Transportation Update*, September 2016
- "Petitions to Modify GSP Country & Product Lists Due October 4," Thompson

Hine *International Trade & Customs Update*, September 6, 2016

- "CBP Publishes Interim Regulations on Investigating Evasion of AD/CVD Orders," Thompson Hine *International Trade & Customs Update*, August 29, 2016
- "New MTB Process Offers Significant Opportunity to Reduce Import Duties," Thompson Hine *International Trade & Customs Update*, May 20, 2016
- "Long-Awaited Customs Law Strengthens Enforcement of Trade Remedy Orders and Intellectual Property Rights and Introduces Other Significant Changes," Thompson Hine *International Trade & Customs Update*, February 29, 2016
- "WTO Expands Scope of Products Under Information Technology Agreement," Thompson Hine *International Trade & Customs Update*, December 2015
- "Survey of U.S. Financial Services Providers' Transactions with Foreign Persons Due November 1, 2015," Thompson Hine *International Trade & Customs Update,* October 2015
- Author, Editorial Chapter, "WTO," *Getting the Deal Through*, Fall 2014
- Co-author, "Getting the Deal Through – Trade & Customs 2015," *Getting the Deal Through*, Fall 2014
- "USTR to Negotiate Environmental Goods Agreement," Thompson Hine *International Trade & Customs Update,* April 2014
- "Proposed TPA Bill Key to Successful U.S. Trade Negotiations," Thompson Hine *International Trade & Customs Update,* January 2014
- "Bali High: Customs Treaty First WTO Agreement Since 1995 Founding," Thompson Hine *International Trade & Customs Update,* January 2014
- Co-author, "Getting the Deal Through – Trade & Customs 2014," *Getting the Deal Through,* Fall 2013
- Author, "GATS - Easing the Pain of Market Access?" Globalization and Localization Association (blog), April 2013
- Author, "Top 10 International Trade Law Best Practices for General Counsel," *Corporate Counsel*, November 2012
- Author, "Is Your Company Website Revealing International Trade Violations?" *Corporate Counsel*, June 2012
- Co-author, "US Companies Gain Easier Access to FTZs Under Revised Regulations," *The Bureau of National Affairs*, April 2012
- Co-author, "Customs Law," *The International Lawyer*, Summer 2008

Distinctions

- Recipient of the Sigma Alpha Mu Fraternity Outstanding Alumnus Award

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Professional & Civic

Professional Associations

- District of Columbia Bar
- Texas State Bar

Professional Activities

- Law360 International Trade Editorial Advisory Board, member

Community Activities

- Fletcher School of Law and Diplomacy, LL.M. Advisory Council, chair; class secretary; Alumni Association, past president
- Jewish Social Service Agency of Greater Washington (JSSA), Board of Directors and Executive Committee, vice president

Admissions

- District of Columbia
- Texas
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of International Trade
- U.S. Supreme Court

Simon Seida

Associate | Montréal

simon.seida@blakes.com
Montréal: 514-982-4103

Simon's practice covers various fields of commercial litigation, including class actions, insurance disputes, product liability, and professional malpractice. In addition to regular civil proceedings, he represents clients in obtaining, or defending against, injunctions, seizures before judgment and other extraordinary proceedings. In the course of his practice, he regularly appears before courts and administrative tribunals in Quebec, including for several trials.

Simon also advises corporations and individuals in relation to regulatory or criminal matters, such as anti-corruption, competition, environmental or financial matters. In this context, he advises clients in responding to search warrants and investigations by government authorities or in conducting internal investigations.

Simon has advised national and international corporations on various matters dealing with dispute avoidance and resolution and with compliance with the penal provisions of statutes in Quebec and Canada.

Simon is fluent in French and English.

SELECT EXPERIENCE

- Defended corporations in consumer and nuisance-related class actions
- Represented the mutual insurer of the large accounting firms in civil proceedings related to the longest-running judicial saga in Canada
- Advised corporations during the course of investigations by government authorities, including during the execution of search warrants
- Conducted internal investigations on behalf of public companies
- Represented a mining company in the context of one of the most important environmental investigation in Canada
- Defended health-care, financial and legal professionals in malpractice claims
- Represented financial institutions in the context of regulatory proceedings
- Represented corporations in cases of alleged fraud, including cases involving provisional injunctions and seizures before judgment
- Defended electronics manufacturers and distributors in product liability claims
- Represented an insurer in civil proceedings relating to an international insurance program

PUBLICATIONS

Co-author: Fight Against Corruption: Quebec Grants UPAC Greater Independence, Authorizes Agreements with Cooperating Witnesses
Blakes Bulletin on Business Crimes, Investigations & Compliance, February 21, 2018.

Co-author: No More Grease Payments – Canada Repeals Exception for Facilitation Payments
Blakes Bulletin on Business Crimes, Investigations & Compliance, October 30, 2017.

Co-author: Dropping the Dime: Risks of Giving Evidence to Canadian Securities Regulators
Blakes Bulletin on Business Crimes Investigations & Compliance and Securities Litigation, May 19, 2016.

Co-author: Quebec case expands definition of bribery
The Lawyers Weekly, p. 14, October 23, 2015.

Co-author: Government Fraud and Corruption: Ex-Mayor and Engineer Convicted in Major Municipal Corruption Case in Quebec
Blakes Bulletin on Business Crimes, Investigations & Compliance, September 2015.

PROFESSIONAL APPEARANCES

Speaker: What's Next in Securities Litigation: Emerging Technologies and Industries
Blakes Business Class Seminar, Toronto, Ontario, February 8, 2018.

Speaker: Internal Investigation: Preparing and Implementing your Action Plan
Blakes Business Class Seminar, Montréal, Quebec, October 11, 2017.

Speaker: Conducting an Internal Investigation: Best Practices
Blakes Business Class Seminar, Montréal, Quebec, February 7, 2017.

Co-speaker: Business Crimes in Canada
2016 Litigation, Arbitration and Dispute Resolution Practice Group North America Regional Meeting, Lex Mundi, Nashville, Tennessee, November 10-11, 2016.

Speaker: Economic Crimes: a Review of Canadian Offences
Criminal Law Committee of the University of Montreal, Montreal, Québec, November 4, 2016.

Speaker: Contrats publics à l'ère post-Charbonneau
Blakes Business Class Seminar, Montréal, Québec, February 4, 2016.

MEDIA APPEARANCES

Interviewed: City of Montreal asks companies to repay collusion cash
CBC News, November 3, 2015.

PROFESSIONAL ACTIVITIES

Simon is a member of the New York State Bar, the Montreal Bar, the American Bar Association and the Young Bar Association of Montreal. He is also a member of the Quebec-Japan Business Forum.

At Blakes, Simon is a member of the Diversity & Inclusion Committee.

EDUCATION

Admitted to the Quebec Bar - 2010
Admitted to the New York State Bar - 2009
B.C.L./LL.B. (with Great Distinction), McGill University - 2008

Industries

Financial Services
Maritime
Transportation
Structured Finance

Practices

Corporate
International
Tax
Structured Finance
Equipment Leasing
Maritime

Education

LLM (in Taxation), 1979, New York University School of Law

JD, 1975, Harvard Law School

BA, 1968, Columbia University, cum laude, Phi Beta Kappa

Admitted To Practice

New York 1976

United States Tax Court 1987

Supreme Court of the United States 2017

James Russell Shorter, Jr.
Shorter Law Offices

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jamesrshorter@yahoo.com
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New York, NY 10004
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Mobile +1 917.459.3697
Fax: +1 646.607.4850

James R. Shorter, Jr. has more than 30 years experience advising regarding a broad range of U.S. tax and legal issues, including U.S. taxation of inbound and outbound international transactions.

