



Shin-Ichiro Abe

Founder, Kasumigaseki International Law Office (KILO)

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Shin-Ichiro Abe is one of Japan's leading specialists in Japanese and international corporate restructuring and insolvency law. In addition to the foregoing, he is also well versed in domestic corporate/commercial transactions and disputes including domestic and international arbitration. Shin-Ichiro has also contributed to numerous publications and spoken at various seminars and events on the topics of insolvency, arbitration/mediation and other topical subjects. Shinichiro is a visiting law professor both at Chuo Law School and at Kokushikan University (Department of Law).

He established his law firm in 2016. Shin-Ichiro is a member of various professional affiliations including: former chair of insolvency committee of International Pacific Bar Association; board member of the International Insolvency Institute; board member of Japanese Association for Business Recovery (affiliation of Insol); and board member of the Japanese Association of Turnaround Professionals.

Shin-Ichiro's recent publications include:

- *"Requirements to become a listed company in Japan", Legal Research on Investment and Financing of Chinese Enterprises in Japan and Malaysia*, China Financial Publishing House, March 2018
- *"Insurance Company Restructuring", Risk Management of East Asian Financial Institution*, Law Press China, January 2018

- *“The Role of Mediation in Japanese Insolvency Practice”*, *Transnational Dispute Management* 4, 2017 Co-author, Japan, *Cross-Border Insolvency*, *Globe Law and Business*, 2016
- Co-author, *A Revised Corporate Law*, *Yachiyo Shuppan*, 2016
- Co-author, *Practical legal guide of Corporate Law*, *Sankyo Shuppan*, 2015
- *“Creditor Reorganization Procedure Strategy”*, *Final Results of Reorganization*, *Shoji Homu*, February 2015



Soo-Jeong Ahn

Partner, Senior Foreign Counsel

Yulchon LLC

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Highlights

- Focuses practice in tax, international tax, wealth planning, and mergers & acquisitions
- Vast experience representing and advising foreign and domestic clients on cross-border transactions and litigation
- Lead author of Korea chapter of Kluwer's Tax Planning for International Mergers, Acquisitions, Joint Ventures and Restructuring
- Formerly with Citibank; New York offices of Morgan, Lewis & Bockius and Sherman & Sterling
- Recognized as one of Asia's Leading Lawyers by Chambers Asia, and Who's Who Legal

Qualifications

- Admitted in New York Bar
- J.D. / Tax LL.M., New York University School of Law
- B.A. Economics, High Honors, University of California at Berkeley

MARK H. ALCOTT

Mark H. Alcott has spent his professional career at Paul, Weiss, Rifkind, Wharton & Garrison LLP, focusing on litigation, arbitration and mediation. He has extensive experience handling a wide range of major cases in New York and throughout the United States, as well as abroad.

Mr. Alcott has been a leader in the field of alternative dispute resolution, as a neutral and an advocate. He is a member of the National Roster of Arbitrators of the American Arbitration Association (AAA), for Commercial as well as Large Complex Cases, is a member of the panel of arbitrators of the International Center for Dispute Resolution (ICDR), and has served as an arbitrator for the International Chamber of Commerce (ICC). He has received extensive training (from the ICC, AAA, ICDR, CPR, NYSBA and state and federal courts, among others) and has broad experience in arbitration and mediation, and has served in more than 100 ADR cases as counsel, arbitrator or mediator. He was selected by Mondaq for listing in its *Guide to the World's Leading Arbitration Advisors*, by Euromoney for listing in its *Guide to World's Leading Experts in Commercial Arbitration*, by *The Best Lawyers in America* for listing among the country's top arbitration and ADR practitioners and by *Benchmark Litigation* for excellence in ADR – all on the basis of extensive peer review.

Mr. Alcott has frequently been honored by his peers for his skills. He was named as one of the country's top 25 litigators in the *Best of the Best USA*, based on an international survey of practitioners and general counsel. He was elected a Fellow of the American College of Trial Lawyers, on the basis of intensive peer review. He later served for two terms as chair of the Downstate New York Committee of the College. He is cited for excellence in litigation in the leading peer review guides. He has written and lectured world-wide on litigation and arbitration issues.

Mr. Alcott has particular expertise in international disputes. He has often appeared on behalf of American and international parties in major cross-border disputes at the trial and appellate levels, in matters pending in various forums worldwide. He served four terms as chair of the International Committee of the American College of Trial Lawyers. Mr. Alcott served for several years as the American Bar Association's Representative to the United Nations, where he represented America's legal profession to the international community; and as the ABA's delegate to UNCITRAL Working Group II (Arbitration and Conciliation). Mr. Alcott is a member of the Swiss Arbitration Association (Association Suisse de l'Arbitrage [ASA]), a member of the North American Users' Council of the London Court of International Arbitration (LCIA), and an honorary overseas member of the Commercial Bar Association of London (COMBAR). He serves on the Executive Committee of NYSBA's International Section.

A leader in professional circles, Mr. Alcott served as President of the New York State Bar Association and as New York's leader in the American Bar Association. He is a member of the ABA's Board of Governors

Mr. Alcott is an honors graduate of Harvard College and Harvard Law School.

Curriculum Vitae

Makoto Arai (born June 27, 1950) is a Professor of Law at Chuo University in Tokyo, Japan and also the Dean of the Graduate School of Law at the same University. After graduating summa cum laude from the Faculty of Law at Keio University, Professor Arai obtained his LL.M from the Graduate School of Law at Keio University in 1975. He received his Doctor of Jurisprudence degree from Ludwig Maximilians University Munich in 1979. From 1991 to 1993, he served as a Humboldt Research Fellow at Ludwig Maximilians University Munich. He has also served as the Dean of the Law School at University of Tsukuba for ten years. He is a Professor Emeritus at University of Tsukuba.

His research interests include the use of the trust system in an aging society and the encouragement of better utilization of adult guardianship. His major works include *Trust Law* (4th ed., 2014, translated into Chinese and Korean); *Visions of the Trust Law System* (co-author, 2011); and *Visions of the Adult Guardianship Law System* (co-author, 2011). Professor Arai has also authored numerous articles and is particularly noted for his work in comparative law. He received the Humboldt Research Award in 2006, which led to his stay in Munich to cooperate with the Max Planck Institute for Foreign and International Social Law. He received the 2010 Humboldt Alumni Award for Innovative Networking Initiatives and additionally received the Officer's Cross of the Order of Merit of the Federal Republic of Germany in the same year. He is a member of the International Academy of Estate and Trust Law and a registered trust and estate practitioner. He is also the President of the Japan Adult Guardianship Law Association, a standing director of the Japan Association for the Law of Trust, and also currently serves as Chairman of the Religious Juridical Persons Council, a government council within the Ministry of Education, Culture, Sports, Science and Technology.