He advises regarding the U.S. legal and income tax issues facing foreign business entities engaging in commercial transactions and investing in the U.S., and regarding U.S. income taxation of domestic business entities undertaking investments and business in foreign jurisdictions.

He advises parties to international and U.S. domestic investment and financing transactions, including equipment leases and loans secured by equipment.

He advises regarding U.S. business structures, including U.S. corporate entities, LLCs, limited partnerships, and other joint ventures for investing in the United States.

He began his legal career at the New York office of the law firm of Thacher Proffitt & Wood, LLP and later became a partner in the firm's Tax Practice Group. Following the dissolution of Thacher Proffitt at the end of 2008, he continued his legal practice at his newly established Shorter Law Offices.

He also served as a Supply Corps officer in the U.S. Navy, retiring as a Captain.

Publications / Articles

- "Federal Income Taxation of Equipment Leasing," Chapter 35, in *Equipment Leasing*, published by LexisNexis (formerly, by Matthew Bender) (23rd annual revision - April 2018; original publication date - Spring 1994).
- "The Impact of EU Law on Cross Border Taxation -- Issues Relating to Limitation on Benefits Provisions in Income Tax Treaties Between EC Member Countries and the United States," International Law Practicum, New York State Bar Association International Section (Spring 2004).
- "Revenue Ruling 2002-69 Concludes that LILOs Confer a Future Interest in Property, Not a Current Leasehold Interest," 20 Journal of Taxation of Investments 327 (Summer 2003).
- "At Long Last the Final Section 467 Regulations," 53 The Tax Lawyer 383 (Winter 2000), relating to the U.S. income taxation of leasing transactions.
- Co-author of "Wraparound Lease Financing of Personal Property," 41 Bus. Law. 747 (May 1986)
- "In the Wake of the 1972 Amendments to the L. &H.W.CA.: the Vessel's Rights Against the Stevedore," 7 J. Mar. L. & Com. 671 (1975-1976).

Events / Speeches

- Speaker for panel, "The Development Trend of International Arbitration Rules and China Related Arbitration", in connection with the SCIA Seminar, “Is International Arbitration in China Impartial? The Perspectives of the Shenzhen Court of International Arbitration (SCIA) and Its Reform and Innovation”, New York, NY (June 27, 2018)
- Co-Chair/Speaker for panel, " BEPS Latin American Style", New York State Bar Association, International Section, Fall Meeting, Antigua, Guatemala (September 13, 2017)
- Co-Chair/Speaker for panel, "Transaction Structure and Tax Issues," Joint Seminar UIA and NYSBA Int'l Section on Cross-Border Mergers and Acquisitions, New York, NY (June 2017)
- Co-Chair/Speaker for panel, "The OECD Wants Multinationals to Pay their "Fair Share" - Selected Aspects of the BEPS Project," New York State Bar Association, International Section, Fall Meeting, Paris (October 20, 2016)
- Co-Chair/Speaker for panel, "Energy Sector Investment in Brazil and Mexico," New York State Bar Association, International Section, Fall Meeting, São Paulo, (October 16, 2015)
- Co-Chair/Speaker for panel, "FATCA Implementation," New York State Bar Association, International Section, Fall Meeting, Vienna (October17, 2014)
- Co-Chair/Speaker for panel, "Canada-U.S. Tax Treaty Issues," New York State Bar and Ontario Bar Associations, Ontario – New York Legal Summit, Toronto (March 28, 2014)
- Co-Chair/Speaker for panel, “International Tax Planning for Business Investments in Vietnam and the New Asia," New York State Bar Association, International Section, Fall Meeting, Hanoi (October 25, 2013)
- Speaker for panel, “Attorney Client Privilege in Tax Practice,” at conference, “Creating a Global Law Department: China and U.S. Perspectives,” held by the NYSBA, International Section and Peking University School of Transnational Law, Shenzhen, China (January 10, 2013)
- Co-Chair/Speaker for panel, "International Tax Planning for Investment in the European Union," and Speaker on Panel regarding “Research and Development Incentives,” New York State Bar Association, International Section, Fall Meeting, Lisbon (October 11, 2012)
- Co-Chair of panel, "Utilizing Tax Incentives for Infrastructure Ventures in Latin America," New York State Bar Association, International Section, Fall Meeting, Panama (September 23, 2011)
- Co-Author of paper, "International Tax Planning for Investment and Trading of Natural Resources," prepared for the New York State Bar Association, International Section, Fall Meeting, Sydney (October 28, 2010)
- Co-Chair/Speaker for panel, "Tax Strategies for Businesses Investing in Asia," New York State Bar Association, International Section, Fall Meeting, Singapore (October 28, 2009)
- Co-Chair of panel, "Harmonization of EU Tax Laws - Effect on Multinational Businesses," and Speaker on "U.S. Perspective and Consolidation Experience," New York State Bar Association, International Section, Fall Meeting, Stockholm, Sweden (September 19, 2008)
- Speaker on panel, "International Fiscal/Tax Planning for Investment in the Mining Industry in Peru," New York State Bar Association International Section Fall Meeting, Lima, Peru (September 2007)
- Speaker on panel, "Update and Issues in the Leasing Area," Capital Recovery and Leasing Committee, ABA Tax Section Meeting, Washington, DC (May 12, 2007)
- Co-Chair/Speaker for panel, "Strategies for Establishing a Business in China," New York State Bar Association, International Section, Fall Meeting, Shanghai, China (October 19, 2006)
- Speaker on panel, "Navigating US-UK Tax Issues under the New US-UK Income Tax Treaty." Topic: "Dividend Withholding Issues, Including Limitations on Benefits," New York State Bar Association, International Section, Fall Meeting, London, England (October 20, 2005)
- Speaker on panel, "SILOs: Notice 2005-13 and Issues Presented by Section 470," Capital Recovery and Leasing Committee at ABA Tax Section Spring Meeting, Washington DC (May 20, 2005)
- Speaker at a conference with the Legislative Affairs Commission of the Standing Committee of the National People's Congress of the People's Republic of China on basic legal framework of US corporate and securities laws and legislation regarding corporate governance and practices (November 22, 2004)

- Speaker on panel, "The Impact of Latin American Bilateral and Multilateral Tax Treaties on Capital Inflows and Trade." Topic: "Select Tax Issues Regarding United States Outbound Investment," New York State Bar Association, International Section, Fall Meeting, Santiago Chile (November 11, 2004)
- Speaker at conferences in China regarding "Doing Business and Raising Capital in the U .S. and Promoting U.S. Investment" at the Tianjin Investment Promotion Center (September 6, 2004) and at the Jinan High-Tech Development Zone (September 8, 2004)
- Speaker on panel, "LILO Update," ABA Tax Section, Capital Recovery and Leasing Committee Meeting (January 30, 2004)
- Speaker on "Key Issues in China for American Companies" at the "Go Global - 2003 China / U.S. Economic & Trade Conference" (November 18, 2003)
- Co-Chair of panel, "The Impact of EU Law on Cross-Border Taxation," and Panelist, "Issues Relating to Limitation of Benefits Provisions in Income Tax Treaties between EC Member Countries and the U.S." at the New York State Bar Association, International Section, Fall Meeting, Amsterdam, (October 23, 2003)
- Co-Chair and speaker on panel, "Rev. Rul. 2002-69 on LILOs - Back to the Future Interest," ABA Tax Section, Capital Recovery and Leasing Committee Meeting (January 24, 2003)
- Co-Chair/Speaker for panel, "Taxation of Cross Border Investments," at the New York State Bar Association, International Section, Fall Meeting, Rome. (October 19, 2002)
- Co-Chair/Speaker for panel, "Recent Developments Regarding Leasing Transactions," ABA Tax Section, Capital Recovery and Leasing Committee Meeting (May 10, 2002)
- Speaker on panel, "Leasing Update: Recent Developments, Particularly FSAs, Relating to Leasing Transactions," ABA Tax Section, Capital Recovery and Leasing Committee Meeting (January 18, 2002)
- Co-Chair of panel, "Latin Leasing," at the New York State Bar Association, International Section, Fall Meeting, Rio de Janeiro, and spoke regarding "U.S. Extraterritorial Income ("ETI") Exclusion for Cross-Border Leasing Transactions" (October 18, 2001)
- Co-Chair and speaker on panel, "Recent Field Service Advices Issued with Respect to Leasing Transactions," ABA Tax Section, Capital Recovery and Leasing Committee Meeting (May 11, 2001)

Professional / Civic Affiliations

- American Bar Association
    - Tax and International Sections
    - Tax Section: Capital Recovery and Leasing Committee (Past Chair); Foreign Activities of U.S. Taxpayers (FAUST) Committee
    - International Section: China Committee
- International Fiscal Association
- Inter-Pacific Bar Association
- Maritime Law Association of the United States
- New York State Bar Association
    - International Section, Tax Committee (Co-Chair)
    - Tax Section
- New York City Bar Association

GLENN A. SMITH

Glenn Smith is a Partner of Lenczner Slaght Royce Smith Griffin LLP. His practice is varied with a strong emphasis on commercial insurance litigation. He is recommended by Lexpert, Canada's Leading Expert Directory, in insurance litigation. Mr. Smith appears before a wide variety of courts and tribunals, including the Supreme Court of Canada. He has special interest in commercial insurance litigation, in particular, class actions involving director and officers liability and their insurance coverage, products liability, medical-device, environmental claims and insurance coverage disputes. He is the Canadian editor of The American Re's *Environmental Coverage Case Law Review* published annually (www.amre.com).

A certified mediator, Mr. Smith has a B.Sc (Bio-Chemistry) and graduated from Dalhousie University with an LL.B. in 1974. He was admitted to the Ontario Bar in 1976. He is one of the five founding partners of Lenczner Slaght. Lenczner Slaght has been named by Chambers Global, the international legal review, as Canada's leading litigation practice. The Canadian competition to Chambers; Lexpert, has also ranked the Firm as number one; by placing Lenczner Slaght at the centre of its "Bulls Eye' survey.

Mr. Smith was an Adjunct Professor at Osgoode Hall Law School in Toronto where he taught Civil Procedure. Mr. Smith is also an occasional lecturer at the Trial Practice Program at the University of Toronto Law School. Mr. Smith was the head of the Trial Practice Program at the University of Toronto Law School from 1988 until 1992 and has been a Special Lecturer there since 1981. He was formerly the section head of the Trial Advocacy Course at the Law Society of Upper Canada's Bar Admission Course and has taught Civil Procedure. He has lectured and written on insurance law.

Mr. Smith has been involved with coverage issues which include: expected or intended damage or injury; known loss; trigger of coverage; allocation among insurers; sudden and accidental, as well as the absolute, pollution exclusion; late notice; clean-up costs as damages; owned property exclusion; alienated premises exclusion; post-acquisition coverage; drop-down issues; "other insurance" issues; and the obligations owed by a primary insurer to an excess insurer.

He has been retained on some of the most significant cases on insurance law in Canada including; the Mississauga Train Derailment, Walkerton (e-coli), *Alie v. Bertrand*, Crumbling Concrete Class Action (*Denis v. Lafarge*); *Hollinger v. Liberty Mutual*; *Boreal v. Scottish & York*; *Whirlpool v. National Union.*

FRIEDMAN KAPLAN
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Robert S. Smith

PARTNER Litigation

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Fax: 212.373.7925

FAST FACTS

PRACTICE AREAS

Appellate

Complex Commercial Litigation

Trial, Arbitration, and Mediation

EDUCATION

Columbia Law School, J.D., *magna cum laude* (1968)

Stanford University, B.A., with great distinction (1965)

BAR ADMISSIONS

U.S. District Courts for the Southern and Eastern Districts of New York

U.S. Court of Appeals for the Second Circuit

State of New York

U.S. Supreme Court

The Honorable Robert S. Smith (Ret.) is head of the firm's appellate practice, and focuses on trials and appeals. Judge Smith joined Friedman Kaplan following his retirement as Associate Judge of the New York State Court of Appeals, New York's highest court, where he served for more than a decade. During his time on the bench, he wrote scores of opinions and became well known for his judicial scholarship, insight, and intellectual rigor.

Prior to his time on the Court of Appeals, Judge Smith practiced law in New York City, and was a partner with Paul, Weiss, Rifkind, Wharton & Garrison for over 25 years. He has argued dozens of appeals before the federal and New York appellate courts, and two appeals before the United States Supreme Court. His trial experience in complex commercial cases is also extensive. He is a Fellow of the American College of Trial Lawyers.

Since joining Friedman Kaplan, Judge Smith has been active primarily in appeals, trial-level commercial litigation, expert witness testimony, and alternative dispute resolution.

REPRESENTATIVE MATTERS

- **Appeals**
  - *Commercial Tenant Services v. Northern Leasing*, 131 A.D.3d 895 (1st Dept. 2015).
  - *John Quealy Irrevocable Trust v. AXA Equitable Life Insurance Co.* (2017 WL 2636366) (decided June 20, 2017 by the Appellate Division, First Department).
- **Trials**
  - *Hellenic-American Educational Foundation v. Trustees of Athens College* (2015-16) (New York County Supreme Court, Commercial Division).
  - *Town New Development v. Reuveni* (2017) (New York County Supreme Court, Commercial Division).
- **Significant Cases Settled Before Trial**

Robert S. Smith

- *Camp v. Berman* (2015-16) (U.S. District Court, Southern District of New York).
- *Maitland v. Town Residential* (2016) (New York County Supreme Court, Commercial Division).

- **Expert Witness Testimony on New York Law Issues**
  - *Lehman Brothers International (Europe) (In Administration)* (UK High Court of Chancery, report dated June 25, 2015).
  - *American International Group v. Huaxia* (High Court of Hong Kong Special Administrative Region, report dated December 21, 2015).
  - Judge Smith has also submitted expert reports and/or testified orally in courts in Australia, Canada, the Grand Caymans and the Netherlands, and in an arbitration tribunal in the United States.

- **Alternative Dispute Resolutions**
  - Judge Smith has conducted several confidential mediations, and has been designated as an arbitrator in two proceedings.

OUTSIDE THE OFFICE

Judge Smith taught at the Benjamin N. Cardozo School of Law from 2006 until 2015, and taught at Columbia Law School from 1980 until 1990. He is the author of several articles, and a frequent speaker at bench and bar events.