(As of August 8, 2019)

Osama Arakaki

Osamu Arakaki is a professor at International Christian University (ICU) and an expert of international law and international relations. He received a PhD in Law from Victoria University of Wellington, an MA in Political Science from the University of Toronto and an MA in Law from Meiji Gakuin University.

Before he began serving at ICU, he was a visiting fellow at Harvard Law School, visiting associate professor at the University of Tokyo and professor at Hiroshima City University. His main works include *Refugee Law and Practice in Japan* (Ashgate, 2008), “Non-state actors and UNHCR’s supervisory role in international relations,” in James C Simeon (ed.), *The UNHCR and the Supervision of International Refugee Law* (Cambridge University Press, 2013) and *Statelessness Conventions and Japanese Laws: Convergence and Divergence* (UNHCR Representation in Japan, 2015).



Jonathan P. Armstrong
Partner, Cordery

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Practice Areas

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

Admissions

- England and Wales
- Ireland (non-practicing)

Education

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

Jonathan is an experienced lawyer with Cordery in London 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. Jonathan is a 2019 Acritas Stars lawyer.

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.

Jonathan is a long-standing member of the NYSBA International Section and currently serves as Co-Chair of the Rapid Response Committee responding to events affecting lawyers around the globe.



JEFFREY C. BANK

Partner
Antitrust

Contact Information

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Washington, DC 20006
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Areas of Expertise

Antitrust and Intellectual Property
Antitrust Litigation
Civil Enforcement
Compliance and Business Strategy
Criminal Enforcement
Federal Trade Commission
Merger Clearance
Third-Party Civil Merger and Non-Merger Representation

EXPERIENCE:

Jeff Bank is a partner at Wilson Sonsini Goodrich & Rosati, where he practices antitrust litigation and counseling, particularly in the pharmaceutical industry.

As an experienced litigator representing both plaintiffs and defendants, Jeff's work has ranged from complex multi-district litigations and global cartel cases to actions against competitors. He has successfully defended pharmaceutical, technology, and media companies against class actions, and has experience in all aspects of litigation, from discovery through appeal.

Prior to joining the firm, Jeff practiced at the Federal Trade Commission's Health Care Division, where he focused on competition issues in the pharmaceutical and healthcare industry. In his current practice, he regularly counsels clients on merger clearance issues and business practices, and he has represented a diverse range of clients before the FTC, including companies from the medical device, pharmaceutical, and media sectors.

Jeff also serves as a pro bono coordinator, and he has worked on numerous immigration and asylum-related matters. He was awarded the John Wilson Award, which is presented annually to individual attorneys who have demonstrated a significant commitment to the firm's pro bono clients. Additionally, Jeff currently serves as board president for Spoons Across America, a New York-based nonprofit.

EDUCATION:

- J.D., Cornell University Law School, 2006
Editor, International Law Journal
- B.S., Cornell University, School of Industrial and Labor Relations, 2003

SELECT PUBLICATIONS:

- Co-author with M. Rosman and B. Tuyay, "Retaining Ephemeral Messages To Prepare For DOJ Scrutiny," *Law360*, July 29, 2019
- Co-author with C. Boylu and B. Coffman, "The Latest Developments in Antitrust Class Certification," *Law360*, January 30, 2019
- "U.S.A." chapter, *Competition Litigation 2018*, Tenth Edition, International Comparative Legal Guide, September 4, 2017
- "U.S.A." chapter, *Competition Litigation 2017*, Ninth Edition, International Comparative Legal Guide, September 16, 2016
- Co-author with S. Silber and B. Coffman, "A Return to Republican Antitrust Policies for Pharma," *Law360*, January 24, 2017
- Co-author with S. Silber, C. Armour, K. Kemp, B. Coffman, and R. Maddock, "Pharmaceutical Antitrust Litigation in 2015—Settlements, Product Hopping and REMS," *CPI Antitrust Chronicle*, Competition Policy International, December 14, 2015
- Co-author with S. Silber, B. Coffman, and K. Kemp, "Where We Stand On Pharmaceutical Patent Settlements," *Law360*, October 23, 2015
- "U.S.A." chapter, *Competition Litigation 2016*, Eighth Edition, International Comparative Legal Guide, September 25, 2015
- Co-author with M. Rosman, S. Silber, J. VanHooreweghe, and B. Coffman, "DOJ Investigation into Generic Pharma: You Could Be Next,"

Law360, March 30, 2015

SELECT SPEAKING ENGAGEMENTS:

- Presenter, "Recent Developments in Private Litigation," ABA Corporate Counseling Committee Monthly Antitrust Update, Section of Antitrust Law, February 2019
- "All Things Vertical: Divergence or Convergence?" Fordham Competition Law Institute 45th Annual Conference on International Antitrust Law and Policy, September 2018
- "REMS: Are the Federal Agencies Signaling Increased Scrutiny?" American Bar Association Health Care and Pharmaceuticals Committee Panel, June 2018
- "End the Shenanigans or Business as Usual?: Update on Pharmaceutical Antitrust Issues," New York City Bar Association Antitrust & Trade Regulation Committee, November 2017
- "Pushing Forward or Staying the Course?: Product Hopping, Exclusionary Conduct, and the Recent Suboxone MTD Ruling," American Bar Association State Enforcement Committee Panel, October 2017

ADMISSIONS:

- Admitted only in New York
- Not admitted in the District of Columbia
- Practice supervised by a member of the Bar of the District of Columbia
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Ninth Circuit



François Berbinau
Associate lawyer

- Lawyer at the Paris and New York Bars
- Former Secretary of the Conference
- French representative of the international section of the New York State Bar Association

STUDIES

- LL.M. (Master of Laws), University of Chicago Law School
- Master of Laws, University of Paris II / University of Miami Law School

LANGUAGES

- French
- English

CONTACT

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|---|------------------------------------|
| ○ Personal data | ○ Corporate litigation |
| ○ Individual and collective labor relations | ○ Sport Law |
| ○ Social Security Law | ○ Criminal labor law |
| ○ Work accident | ○ Criminal law of business affairs |

After practicing in the litigation and arbitration department of Cleary, Gottlieb, Steen & Hamilton LLP in New York and Paris, François Berbinau joined BFPL Avocats as a partner.