NEWS + INSIGHTS

Setting Dates on a Motion for Summary Judgment in Lieu of Complaint

Portrait of the Honorable Robert S. Smith (Ret.) for Display in the New York State Court of Appeals Completed

Judge Robert S. Smith of the New York Court of Appeals to Join Friedman Kaplan

Attorney advertising; prior results do not guarantee a similar outcome.

soffer

AVOCATS
ATTORNEYS AT LAW

Ron Soffer founded Soffer Avocats, a Paris based international litigation boutique in 1994.

As a member of the Paris, New York and Israel bars, Mr. Soffer has 33 years of substantial experience in litigating cases before the lower courts and court of appeals in Paris and throughout the territory of France as well as abroad – in Germany, Greece, Switzerland, Luxembourg, The Netherlands, Liechtenstein, Hungry, Morocco, Hong Kong, Singapore and the United States. Mr. Soffer argued before the United States Court of Appeals for the Second Circuit in New York.

He is known for his management and coordination of complex multi-jurisdictional litigation in criminal, civil and commercial cases in France and abroad, especially in the United States, where he has coordinated litigation for European clients. Mr. Soffer also dealt on behalf of clients with the U.S. Attorney's Office for the Southern District of New York. He is well versed in the rules of U.S. discovery and other procedural aspects of U.S. litigation, especially its impact on Europeans and European entities. Mr. Soffer also presented cases to the French Competition Authority which led to significant decisions in antitrust case law. Mr. Soffer presented cases to the European Court of Human Rights.

Mr. Soffer does not only represent his clients before judicial courts but also before arbitral tribunals.

Mr. Soffer's substantial experience in litigation led him to advise his clients in criminal proceedings initiated in France and in the United States.

Ron Soffer is also versed in public international law and has worked on dozens of cases presented to the Israeli Supreme Court on issues of laws of war. He served for five years as an officer in the International Law Branch of the Judge Advocate General of the Israel Defense Forces, working on cases involving international law. Mr. Soffer has also acquired important experience in criminal law. For that reason he figures on the list of counsels admitted to act before the International Criminal Court in The Hague and is member of the scientific committee of the criminal law institute of the Paris Bar.

The areas of law litigated over the years include: domestic and multi-jurisdictional criminal cases, administrative law, art law, international human rights law, European law, private international law, commercial law, patent cases, copyright and licensing, antitrust, unfair trade practices, scientific development contracts, French and international contract law, banking and letter of credit law, securities litigation, information technology, partnerships, multijurisdictional inheritance cases, real property.

Ron Soffer has litigated cases in many sectors including the pharmaceutical industry, health care, infrastructure, distribution, banking, investment banking, investment funds, information technology and software, real estate, and in the field of art and entertainment.

Mr. Soffer was asked to join the international Panel of Arbitrators of the International Centre for Dispute Resolution (the international division of the American Arbitration Association). On May 23rd 2014, Ron Soffer became a member of the Chartered Institute of Arbitrators (CIArb) and became a Fellow of the CIArb in July 2014.

Mr. Soffer is regularly invited to sit in legal panels.

He has also lectured several times before Israeli judges on comparative procedure. In March 2018, he will, as a visiting professor, teach a two-week course on the European Court of Human Rights, at the Faculty of Law of the Hebrew University of Jerusalem.

Legal 500 has rated Soffer Avocats as one of the top litigation firms in Paris and noted the following:

"*The six lawyers making up the Soffer Avocats team are "excellent, responsive and have a positive outlook". They excel in managing complex cross-border litigation and their ability to operate efficiently and creatively in very diverse matters is impressive: corporate law, securities law, inheritance cases or patent law. The firm assists both companies and investors, and is involved in many highly strategic cases.*

The head of the litigation practice, Ron Soffer, who is a member of the Paris, New York and Israel bars, is "a leading international practitioner accustomed to transnational litigation and in whom his clients have absolute confidence". He has "an excellent knowledge of both Anglo-Saxon and civil judicial systems" and stands out for "his capacity to develop and implement a global strategy while delivering the most aggressive and effective defense in each jurisdiction"." (Translation Soffer Avocats)

QUALIFICATIONS

2014	Admitted as a Fellow of the Chartered Institute of Arbitrators
	Admitted as a member of the Chartered Institute of Arbitrators
	Admitted on the List of Counsel authorized to act before the International Criminal Court
	Admitted to the Bar of the Supreme Court of the United States
2013	Member of the International Panel of Arbitrators of the International Centre for Dispute Resolution
1992	Admission to the Paris Bar
1990	Admission to the New York Bar
1984	Admission to the Israel Bar

MARVAL
O'FARRELL
MAIRAL

Rodrigo Solá Torino

Tel. (54-11) 4310-0100
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rst@marval.com

Rodrigo Solá Torino joined Marval, O'Farrell & Mairal in 1998 and has been a partner in the firm since 2012. He specializes in labor & employment matters, social security, immigration regulations and mergers & acquisitions.

He has a strong background in the labor aspects of M&As, rightsizings, negotiations with unions as well as hiring and termination procedures involving foreign executives. Rodrigo has been handling the immigration practice of the firm on the last years.

Rodrigo has been ranked since 2015 in Chambers Latin America, and also recognized as leading lawyer by The Legal500. According to Chambers, clients have said *"He is dedicated, and versatile, and has a great understanding of the needs of a multinational."* They added: "*Rodrigo is always available, always engaged and has given excellent advice over the years."*

He has been assistant professor of International Law, and Labor Law at the Universidad de Buenos Aires and visiting lecturer at Universidad Católica Argentina and Universidad Torcuato Di Tella.

Rodrigo has also published articles and participated as a panelist in seminars related to his practice areas, both in Argentina and abroad.

Current position

Marval, O'Farrell & Mairal
Buenos Aires, Argentina
Partner

Professional experience

Marval, O'Farrell & Mairal
1998 to date

Ministry of Foreign Affairs, Eastern Europe Division, Buenos Aires
1996

Ministry of Foreign Affairs, Argentine Representation to the F.A.O. (United Nations), Rome, Italy
1993

Academic experience

Universidad Católica Argentina
Postgraduate degree in Labor & Social Security Law from, 2006

Universidad de Buenos Aires
Lawyer, 1999

Languages

Spanish
English
Italian

Areas of practice

Labor & Employment, Social Security
Immigration.
Mergers & Acquisitions.

JOSHUA H. SOVEN

Partner
Antitrust

EXPERIENCE:

Joshua H. Soven is a partner in the Washington, D.C., office of Wilson Sonsini Goodrich & Rosati, where his practice focuses on government antitrust investigations, antitrust litigation, and counseling on competition issues. He currently represents Deutsche Telekom in connection with T-Mobile's merger with Sprint Corporation and BNSF Railway Company in a series of putative antitrust class actions.

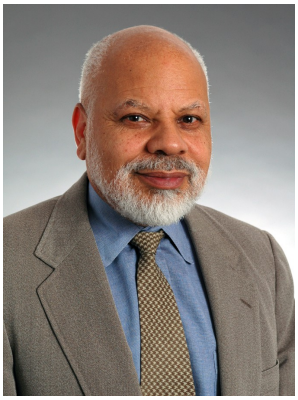
Previously, Josh served in several leadership and trial counsel roles at both U.S. antitrust agencies. From 2007 to 2012, Josh was Chief of the Litigation I Section of the DOJ's Antitrust Division. Josh also served as a trial attorney in the division's Networks & Technology Enforcement Section. From 2004 to 2007, Josh was an Attorney Advisor to FTC Chairman Deborah Platt Majoras, advising her on antitrust enforcement and policy matters. Earlier in his career, he was a special assistant in the U.S. Attorney's Office in Alexandria, Virginia.

Josh is currently an editor of the American Bar Association's (ABA's) *Antitrust Magazine*. He served as a lecturer at the Kellogg School of Management at Northwestern University, where he co-taught a course on strategy and competition policy in the healthcare sector.

Josh served as a law clerk for the Honorable Robert G. Doumar, U.S. District Judge for the Eastern District of Virginia.

Josh earned his J.D. from the University of Virginia School of Law and B.A. from the University of Pennsylvania.

EPSTEIN
BECKER
GREEN



Kenneth G. Standard

General Counsel Emeritus / Of Counsel

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KENNETH G. STANDARD is Of Counsel in the Employment, Labor & Workforce Management practice at Epstein Becker Green, and General Counsel Emeritus of the Firm, having served as its first General Counsel. Based in the New York office, he also is Chair Emeritus of the Firm's Diversity and Professional Development Committee, as well as Chair Emeritus of the Firm's Quality Assurance Committee. A member of the Board of Governors of the American Bar Association ("ABA") from 2010–2012 and again from 2012–2015, Mr. Standard also is a past President of the New York State Bar Association ("NYSBA"), the largest voluntary state bar association in the country.

Counseling and Litigation. His counseling and litigation experience is extensive, encompassing both the private and public sectors. As lead or sole counsel, Mr. Standard has handled more than 40 matters to decision, in federal, state, and local trial and appellate courts, and administrative agencies.

Mr. Standard served as Assistant General Counsel, Labor Relations, Environmental and Benefit Plans, at Consolidated Edison Company of New York City during years when its workforce averaged about 15,000 employees.

Before that, as Director of the Office of Legal Services of the New York City school system and its approximately 100,000 employees, he supervised a law department of approximately 25 attorneys and 20 support staff.

Earlier, as Vice-President and Senior Counsel of the Products Division of what was then the Bristol-Myers Company, he was responsible for all legal matters of the Products Division and of the Monarch Crown government sales corporate subsidiary of the Bristol-Myers company. Included in those legal issues were labor and employment matters presented by the approximately 2,000 non-union employees of the two businesses. He hired the first female attorney in the Bristol-Myers legal department.

Diversity and Professional Development. Mr. Standard has always had a strong commitment to making the legal profession more equitable and more reflective of the country's diverse population and this can be seen in his

professional activities regionally, nationally and internationally. As president of the New York State Bar Association in 2004–2005, he developed a program for inner-city high school students to visit New York state law schools for a full day, meeting law students, faculty, and lawyers and attending mock law school classes. The program continues today, and each of the 15 law schools within the state has participated.

American Bar Association. He is a long-time member of the ABA and of its House of Delegates and served on its Board of Governors from 2010 to 2015, chairing its Executive Compensation Committee from 2014–2015. He also has served as a member of several ABA entities, including the Council for Racial and Ethnic Diversity in the Educational Pipeline, the House of Delegates Resolution and Impact Review Committee, and the Commission on Racial and Ethnic Diversity in the Profession. He is a Life Fellow of the American Bar Foundation and co-chairs the New York State Chapter of the Fellows. He is at present serving for a second time on the ABA's Council for Racial and Ethnic Diversity in the Educational Pipeline, this time as Chairman.

- In February 2017, the ABA Commission on Racial and Ethnic Diversity in the Profession recognized Mr. Standard with a Spirit of Excellence Award, which celebrates the efforts and accomplishments of lawyers who work to promote a more racially and ethnically diverse legal profession. Award recipients must excel in the profession of law, epitomize excellence on a national, state, or local level, and demonstrate a commitment to racial and ethnic diversity in the field of law.
- In February 2011, the ABA recognized Mr. Standard with its Alexander Award for Lifetime Achievement in Pipeline Diversity, for his exemplary leadership and work to increase diversity in the legal profession.

New York State Bar Association.Prior to becoming President of NYSBA, Mr. Standard held several other leadership positions: President-Elect, Chair of the House of Delegates, member-at-large of its Executive Committee, Vice-President, and Treasurer. He has served on many committees, including Judicial Selection, The Law Governing Firm Structure and Operation, Association Governance, Executive Director Search, and Minorities in the Profession. He has chaired the Association's Nominating Committee, its Committee on Diversity and Leadership Development, and its Committee on Judicial Selection. He recently retired as Co-Chair of NYSBA's Committee on Diversity and Inclusion. He continues as a Vice Chair of the Executive Committee of NYSBA's International Section. Mr. Standard has given numerous CLE and other presentations in various parts of the United States, as well as in Austria, Chile, China, France, Panama, Peru, Portugal, Singapore, the United Kingdom, and Vietnam on issues and topics of interest to the global legal community. Mr. Standard is a Life Fellow of the NYSBA Foundation.

- In recognition of his lifetime achievements in the profession, the bar and the community, the Commercial and Federal Litigation Section of NYSBA presented him with the 2013 Honorable George Bundy Smith Pioneer Award.

- In 2013, the Foundation for the Judicial Friends, an organization of minority judges in New York state and federal courts, honored him for his achievements as an attorney and for his service to the community, the profession, and in furtherance of equal opportunity and equal justice.
- In 2006, to honor his professional accomplishments and his efforts to achieve equal justice in our society and equal access to the legal profession, the Corporate Counsel Section of NYSBA established the Kenneth G. Standard Internship Program. The ongoing program is an annual initiative seeking to increase the representation of lawyers from a diverse range of backgrounds in corporate legal departments by creating opportunities at host companies where law students from diverse backgrounds can obtain meaningful, supervised work experience as summer interns.
- In 2015, the *New York Law Journal* honored him with a Lifetime Achievement Award.

Other law-related affiliations.Mr. Standard has also served as chair or member of various committees of the New York City Bar Association, including the Nominating Committee, Lawyers in Transition, and Corporate Counsel. He also is a member of the New York State Chief Judge's Attorney Emeritus Advisory Council, whose mission is to foster pro bono efforts among retired and semi-retired attorneys. He is a former voting member of Empire Blue Cross-Blue Shield.

In 2013, Mr. Standard was elected to the College of Labor and Employment Lawyers as a Fellow, the highest recognition by one's colleagues of sustained, outstanding performance in the profession, exemplifying integrity, dedication, and excellence.

Community organizations. Mr. Standard has long been active in New York City's non-profit community.

Harvard Club of New York City. He has, over the years, held a variety of leadership posts at the 12,000 member Harvard Club of New York City, which was established in 1865, ultimately being elected the first minority President of the Club. While President, he led the planning, financing and building of a long-deferred, eight-story addition to the organization's landmark clubhouse. As Chair of the Club's Athletics Committee in the 1970s, he appointed its first female members. Some years later, as President, he appointed the first female Chair of the Athletics Committee.

Visiting Nurse Service of New York ("VNSNY"). For more than 20 years, Mr. Standard served as a member of the Board of Directors of the VNSNY. He also has served as a member of the Board's Executive and Governance committees and as Chairman of the Board of the VNSNY Family Care Services subsidiary. In 2014, he elected to convert to the status of Director Emeritus. VNSNY is the largest not-for-profit home health care provider in the nation, where annually approximately 13,000 employees care for more than 135,000 patients who have acute and/or chronic health care needs.

Other non-profit affiliations.Mr. Standard formerly served as a Director of the United Seamen's Service and he is past Vice-Chairman of the Board of the Aspirin Foundation of America.