He regularly intervenes on behalf of foreign and French clients (industrial groups, agri-food, fashion, financial institutions, mutual funds, consulting companies) that he assists in their negotiations and represents before courts and arbitration tribunals. corporate law disputes (break-off, price adjustment, liability guarantee, different between shareholders and / or managers), contract and competition law, and certain criminal law issues business (abuse of corporate assets, breach of trust, forgery and use, fraud, ...).

In addition, François Berbinau has a long experience of resolving individual and collective labor law disputes, including in an international context. He thus very often assists employers, but also senior executives and leaders in negotiations related to the conclusion or termination of employment contracts and / or corporate mandates, and represents them, as appropriate, on occasion labor court proceedings and before consular or arbitral courts.

**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 has been a director of STEP Canada since 2015 and currently serves as the Deputy Chair. She served on the STEP Toronto Executive and co-chaired and chaired the National Conference for a number of years. 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, REENA, and a past director of the Toronto Partnership Minyan.

Rachel is recognized in *Chambers HNW: The World's Leading High Net Worth Advisers*, *The Canadian Legal Lexpert Directory* (Estate & Personal Tax Planning and Charities and Not-for-Profit Law), *2018 Lexpert Guide to US/Canada Cross-border Lawyers in Canada*, *The Best Lawyers in Canada* (Trusts and Estates), *Who's Who Legal: Canada* (Private Client) and *Who's Who Legal: Private Client*. She was honoured as the 2018 STEP Canada Michael Cadesky Volunteer of the Year and as the 2016 Volunteer of the Year by STEP Toronto. She was also 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

Carl-Olof Bouveng



Partner

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Language: Swedish and English

Expertise: Mergers & Acquisitions, Financial Regulatory Services

Profile

Carl-Olof 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 and tender offers. He also advises on capital market, corporate governance and general corporate matters, as well as regulatory issues in the insurance industry. Carl-Olof also represents a number of international NGOs.

Carl-Olof has extensive experience in all aspects of corporate/M&A and is a recent Chair of the International Section of the New York State Bar Association. He is also admitted to practice in New York.

Selected credentials

- AstraZeneca in the sale of US rights to Synagis to Swedish Orphan Biovitrum AB (publ) (Sobi) against an upfront consideration of \$1.5bn,
- Axel Johnson International in global acquisitions, for example in Italy, Ireland and New Zealand,
- Autobahn Tank & Rast in acquisition of Wayne's Coffee,
- Collectum (the Swedish hub for white collar employee pensions) on financial regulatory matters,
- Reorganizations and acquisitions by Hewlett-Packard,

- Acquisitions by Facebook and Cisco Systems,
- Beijing Water's acquisition of Purac,
- Norvestor Equity's sale of the retail chain Life.

Ranking and testimonials

Carl-Olof is named as a leading lawyer in Sweden in Corporate/M&A by Chambers and Partners Chambers Europe: Described as "technically very skilled," Carl-Olof Bouveng has considerable experience advising on corporate/M&A mandates. He assists private companies and publicly listed entities with transactions, as well as advising on corporate governance topics.

Background

2019-	Cirio Law Firm
1997-2018	Lindahl law firm, Partner
2010-2011	New York State Bar Association
1990-1997	Mannheimer Swartling Advokatbyrå
1989-1990	Covington & Burling in Washington D.C.

Education

1988	LL.M.
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Membership

Member of the Swedish Bar Association since 1995, Admitted to New York Bar 1991



Donemark J. L. Calimon

Partner

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Donemark Calimon is a partner at Quisumbing Torres. He heads the firm's Dispute Resolution Practice Group and Industrials, Manufacturing & Transportation Industry Group. Donemark has more than 18 years of experience in dispute resolution, including civil, criminal, corporate and regulatory litigation, and commercial arbitration. He is one of the founders of the Philippine Institute of Arbitrators (PIArb) and is an accredited arbitrator of the Philippine Dispute Resolution Center, Inc. (PDRCI). He is also an accredited arbitrator of the Construction Industry Arbitration Commission (CIAC) and the Wholesale Electricity Spot Market (WESM). He was appointed as Member of the Panel of Arbitrators of the Singapore International Arbitration Center (SIAC). He was also recently appointed Secretary General of the Philippine International Center for Conflict Resolution (PICCR), an alternative dispute resolution (ADR) center set up by the Integrated Bar of the Philippines to provide arbitration and ADR services and facilities.

Donemark has acted as counsel or arbitrator in various commercial arbitrations, including arbitrations conducted under the arbitration rules of the PDRCI, the International Chamber of Commerce (ICC) and the Philippine Construction Industry Arbitration Commission, and ad hoc arbitrations under the UNCITRAL Arbitration Rules.

Donemark has represented various multinational clients, including chemical manufacturing companies in several of the largest torts/product liability actions in the Philippines, mining corporations in mining/environment-related litigation, energy companies involved in commercial arbitration and tax litigation, airline companies in torts/quasi-delict actions, construction companies in arbitration, administrative and criminal proceedings, including proceedings before the World Bank's Sanctions Board in Washington, DC, and other multinational corporations in regulatory proceedings before the Securities and Exchange Commission, Department of Trade and Industry, Land Transportation Franchising and Regulatory Board, and the Civil Aeronautics Board.

Donemark has been consistently cited as a Leading Individual in Dispute Resolution and in Arbitration by the Legal 500 Asia Pacific (2017-2019) and Chambers Asia Pacific (2017-2019). He is also recognized as a Market-Leading Lawyer for Dispute Resolution and Litigation by Asialaw Leading Lawyers (2018-2019), and awarded Dispute Resolution Star in Commercial and transactions, International arbitration by the Benchmark Litigation (Philippines, 2019). He obtained his Bachelor of Laws degree from the University of the Philippines and his degree in AB Philosophy from Immaculate Conception Seminary.

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Michael S. Carl joined SSEK in 2004 and has more than 20 years of experience practicing law in Southeast Asia, principally in Indonesia. His practice is oriented toward corporate law and foreign investment, banking and finance, mergers and acquisitions, and technology, media and telecommunications.

Michael is recognized by *Chambers & Partners* as a leading lawyer in Indonesia for banking and finance, corporate law and mergers and acquisitions, projects and energy, and real estate, by *The Legal 500 Asia Pacific* for corporate law and M&A, and restructuring and insolvency, and by *Asialaw* for corporate law and M&A.

Michael obtained his B.A. in history from Harvard University in 1988 and received his J.D. in 1994 from the University of California at Berkeley (Boalt Hall) School of Law. Michael earned an S.H. (the equivalent of an LL.B.) in Indonesian law in 2012 from Atma Jaya University, Jakarta, where he was first in his class. He is a member of the California State Bar.

Before joining SSEK, Michael was associated with the international law firm Baker & McKenzie in its Singapore and Bangkok offices, where he handled capital markets and investment transactions and represented Indonesian and Thai companies in US debt and equity offerings and debt restructurings. He was also previously associated with Milbank Tweed Hadley & McCloy, as part of the firm's capital markets group.

Michael obtained an M.A. in economics from the University of Hawaii in 1990, where he was a graduate fellow at the East-West Center. Prior to beginning his legal practice, Michael spent a year studying Indonesian commercial law at Gadjah Mada University in Yogyakarta. He is fluent in Indonesian.

Jonathan Crompton



Jonathan Crompton is a Partner of Reynolds Porter Chamberlain. Based in RPC's Hong Kong office, Jonathan is a dual-qualified lawyer (Hong Kong and England & Wales) who helps companies and individuals navigate complex cross-border disputes and investigations involving their Asian business. He specialises in particular in financial services and technology related disputes and cyber incidents.

Jonathan advises on all forms of disputes including litigation before national courts and arbitral tribunals operating under various rules, and on investigations by regulators (notably financial services regulators such as the Securities and Futures Commission) and other governmental authorities. He also acts for clients across the globe seeking recovery of sums transferred to Hong Kong bank accounts as a result of cyber and other frauds. His clients include senior individuals, asset managers, and leading multi-national corporations and brands. As a result of RPC's predominantly 'conflict free' model for financial services disputes, Jonathan represents senior individuals and companies in claims brought by or against leading banks where other firms are unable to act.

As Asia lead for RPC's 'ReSecure' 24/7 cyber incident response service, Jonathan also frequently acts as incident response manager / breach coordinator for cyber-attacks and other data breaches across Asia, helping clients investigate, manage and mitigate the harmful effects to their businesses, and advising on data protection regimes and reporting obligations across Asia.

Jonathan has practiced in London, Hong Kong and Thailand and speaks English, French and conversational Swedish. Legal 500 Asia Pacific has praised his "*uncanny ability to grasp the case very early, continually proving himself to be extremely competent, with exemplary attention to detail*".

Jonathan is also a Judicial Officer of the Hong Kong Rugby Union, and a member of the Vis East Moot Hong Kong Advisory Council, the Advisory Board of Justice Without Borders, and the Sustainability Committee of the Swedish Chamber of Commerce in Hong Kong.



M&A and Corporate

Anna Dąbrowska

attorney-at-law, partner

Anna Dąbrowska is an attorney-at-law 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 Bar Association of Attorneys-at-Law.

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NAME Avimukt Dar

DESIGNATION Partner

LOCATION New Delhi

CONTACT avimukt.dar@induslaw.com

PRACTICE

Competition Law, Private Equity & Venture Capital, Mergers & Acquisitions, Corporate & Commercial Advisory, Joint Ventures & Collaborations, Litigation & Dispute resolution

BAR ADMISSION

India (Advocate) | England & Wales (Solicitor)

EDUCATION

LL.M (Banking & Finance Law) University College London (2004)

LL.B. (Hons) University of Buckingham (1999)

EXPERIENCE

Avimukt is one of the founding and senior partners of **INDUSLAW** and advises on a range of corporate, commercial and foreign investment laws. He represents domestic and international companies, including private equity investors, in strategic and financial investment transactions across a range of sectors.

Avimukt also represents clients in commercial and corporate disputes and has extensive experience in negotiating exit strategies for investors and joint venture partners.

Avimukt has been consistently recognised as “one of the leading lawyers of India” by Asialaw Profiles (the Guide to Asia-Pacific’s Leading Domestic Law Firms).

The Legal 500 Asia Pacific (2017) lists Avimukt as a recommended lawyer. He has been recommended every year by the same publication over the last decade.

Most recently Avimukt was endorsed as one of the most trusted lawyers in India in the Indian Corporate Counsel Association’s latest publication ‘*The Vanguard*s’.

Avimukt is a regular speaker at the UIA-ABA international Seminars on Corporate Governance and M&A. He is a guest faculty at the Indian Institute of Management (Lucknow) where he teaches regulatory aspects of Mergers & Acquisitions. He has authored articles and conducted several seminars on the recent corporate reforms introduced by the Companies Act, 2013.

James Dubow

Managing Director – Head of Asia

Jim Dubow leads A&M Asia, one of the firm's most dynamic and rapidly growing geographies.

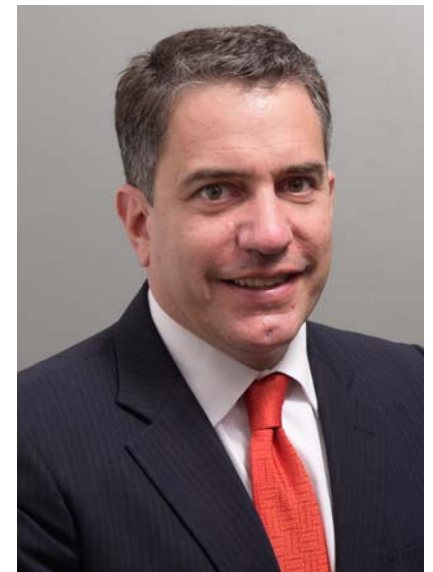
The Asia team brings the firm's hands-on and action-oriented approach to A&M's private equity, banking and corporate clients in all our disciplines, including pre-acquisition due diligence, performance improvement, restructuring, fraud investigations and data analytics.

Mr. Dubow assists companies and their stakeholders to grow revenue, increase profits and enhance cash return on assets. When control is important to driving change, he has taken CEO, CFO, CRO, CTO or Director roles at private equity-owned local companies, multinationals and a Chinese state-owned enterprise (SOE). In addition to operating transformations, he has assisted companies to raise capital, restructure debt and complete trade sales. His industry experience spans consumer retail, energy, healthcare and financial services.

Key A&M Asia experience includes: China CEO of a multinational retailer overseeing a comprehensive transformation of product and operations; CEO of a distressed forestry and wood products company, leading to a sale to a strategic investor; CFO of an Asia energy company, where he grew the company, raised several rounds of debt and guided it to a trade sale to a large SOE, who asked him to remain to lead the post-merger integration; CTO of one of the largest Chinese luxury auto dealership groups overseeing transformation of operations and trade financing, leading to a trade sale to its largest competitor; and advisor to a well-known China sportswear retailer during a three-year comprehensive transformation.