Crain's New York Business named Mr. Standard one of the "100 Most Powerful Minority Business Leaders in New York" in its most recent compilation.

In 2014, Mr. Standard was recognized by his Epstein Becker Green colleagues with the Firm's Making a Difference Award, for his achievements in promoting diversity and inclusion, throughout his career.

Mr. Standard is a graduate of Harvard College and of Harvard Law School. He also earned an LL.M. in Trade Regulation from the New York University School of Law.

Education

- New York University School of Law (LL.M.)
- Harvard Law School (LL.B.)
- Harvard College (A.B.)

Bar Admissions

- New York

Practice Areas

- Class Actions
- Employment Litigation

Court Admissions

- U.S. Court of Appeals for the Second Circuit (retired)
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York

Memberships

- American Bar Association
- Aspirin Foundation of America
- Harvard Club of New York City
- National Bar Association
- New York City Bar Association
- New York State Bar Association
- United Seamen's Service
- Visiting Nurse Service of New York City

Thevenin Arbitration & ADR, LLC
Nancy M. Thevenin, Esq., F.C.I.Arb.
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Email: nancy.thevenin@theveninarbitration.com
Website: www.theveninarbitration.com

Nancy M. Thevenin is an international arbitrator and mediator based in New York City. She is a Fellow of the Chartered Institute of Arbitrators, an adjunct professor of the International Commercial Arbitration course at St. John's University School of Law and the immediate past chair of the New York State Bar Association's International Section.

Ms. Thevenin also serves as a general counsel for the United States Council for International Business (USCIB/ICC USA), the U.S. national committee to the ICC International Court of Arbitration© and manages its Arbitration & ADR Committee, which, inter alia, provides assistance in the nomination of U.S. arbitrators, makes referrals to parties seeking arbitration practitioners and arbitrators, and serves as a resource for the U.S. business community about the ICC's dispute resolution services. Aside from general corporate counsel duties, Ms. Thevenin also manages requests for USCIB to participate in amicus brief filings on issues of relevance to USCIB's membership.

Ms. Thevenin advises on arbitrations, mediation strategy, dispute boards, expertise proceedings, ad hoc cases and use of emergency arbitrator procedures. Her experience includes arbitrations under various institutional rules, including the ICC, ICDR, and ICSID and advising on early resolution of matters that would otherwise become formal disputes. Ms. Thevenin's experience includes handling disputes for multinational companies and governments in the construction and engineering, financial services, commercial real estate and aviation industries, often involving issues concerning mergers and acquisition, sales, distribution, licensing, technology transfer and leasing agreements.

A graduate of Cornell University and Tulane Law School, Ms. Thevenin started her practice as an international litigation and arbitration practitioner in Miami, Florida, then served as deputy director of arbitration and ADR for North America for the ICC International Court of Arbitration in New York, and thereafter, she was a special counsel in and global coordinator of Baker & McKenzie's International Arbitration Practice Group. Ms. Thevenin works in English, Spanish, French and Haitian Creole.

URÍA MENÉNDEZ

Javier Tortuero

Partner since 2011. New York office
javier.tortuero@uria.com / +12125934754

Main Practice Areas

Banking and Finance
Mergers and Acquisitions
Capital Markets

Languages

Spanish
English

Profile

Javier Tortuero joined Uría Menéndez in Madrid in 2000 and was made partner in 2011. From September 2005 to May 2006, Javier participated in Sullivan & Cromwell's Visiting Lawyers Program in New York. He is currently the managing partner of Uría Menéndez's New York office.

Javier's practice focuses on M&A, securities markets (capital and debt issues) and corporate restructuring. He advises listed companies, financial entities and other clients on wide-ranging corporate matters, such as corporate governance and contracting.

Javier has acted as secretary to the board of directors of several Spanish companies.

In the 2015 edition of Iberian Lawyer he was named one of the top 40 lawyers under the age of 40 in Spain and Portugal.

Education

- Law Degree, Universidad Pontificia Comillas (ICADE E-3), Madrid, 2000
- Degree in Business Administration, Universidad Pontificia Comillas (ICADE E-3), Madrid, 2001

Membership of Professional Associations

- Madrid Bar Association
- Member of the board of directors of the Spain-U.S. Chamber of Commerce

Legal Teaching

Javier has lectured on company law and the management of law firms at the Universidad Pontificia Comillas. He has been a lecturer on the Master's Degree in International Business Law since (2002-2016) and the Executive Master's Degree in International Business Law (2009-2016), both organised by the Universidad San Pablo C.E.U., Instituto de Estudios Europeos) since 2009. He has also been a lecturer on the Master's Degree to Access the Legal Profession organised by the Universidad San Pablo

C.E.U. He was also a lecturer on the Master's Degree in Company Law at the Universidad Pontificia Comillas between 2006 and 2009. Javier regularly participates as a speaker in seminars and conferences related to his area of expertise.

Rankings

2018

BEST LAWYERS IN SPAIN. 2018 EDITION

Corporate / M&A	Leading Lawyer
Private Equity	Leading Lawyer

2017

BEST LAWYERS IN SPAIN. 2017 EDITION

Corporate / M&A	Leading Lawyer
Private Equity	Leading Lawyer

2016

BEST LAWYERS IN SPAIN. 2016 EDITION

Private Equity	Leading Lawyer

2015

BEST LAWYERS IN SPAIN. 2015 EDITION

Private Equity	Leading Lawyer

2014

CHAMBERS EUROPE. SPAIN, 2014 EDITION

Corporate / M&A	*Up and coming*

BEST LAWYERS IN SPAIN. 2014 EDITION

Private Equity	Leading Lawyer

2013

BEST LAWYERS IN SPAIN. 2013 EDITION

Private Equity	Leading Lawyer

URÍA MENÉNDEZ

Publications

Articles

Aproximación a las ampliaciones de capital aceleradas

- **Publication:** Actualidad Jurídica Uría Menéndez, n.º 20
- **Date:** 2008

Other publications

Esquemas de Derecho concursal, eds. 6.ª a 10.ª. Ana Belén Campuzano, Rafael Sebastián, Javier Tortuero. Valencia: Tirant lo Blanch, 2013-2018

Esquemas de Derecho de las sociedades de capital, 3.ª ed. Ana Belén Campuzano (Director), Rafael Sebastián (Director), Javier Tortuero (Director). Valencia: Tirant lo Blanch, 2017

Esquemas de adquisiciones de empresas, 3.ª ed. revisada y puesta al día. Ana Belén Campuzano (Director), Rafael Sebastián (Director), Javier Tortuero (Director), Tomás Arranz, Mario Barros, Carlos Franco, Rafael García, Alfonso Gutiérrez, David López. Valencia: Tirant lo Blanch, 2017

El ejercicio colectivo de la abogacía en un despacho profesional: régimen jurídico. Tomás José Acosta, Luis de Carlos, Javier Tortuero. *In* ***Memento acceso a la abogacía 2016-2017.*** *Federico de Montalvo Jääskeläinen (Coordinador), Mª José López Álvarez (Coordinador). Madrid: Francis Lefebvre, 2016*

El contrato de compraventa de acciones. Javier Tortuero. *In* ***Manual de fusiones y adquisiciones de empresas.*** *Rafael Sebastián (Director), Martin Jordano (Coordinador). Las Rozas (Madrid): La Ley-Wolters Kluwer, 2016*

El bastanteo de documentos. Javier Tortuero. *In* ***Cuadernos de Derecho para ingenieros. Manual jurídico del mercado bancario. Los sujetos.*** *Miguel Ángel Agúndez (Director), Julián Martínez-Simancas (Director), Luis de Carlos (Coordinador). Las Rozas (Madrid): La Ley, 2015*

Formas individuales y societarias del ejercicio de la abogacía: en especial, el régimen jurídico de las sociedades profesionales. Luis de Carlos, Javier Tortuero. *In* ***Memento acceso a la abogacía 2015-2016.*** *Mª José López Álvarez (Director), Federico de Montalvo Jääskeläinen (Coordinador). Madrid: Francis Lefebvre, 2015*

El Derecho industrial y el Derecho de la competencia. Carlos Paredes, Javier Tortuero. *In* ***Fundamentos jurídicos de la actividad empresarial.*** *Daniel Prades Cutillas (Coordinador), Abel B. Veiga Copo (Coordinador). Cizur Menor (Navarra): Aranzadi, 2015*

Esquemas de Derecho de las sociedades de capital, 2.ª ed. (Actualizada conforme a lo dispuesto en la Ley 31/2014, de 3 de diciembre, por la que se modifica la Ley de Sociedades de Capital para la mejora del gobierno corporativo). Ana Belén Campuzano (Director), Rafael Sebastián (Director), Javier Tortuero (Director). Valencia: Tirant lo Blanch, 2015

- **Las sociedades capitalistas**. Luis de Carlos, Javier Tortuero. *In* ***Fundamentos de Derecho empresarial, t. II. Derecho de sociedades, 3.ª ed.*** *Javier Ibáñez Jiménez (Coordinador). Cizur Menor (Navarra): Aranzadi, 2015*

- **Formas individuales y societarias del ejercicio de la abogacía: en especial, el régimen jurídico de las sociedades profesionales**. Luis de Carlos, Javier Tortuero. *In* ***Memento acceso a la abogacía 2014-2015.*** *Mª José López Álvarez (Director), Federico de Montalvo Jääskeläinen (Coordinador). Madrid: Francis Lefebvre, 2014*

- **Esquemas de Derecho de las sociedades de capital**. Ana Belén Campuzano (Director), Rafael Sebastián (Director), Javier Tortuero (Director). Valencia: Tirant lo Blanch, 2014

- **Algunas cuestiones prácticas sobre la impugnación de acuerdos sociales**. Clara Muñoz, Javier Tortuero. In Revista Aranzadi Doctrinal, n.º 8, 2013

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- **The Impact of the New Spanish Insolvency Act on the Banking Sector**. Rafael Sebastián, Javier Tortuero. In Journal of International Banking Law and Regulation, n.º 11, 2004

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Overview

Samir is a partner in the International Trade and White Collar Criminal Practice, Internal Investigations & Government Enforcement practice groups. He advises multinational corporations on export controls, economic sanctions and customs, and counsels individuals and corporations on the Foreign Corrupt Practices Act (FCPA) and other anti-corruption laws. He represents clients in enforcement actions before U.S. regulatory agencies and conducts corporate internal investigations. Samir participates in many firmwide activities, including the pro bono program, and serves as the Washington D.C. chair of the firm's Diversity & Inclusion Initiative. He was a co-recipient of Thompson Hine's 2013 Diversity Champion Award for his work developing and launching the Diversity Externship Program, which provides law students in Washington, D.C. with rewarding educational opportunities and real-life work experience on pro bono matters.

While in law school, Samir served as a judicial extern for Judge Douglas Eaton of the U. S. District Court for the Southern District of New York. Also, he interned for the U.S. Attorney's Office for the District of Nevada.

Experience

FCPA and Other Anti-Corruption Regulations

- Advising companies on complying with FCPA and other anti-corruption laws, including the UK Bribery Act.
- Representing corporate executives and companies in FCPA investigations by the DOJ and SEC.
- Conducting FCPA/Anti-Corruption internal investigations and audits
- Drafting and implementing compliance programs, and conducting Anti-Corruption training.
- Drafting FCPA/anti-bribery contract provisions in distributor and agent agreements.
- Performing due diligence on FCPA/anti-corruption risks in corporate transactions.

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Education

- Fordham University Graduate School of Business, M.B.A., 2007, staff member, *Fordham International Law Journal*; member, Immigrant Rights and Access to Justice Clinic
- Fordham University School of Law, J.D., 2007
- University of Michigan, B.A., 1999

Export Controls and Economic Sanctions

- Advising multinational corporations on a wide range of international regulatory issues related to BIS, DDTC and OFAC, including enforcement actions.
- Advising multinational corporations on compliance issues related to U.S. trade sanctions and export controls, including licensing and classification issues.
- Drafting and implementing export compliance programs and procedures.
- Conducting internal audits and investigations of possible violations and helping draft voluntary disclosures to regulatory agencies.
- Counseling clients on regulatory requirements affecting the movement of technology and services.

Customs

- Advising companies on the U.S. regulatory requirements for imports of goods through the U.S. border, including issues of classification, origin and valuation.
- Advising clients on participation in Customs C-TPAT and FTZ programs and compliance with related commitments.
- Representing clients in Customs and Border Protection import enforcement actions; drafting voluntary disclosures when needed.
- Developing import compliance programs and conducting internal audits and investigations of import processes and procedures.

Pro Bono

- Assisting international public policy group with the drafting of a post-conflict constitution.
- Advocating on behalf of human rights victims in front of the Inter-American Commission on Human Rights.
- Representing asylum applicants before the DOJ's Immigration Court.

Publications

- "President Trump Withdraws United States from Iran Nuclear Deal," Thompson Hine *International Trade Update*, May 2018
- "DOJ Officials Signal Expansion of Voluntary Self-Disclosure Incentives Beyond the FCPA," Thompson Hine *White Collar Update*, March 2018
- "U.S. Department of Justice Provides New FCPA Voluntary Self-Disclosure Incentives," Thompson Hine *White Collar Update*, December 2017
- "President Trump's Cuba Policy Is Implemented," Thompson Hine *International Trade Update*, November 2017
- "CFIUS Annual Report Reflects Increased National Security Scrutiny of Foreign Acquisitions," Thompson Hine *Business Law Update*, Fall 2017
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Hine *International Trade & Customs Update*, March 2017

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- "United States Begins to Lift 20-Year-Old Trade Sanctions Toward Sudan," Thompson Hine *International Trade & Customs Update*, January 24, 2017
- "Trump Administration: Key Players in International Trade," Thompson Hine *International Trade & Customs Update*, January 17, 2017
- "Looking Back: Trump and Trade," Thompson Hine *International Trade & Customs Update*, January 9, 2017
- "U.S. Further Normalizes Trade Relations with Cuba ," Thompson Hine *International Trade & Customs Update,* October 18, 2016
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- "U.S. Government Provides Additional Cuba Sanctions Relief," Thompson Hine *International Trade & Customs Update*, January 29, 2016
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- "Iran Nuclear Deal Reached but Sanctions Remain in Place," *International Trade & Customs Update*, July 15, 2015
- "Proposed Rule to Control Exports of Cybersecurity Technologies," Thompson Hine *International Trade & Customs Update*, May 26, 2015
- "New Export Policy to Govern Military & Commercial Use of U.S. Drones," Thompson Hine *International Trade & Customs Update,* February 2015
- "Regulatory Amendments Issued to Ease Cuba Sanctions," Thompson Hine *International Trade & Customs Update,* January 22, 2015
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- Co-author, "Getting the Deal Through – Trade & Customs 2015," *Getting the Deal Through*, Fall 2014
- "U.S. and EU Expand Ukraine-Related Sanctions on Russian Entities," Thompson Hine *International Trade & Customs Update,* August 1, 2014
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Presentations