Before joining A&M Asia to establish its China operations in 2005, Mr. Dubow was with A&M's U.S. corporate restructuring practice. While in the U.S., he assisted companies to improve performance while preparing for them to emerge from Chapter 11 bankruptcy protection or to sell their assets under Court protection, often taking officer positions during the process.

Mr. Dubow started his career assisting multinationals to negotiate joint ventures and establish operations in China. Mr. Dubow earned a bachelor's degree in history, with an emphasis on China, from the University of California, Berkeley. He also earned a master's degree in business administration, with a concentration in finance, from the NYU Stern School of Business. He attended an exchange program at Beijing University as part of his undergraduate studies. He is fluent in written and spoken Mandarin having studied the language for 30 years.



jdubow@alvarezandmarsal.com



Dr. Fan is Director of Arbitration and ADR for North Asia of International Chamber of Commerce (ICC). He is an experienced arbitrator with extensive knowledge of the Asia region. Being on the panels of the HKIAC, KCAB, SHIAC, etc. he served as presiding arbitrator, sole arbitrator and co-arbitrator in dozens of occasions. Additionally, he is on the steering committee of the Chartered Institute of Arbitrators East Asia Branch and serves as Chairman of its PRC Sub-Committee.

In addition to commercial arbitration, Dr. Fan is specialized in sports dispute resolutions. He is on the panel of the Court of Arbitration for Sport (CAS) and chairs the Arbitration Commission of Chinese Football Association.

Before joining ICC, Dr. Fan was a law profession for 13 years and served as Deputy Director, which he still is in addition to his current role with ICC, at the PRC's Supreme People's Court Judicial Research Institute, a think tank which has seen him focusing on dispute resolution research on the 'One Belt, One Road' initiative.

Dr. Fan holds a PhD from the East China University of Politics and Law. He was also a Fulbright Visiting Scholar at Duke University.



Daniel J. Fetterman

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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 J. 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 was 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, sanctions, money laundering and 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-edits and co-authors 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 serving as co-chair and speaker at the “Defending Corporations and Individuals in Government Investigations” conference. He was a panellist on the White Collar Investigation and Enforcement: A U.S./Canada Comparison on Recent Trends Panel at the New York State Bar Association International Section in Montreal, Canada in 2018. He also has 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 currently serves on its Alumni Law Council. He also is a Life Fellow 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.
- Former employees in a fraud and breach of contract action in federal court in New York against Nikko Asset Management and its CEO alleging a scheme to deprive the former employees of their rights under share appreciation rights plans. The CEO resigned shortly after Kasowitz filed papers describing the CEO’s conduct.
- 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

- Corporate and individual defendants in a criminal securities fraud and SEC enforcement action in the Southern District of New York arising out of an alleged \$100 million scheme to defraud investors 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.



Howard A. Fischer

Howard Fischer has extensive experience in trying complex financial disputes. As a former Senior Trial Counsel at the U.S. Securities & Exchange Commission (SEC), he was entrusted with some of the most sophisticated and noteworthy cases that the federal government prosecuted in the last decade. During his nine year tenure at the SEC, he earned multiple awards for exemplary service and served as first chair for numerous trials. This included acting as lead counsel in the litigation against Wing Chau and Harding Advisory LLC - relating to CDO asset selection in the run-up to the financial crisis - resulting in a major conviction against one of the characters lampooned in the film "The Big Short." Howard was also the lead trial counsel in the prosecution of Kareem Serageldin, another figure referenced in "The Big Short", involving the mismarking of certain mortgage-backed assets, by Credit Suisse, in the wake of the financial crisis.

Howard also led the SEC litigation involving the infamous London Whale, arising from JPMorgan Chase trader Bruno Iksil's multi-billion dollar loss in its credit derivatives book. This case involved many years of discovery on several continents.

Howard was trial counsel for the successful litigation against the former management of Dewey & Leboeuf arising from the firm's collapse, an insider trading case against the assistant to one of Disney Corporation's highest ranking executives, and numerous multi-million dollar litigations against asset managers and investment advisers. Before leaving the SEC for his return to private practice, Howard secured a \$20 million judgment against the former manager of a private equity fund who concocted a scheme to divert millions of investors' funds through a series of fake "due diligence" expenditures, as well as multi-million dollar judgments against participants in a long-term, multi-issuer fraudulent offering.

Howard's legal expertise involving complex financial instruments and matters, including CDOs and other asset-backed instruments, credit derivatives and credit derivative indices, was developed and honed by handling a variety of sophisticated cases. This has included numerous types of accounting fraud, instances of compliance failures by market participants, and violations of securities

laws and regulations involving banks, hedge funds, private equity funds, mutual funds, investment advisers and broker-dealers. Additionally, he has developed close relationships with a wide range of federal and state law enforcement and regulatory authorities, including the Department of Justice, various US Attorney's Offices, state and local criminal enforcement authorities, as well as self-regulatory organizations like the Financial Industry Regulatory Authority, Inc. (FINRA) and the New York Stock Exchange.

Prior to working at the SEC, Howard served as a partner at Schindler, Cohen & Hochman LLP ("SC&H"), a securities and complex litigation boutique. During his time at SC&H, Howard first-chaired a number of litigations and arbitrations involving financial products, including disputes over the reinsurance of film finance products, hedge fund litigation and numerous securities arbitrations before FINRA and the NYSE for companies such as UBS, Goldman Sachs, Lazard Asset Management, General Reinsurance Corp. and others.

Previously, he was an associate in the litigation departments of Debevoise & Plimpton and Rosenman & Colin. He had also been a federal law clerk to Judge Constance Baker Motley, in the District Court for the Southern District of New York, and Judges Carmen Cerezo and Gilberto Gierbolini Ortiz in the District Court of Puerto Rico. He is a graduate of Columbia Law School (1992), where he was a member of the Columbia Law Review, and received his undergraduate degree, cum laude, from Yale (1988), where he majored in philosophy.

Howard has written and lectured extensively on issues relating to litigation, arbitration, securities and government enforcement. He has spoken before national and international bar associations in the United States, Europe and Asia, as well as at law schools.

Professional Affiliations

- New York State Bar Association
 - Executive Committee of International Section
 - Securities Regulation Committee, Business Law Section
 - Past Co-Chair, Committee on Insurance and Reinsurance
 - Committee on the Commercial Division
 - Corporate Counsel Committee
- Association of the Bar of the City of New York
- American Bar Association

Baker McKenzie.



Glenn G. Fox

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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 twelve consecutive years (2007-2018) 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 international 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 European based founders of software and healthcare companies on US pre-immigration tax and philanthropic planning
- Represented New Jersey based family owning interests in closely held Asia based multinational company on international tax and estate planning
- Represented multiple generations of Midwest based family owning multinational manufacturing company on estate and philanthropic planning
- Assisted various charitable foundations with international ties for the purpose of establishing public charity branches in the United States

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United States

- 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
- Advised the heirs of a pharmaceutical manufacturing company in a significant family trust matter
- Represented a family with significant New York real estate holdings on estate and succession planning
- Advised founder of highly successful New Jersey based telecommunications company on succession and estate planning
- Represented a family owning a very successful New York based manufacturing business with respect to a business succession planning and sale of the company
- Guided the formation of a public environmental charity
- Represented families with significant wealth for purposes of establishing private charitable foundations
- Represented a university involved in a large estate litigation

Publications, presentations and articles

- Panel Chair and Speaker, "US-Canadian Estate Planning," *NYSBA International Section Montreal Meeting*, October 2018
- Speaker, "US Tax Reform," *STEP Israel Conference*, Tel Aviv, Israel, June 2018
- Panel Chair and Speaker, "International Estate Planning," *NYSBA International Section Guatemala Meeting*, October 2017
- Speaker, "Charitable Planning," *American Bar Association Skills Training Program*, New York Law School, July 2017
- Speaker, "US-Israel Cross Border Wealth and Tax Planning," *STEP Israel Conference*, Tel Aviv, Israel, June 2017
- 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
- 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
- Speaker, "US Cross Border Wealth Transfer Planning," *Israel Chapter of Society of Trust and Estate Practitioners*, June 2014
- Chair and Speaker, "Global Wealth Transfer Planning – A comparison," *New York State Bar Association International Section Hanoi, Viet Nam Meeting*, October 2013

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) - Past Member of House of Delegates and Section Chair; Section Caucus and International Section Executive Committee Member
- 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)

Professor Douglas Kenji Freeman, FCIArb
Law Offices of Douglas K. Freeman

Douglas Freeman is a legal practitioner and international arbitrator dually qualified as a Japanese *bengoshi* and New York lawyer and is fully bilingual in English and Japanese. As the first U.S. citizen to pass the Japanese bar examination, Mr. Freeman has broad experience in both jurisdictions and is frequently appointed as arbitrator, mediator, and counsel in ICC, JCAA and other international arbitrations conducted in English and Japanese involving complex legal issues. His legal practice involves advising Japanese and multinational corporate clients in transactional and adversarial matters, and he is frequently called upon to provide legal opinions in international disputes. Mr. Freeman joined Keio University Law School as a Professor in April 2019 where he currently teaches courses in International Arbitration.

Professor Freeman studied law at the Tokyo University, Faculty of Law and the Legal Training and Research Institute, the Supreme Court of Japan, and received a J.D. from Columbia Law School, where he was an editor of the Columbia Law Review, and a James Kent Scholar & Harlan Fiske Stone Scholar. After working at Sullivan and Cromwell LLP in New York and Tokyo, he started his independent practice in Tokyo in 2007.

Mr. Freeman is a member of the Member, Daini Tokyo Bar Association. Mr. Freeman is a CIArb Fellow, and currently serves as Chair of CIArb Japan Chapter. He is a Member of the JCAA Procedural Advisory Committee (2014—) and the JCAA Rulemaking Committee (2018—). He also serves as a Statutory Auditor (Kansayaku), of TDK Corporation (2019—)

• **Fields of Expertise**

International Arbitration and Dispute Resolution, Comparative Law, International Transactional Law

• **Publications**

- Challenges of the Legal Elite (Shoji Homu, 2002)
- Use of ISDS Clauses to Protect International Investments (Business Homu, 2014)
- Effect of Arbitral Awards, (Jurist Zokan, 2015)
- Thomson Reuters, Practical Law—Governing Law and Jurisdiction Clauses

(Japan) (2018)

- Thomson Reuters, Practical Law—Mediation (Japan) (2018)
- CIArb eSolver, Japan's New Bid Toward a Regional Dispute Resolution Hub (Sept 2018)
- International Mediation—A New Wave in Dispute Resolution (NBL No. 1132, 2018.10.15)

• **Other**

- Lecturer, Tokyo Chamber of Commerce and Industry Courses (International Contracts) (2010–)
- Arbitrator and Judge of the Intercollegiate Negotiation Competition (2015–)
- Lecturer at Japanese international trading company (International Contracts) (2012–)

Shihoko Fujiwara
Founding Director
Lighthouse: Center for Human Trafficking Victims

Shihoko Fujiwara is the founding Director of Lighthouse: Center for Human Trafficking Victims (formerly Polaris Project Japan), a non-profit organization in Japan specialized in working to realize a society without human trafficking, a modern slavery. Driven by her passion to combat human trafficking and the commercial sexual exploitation of children, Shihoko is a pioneer of the rights of women and children in Japan since 2004.

Lighthouse runs a human trafficking hotline and provides support to human trafficking victims. In 2018, Lighthouse has provided support to 103 victims. Shihoko also educates law enforcement and the public about human trafficking in Japan and currently advocates for improved public policy and a more coordinated, victim-centered response to this issue. In 2018 alone, more than 4,800 people have taken trainings/seminars conducted by Lighthouse.

Shihoko has also participated in numerous panels, consortia, and global efforts to put the severe exploitation of Japanese women and girls on the map. She received her degree in International Studies from the University of Wisconsin and was awarded the 2008 Distinguished Alumni Award from the Wisconsin Alumni Association. In 2012, Shihoko was named as one of the “100 People Remaking Japan” by AERA Magazine and delivered a speech on human trafficking at TEDxTokyo. Currently she is member at Committee to protect children from exploitation at Social Security Council of Japan.



MICHAEL W. GALLIGAN

Partner

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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.