- Moderator, "FCPA Multi-Jurisdictional Enforcement," Federal Bar Association Current Issues in Government Investigations Conference, April 26, 2018

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Professional Associations

- American Bar Association, Section of International Law and Practice
- District of Columbia Bar, Section of International Law
- New York State Bar Association

Admissions

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Niko Veilleux (Osler, Hoskin & Harcourt LLP)

Niko Veilleux is a corporate partner of Osler, Hoskin & Harcourt LLP. Niko has represented public and private clients for over 17 years in a variety of Canadian, U.S. and international transactions, including negotiated and contested acquisitions, dispositions, mergers, auctions, take-over bids, carve-out transactions, strategic investments, recapitalizations, reorganizations, joint-ventures and other corporate matters. Prior to his return to Canada in 2004, Niko worked for Sullivan & Cromwell LLP both in New York and in Australia. He developed extensive experience in Canadian, U.S. and Autralian M&A, contracts, commercial and securities law and related matters. He is known for problem solving, conflict resolution and negotiation skills. Niko's clients span numerous industries and include public and private companies, pension funds, boards and independent committees, underwriters, venture capital funds, private equity funds and entrepreneurs. Niko has taught mergers and acquisitions law at McGill University's Faculty of Law. His transactional resume shows the depth of his experience and connections with some of the most high profile corporate clients in Québec, Canada and internationally. Niko is a graduate of McGill University (B.C.L. & LL.B.) and a member of the Bar of Quebec and the New York State Bar Association.

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Lorna Walker is the principal of Sweet & Walker, a Professional Corporation. She has practiced law in the San Francisco Bay Area for more than 25 years. Ms. Walker received her Bachelor of Science degree in Accounting from the University of Idaho in 1988 and graduated *summa cum laude*. Ms. Walker received her Juris Doctorate degree from the University of Utah School of Law in 1991.

During this time, Ms. Walker has emphasized commercial collection litigation, commercial contract litigation, and judgment enforcement. She has handled a variety of commercial matters on behalf of creditors, including breach of contract, commercial code transactions, fraudulent transfer actions, alter-ego claims, successor-in-interest actions, and some bankruptcy matters. Ms. Walker has a high success rate in both her trials and appellate matters.

Ms. Walker is a frequent speaker on creditor's rights topics. She has presented programs for various trade groups, including programs directed to the oil and gas industry, the wine industry, the food and beverage industry, the marijuana industry, and various finance, credit management, and legal associations. She has spoken about foreign judgment enforcement, credit applications, complex litigation issues, and personal guarantees.

Ms. Walker is actively involved in the Commercial Law League of America ("CLLA") and the firm is a member of the International Association of Commercial Collectors ("IACC"), the California Creditors Bar Association, and the Commercial Collection Agencies of America. Ms. Walker is the current President of the CLLA, and previously served on the CLLA Board of Governors as Attorney Board Member and the Creditor's Rights Section Representative. Ms. Walker also is the past Chair of the CLLA Marketing Committee and has served on various committees for the CLLA and the IACC. Previously, Ms. Walker has served as Chair of the Creditor's Rights Section, President of the Western Region, Chair and Vice Chair of the National Education Committee, Treasurer and Vice Chair of the Creditor's Rights Section, Chair and Co-Chair of the education committee for the Creditor's Rights Section, and Chair of the National Nominating Committee. She also has served on the Board of the Fund for Public Education and on the Board for the CLLA Western Region.

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Breach of contract, successor-in-interest, alter-ego claims, and various other commercial litigation matters;
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Profile

With an extensive background in tort liability, Cheryl Woodin is an experienced and skilled litigator who specializes in the defence of class actions and claims related to mass tort, negligence, contract, products, consumer protection and statutory liability. Her practice is focused on complex civil litigation, dealing with multi-party proceedings for large institutional clients, across jurisdictions and industries. She has defended clients in a broad variety of class actions involving consumer products, automotive parts, medical devices, environmental contamination, police and municipal liability, and personal injury claims. Cheryl is co-head of the Class Actions practice group.

A sought-after speaker, she regularly presents on civil litigation, trial practice and advocacy, and class actions. She has authored numerous papers and articles on class actions, negligence and contract law and on the development of consumer protection legislation. Cheryl is a Co-Chair of the University of Toronto's University Tribunal, Trial Division.

Cheryl is recognized and ranked by *The Canadian Legal Lexpert® Directory, The Best Lawyers in Canada®* and *Benchmark Canada — The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* (litigation star, Ontario, for both class actions and product liability). She was also named Class Action Litigator of the Year and one of the top 25 Canadian women litigators by *Benchmark Canada* in 2018.

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Tracy L. Wynne

Tracy Wynne is General Counsel – Litigation with Canadian Pacific Railway. In this role, she provides solution-oriented advice, business savvy risk assessments, and legal opinions to the company on a wide range of litigation matters across Canada and in connection with some proceedings in the United States. Whether advising on the company's legal disputes or its business related interests, her work is characterized by challenging legal issues and diverse subject matter. Tracy manages a team of experienced litigators, develops policy and procedures for the company and oversees the company's external counsel program. As a result, much of her time is spent managing and engaging with external counsel across Canada on complex litigation matters and enhancing the delivery of these services to the company. She is the recipient of the Canadian General Counsel Award for Litigation Management, 2018.

Prior to joining CP in 2016, Tracy was a partner at Lax O'Sullivan Lisus Gottlieb LLP where she ran a broad based commercial and civil litigation practice, with an emphasis on contract, partnership and shareholder disputes, director and officer liability, commercial torts, employment law and professional liability. She had substantial experience advising clients and in leading and managing large and complex litigation matters – including, the Mississauga Inquiry into Municipal Conflict of Interest and Nortel's global insolvency proceedings.

Tracy regularly organizes, publishes and teaches in a variety of continuing legal education programmes primarily related to commercial litigation, in-house practice, litigation skills training, professional development and mentoring. Tracy has been recognized by Lexpert as "Repeatedly Recommended" and as a "Leading Practitioner".

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Ludka Zimovcak, Esq. is a Managing Attorney at NPZ Law Group, PC. Mrs. Zimovcak's passion for excellence in immigration law derives from her own family's first-hand immigration experiences. She is fully licensed to practice as an Attorney in Slovakia and New York.

Mrs. Zimovcak graduated from the Faculty of Law at the Comenius University in Slovakia with a Master of Laws Degree. She was also awarded the Master of Laws Degree (LL.M) from the Temple University Beasley School of Law in Philadelphia.

Over the past decade, Mrs. Zimovcak has overseen thousands of cases and counseled clients ranging from start-ups to Fortune 100 companies in a wide variety of industries regarding their business immigration needs. In addition, she has been working extensively on various family immigration matters including complex consular processing cases, hardship waivers to overcome various types of inadmissibility bars, and other family petitions.

Mrs. Zimovcak has been a frequent lecturer on Immigration Law to the New Jersey Bar and numerous educational institutions. She is a member of the American Immigration Lawyers Association (AILA) and New York State Bar.

As a foreign Attorney herself, Mrs. Zimovcak has an acute understanding of the issues facing immigrants and she is eager to help businesses, families and individual immigrants to realize their dream of coming to the United States and legalizing their status.