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

- "The Most Common Forms of Trusts Under American Law" ("Présentation des trusts les plus courant en droit américain"), with Caroline Deneuille, *Solution Notaire Hebdo* (March 21, 2019)
- "Recognition of foreign estate fiduciaries and the enforcement of foreign estate determinations within the state of New York," *Trusts & Trustees*, Vol. 25, No.1 (February 1, 2019)
- "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)

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- "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)
- "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 continues to serve on the Association's Committee on Committees and 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

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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 - 2019)
- 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 - 2019)

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 Institutes

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

RICHARD S. GOLDSTEIN,
Senior Partner, Goldstein & Lee,
P.C. (New York & London):

Richard is the Founder and Senior Partner of the law firm established in 1979 which focuses exclusively on U.S. immigration and nationality law with an emphasis on consular law including renunciation of citizenship. Richard has been selected to chair a panel on International Citizenship for the International Bar Association Immigration Seminar in London which will take place in November 2019, and several days later he will be participating as a Speaker in the New York State Bar Association Conference in Tokyo. Richard is admitted to the Bar in the State of New York as well as the U.S. Supreme Court. Over the last forty-five plus years of his law practice he has organized and chaired many international legal conferences in Europe, Asia as well as in the United States. He was the Founder and first Chair of the Immigration & Nationality Committee of the International Bar Association as well as the Founder and first Chair of the same Committee for the Inter-Pacific Bar Association based in Tokyo.

Richard has travelled to Japan several times a year every year since 1980 to lecture before Japanese business groups including Keidanren and The Japan Overseas Investment Association as well as to assist the firm's clients in their consular visa applications at the U.S. Embassy in Tokyo. He has lectured in Tokyo on behalf of the Ministry of Justice and has been invited to do so as a guest of the Japanese Government. Richard has been a very active member of the American Immigration Lawyers Association since 1979 and has served on its Board of Governors as well as chairing its State Department Visa Office liaison committee.

About Yasuyoshi Goto

A lawyer qualified to practice law in Japan with over 29 years of experience as a partner of a global law firm (Baker McKenzie), senior in-house legal counsel of multinational corporations (GE, IBM), and General Counsel of a Japan-headquartered global company (MODEC).

Yasuyoshi Goto established the firm in February 2018. The primary area of practice includes (i) supporting Japan-headquartered companies' global legal and compliance functions, (ii) acting as a (part-time) in-house legal counsel of the Japanese subsidiaries of multinational corporations. The firm also supports clients in the IT industry and the Energy industry.

Profiles

Always in a multi-national, multicultural environment, with deep industry experience in IT, Energy, and Oil&Gas.



Education

Columbia Law School, LL.M. 1995

Yasuyoshi also has LL.B. degree from Chuo University.



Work

MODEC, Inc.

Executive Managing Officer, General Counsel and Chief Compliance Officer of MODEC, Inc., a Japan headquartered global company (7/2014 - 2/2018)



Work

GE Japan Corporation

Associate General Counsel (11/2010 - 6/2014)



Work

IBM Japan

Legal Counsel (7/2007 - 11/2010)



Work

GE International, Inc.

Senior Legal Counsel (4/2004 - 6/2007)



Work

Baker McKenzie, Tokyo

Partner (11/1998 - 3/2004)



Work

Baker McKenzie, Tokyo

Associate (4/1991 - 10/1998)

Nels Hansen – Activism Defense and Shareholder Engagement Credentials



Practice Experience

Nels Hansen is a Local Partner in our Corporate/M&A practice group, based in Tokyo. He has helped clients complete more than US\$100 billion in completed mergers and acquisitions, hostile or contested transactions, investments and joint ventures, acting primarily for technology, media and telecommunications companies, energy-related companies and private equity and venture capital funds.

Nels Hansen

Local Partner, Tokyo

T +81 3 6384 3240

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E nels.hansen@whitecase.com

Bars and Courts

Registered Foreign Attorney in Japan (Gaikokuho Jimu Bengoshi), 2016

New York State Bar, 2011

California State Bar, 2008

Education

JD, Harvard Law School, 2008

Special Student, Keio Law School, 2007–2008

BS, Stanford University, 2005

Languages

English

Japanese

Citizenship

United States

In connection with M&A mandates and otherwise, he also has assisted numerous targets of activist shareholder situations in the US and Japan. This experience, together with mandates on behalf of engagement and/or activist hedge funds themselves in the US and Japan, helps our Tokyo team to guide Japanese and international clients in activist shareholder situations with a uniquely global perspective and understanding of both sides of the table. His assistance of international clients with public and private company targeted M&A in the US, Japan and Europe, and private equity and venture capital investment in Asia, Europe and the US, form the core of his practice. In 2018, the FT Innovative Lawyers Asia-Pacific Awards selected Nels as a 'Commended' lawyer in the 'Accessing New Capital and Markets' category for assisting a client in a combined venture capital and project financing.

Fluent in Japanese, Nels worked in Japan's Ministry of Economy, Trade and Industry and at the Research Institute of Economy, Trade and Industry from May 2009 to November 2010. Since 2015, Mr. Hansen has served at Keio Law School as the lecturer for the course "M&A and Strategic Alliances."

Examples of transactions in which Mr. Hansen has been involved include advising:

- Fir Tree in its acquisition of a stake in JR Kyushu (2018-2019);
- A Japanese listed company in its relationship with a large strategic shareholder (2018-2019);
- A Japanese listed company in its response to an international activist investor (2019);

- An overseas investment fund in its engagement with a Japanese listed company to abolish its takeover defense measures (2019);
- A Japanese listed company in its acquisition by a private equity fund in a management buyout, where an activist shareholder and other institutional holders held substantial stakes in the target listed company (2018-2019);
- ValueAct Capital in its acquisition of a stake in Olympus Corporation, ValueAct's first investment in Japan (2018-2019);
- Another overseas investment fund in its successful engagement with a Japanese listed company to add board members to its board of directors, conduct a share buyback and transition to a new governance structure, making and then withdrawing shareholder proposals on the topics before they were announced following the settlement (2019);
- An overseas investment fund in its shareholder proposal to a Japanese listed company to amend the articles of incorporation (2019);
- Baring Private Equity Asia K.K. in relation to its investment in (2016) and exit from Joyful Honda (2017);*
- Yahoo! Inc. in its US\$1.16 billion repurchase of common stock held by affiliates of Third Point and Daniel Loeb (2013);*
- Xinhua Holdings Limited in its 2013 management changes.*
- EnergySolutions, Inc. in its 2012 management changes and 2013 contested sale process;*
- The Greenbrier Companies, Inc. in its receipt of an unsolicited proposal from Carl Icahn (2012);*
- Yahoo! Inc. in its proxy contest (2011) and settlement (2012) with Third Point's Daniel Loeb and affiliated entities;*
- Advantest Corporation in its US\$1.1 billion unsolicited acquisition of Verigy Ltd. (2010);*
- Broadcom in its US\$925 million hostile tender offer for Emulex (2009);*
- Yahoo! Inc. in relation to the remaining shareholder lawsuits from the Carl Icahn/Microsoft approaches (2008);
- Various US listed companies in relation to approaches by other prominent activists, including Starboard Value and Relational (2009–2015).*

* Experience prior to joining White & Case

Publications

“Japan’s Corporate Governance Code Revised to Require Cost of Capital Consideration, Boards Tasked with CEO Selection and Removal”, (White & Case Client Alert, 19 October, 2018) (Co-author)

“Japan’s 2018 Proxy Season Results Announced (Shareholder Activism Update (2))”, (White & Case Client Alert, 18 July, 2018) (Co-author)

“Recent Developments in Activist Investing in Japan”, (White & Case Client Alert, 12 April, 2018) (Co-author)

Speaking Engagements

Mizuho Investment Conference, seminar on activist trends in Japan as a panelist together with Seth Fischer of Oasis Investment Management and Tsuyoshi Maruki of Strategic Capital, September 2019

Monthly seminar for Mizuho Securities’ buy-side clients, July 2019

Shareholder engagement and governance summit, hosted by Jefferies, December 7, 2018

“Shareholder activism meets social activism: Are you ESG-activist ready?”, White & Case Tokyo Back-to-Business Program Series 2018

A series of Joint activist seminar jointly hosted by Deloitte and White & Case”, 18 March, 2018 and 3 September, 2018

Shareholder activism seminar hosted by Financial Management Forums Inc., 8 December, 2017

Yoshihisa HAYAKAWA

Professor of Law at Rikkyo University

Partner at Uryu & Itoga

Yoshihisa Hayakawa serves as a professor of law at Rikkyo University, Tokyo. He also teaches and researches in a number of foreign universities including Columbia University, Cornell University, QM College of University of London and Australian National University. He also serves as a partner at Uryu & Itoga, Tokyo. He serves as a counsel in many cases of transnational litigation and international commercial arbitration as well as serving as an arbitrator in many arbitration cases. He also serves as a representative from Japan for a number of inter-governmental organizations including UNCITRAL, APEC and Hague Conference on PIL. And he serves as President of Japan National Committee of UIA, Japanese Member for Commission on Arbitration and ADR of ICC and Japanese Member of Users Council of SIAC.

RANSE HOWELL
JAMS, Director of International Operations



Ranse Howell is the Director of International Operations at JAMS ADR, the largest private dispute resolution provider in the world and works between London and Washington, DC. He leads a global team whose primary responsibility is to support JAMS efforts to promote solution based approach to commercial conflict.

Ranse is an expert in negotiation and dispute resolution consultancy, while working for CEDR, in London provided enhanced negotiation, leadership and influencing skills to numerous in-house clients.

Ranse has also worked with numerous international organisations providing mediation and dispute resolution training and these include EIB, EBRD, UNHCR, IFC and ILO. He was project lead on a multi-year initiative to introduce mediation services into the court systems in Moldova and worked extensively with the Ministry of Justice on adoption and integration of the Mediation Law. In addition, Ranse has written extensively on negotiation and proactive dispute resolution methods and he assisted in the development of CEDR's Mastering Negotiation book, which was published in September 2015.

Ranse originally trained and worked as a mediator in New York, then California and mediated a variety of cases ranging from family, special education and commercial cases. He then received CEDR accreditation in 2006 and is currently a member of the CEDR mediation panel and regularly mediates a broad range of commercial disputes (real estate, banking, construction, personal injury, banking and finance).

Ranse is currently a tutor at the School of Business Management and Economics at the University of Sussex and a visiting lecturer, in the Department of Advanced Legal Studies, at the University of Westminster.

Ranse is currently a doctoral candidate (PhD) at the School of Business, University of Sussex. He has a Doctor of Law (JD), School of Law, City University of New York; Master of Law (LLM),

Straus Institute at Pepperdine University; Master of Social Work (MSW) School of Social Work,
Temple University; Bachelor's degree (BFA) School of Art, Temple University.



HE, Kan (Daniel)

Partner

Tel: +86 21 2208 6288
Fax: +86 21 5298 5492
E-mail: hek@junhe.com

Practice Areas:

Corporate and M&A
Foreign Direct Investment

Professional Experience

Mr. He started his career at JunHe in 2003. He has represented many multinational companies (including Fortune 500 enterprises) in merger and acquisition projects, joint venture transactions, and strategic investment projects in various industries such as food & nutrition, auto parts, logistics, real property, and retail & distribution. Mr. He has served as lead counsel in major transactions, including those involving complex government approvals, state-owned enterprises, cross-border structures, and massive layoff or transfer of employees. In 2012, Mr. He spent several months working as a visiting attorney at Wachtell, Lipton, Rosen & Katz, a mergers and acquisitions powerhouse that consistently ranks on top of other US firms and specializes in handling the largest, most complex and demanding transactions in the United States and around the world. In 2018, Mr. He was ranked in the ALB China Top 15 M&A Lawyers and received an IFLR Asia Award for Private Equity Deal of the Year, an ALB Award for M&A Deal of the Year, and an APAC Insider Legal Awards for M&A Lawyer of the Year 2018 - China. Mr. He was also selected by the PRC Ministry of Justice as one of the top 1000 lawyers specialized in foreign-related matters. In 2019, Mr. He received an IFLR Asia Award for M&A Deal of the Year.

In addition to his work in M&A, Mr. He also serves as China counsel to a number of leading companies in their general corporate and regulatory compliance matters throughout China. He has the expertise to advise on the complex issues arising from clients' daily business, including advising on new business models, consumer protection, marketing campaigns, product labeling, industry-specific licenses and permits, foreign exchange issues, employment issues, and other business activities to ensure compliance and reduce associated risks. Mr. He regularly advises major multinational companies in China such as Shanghai Disney Resort, Starbucks China, Johnson Controls, Adient, and UL, as well as major Chinese domestic companies, on their most critical regulatory issues.

Education

LL.M., Shanghai University of Finance & Economics, 2003
LL.B., Shanghai University of Finance & Economics, 2000

Professional Associations

Mr. He is a member of the All-China Bar Association.

Language Skills

Mr. He is fluent in English, Mandarin and the Shanghai dialect.

Sally Heidenreich

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Adelaide SA 5000

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Sally appears in all courts and tribunals and accepts briefs in most areas of civil and commercial law, including:

- Alternative Dispute Resolution
- Common Law Contract & Tort
- Competition & Consumer Law
- Cybersecurity & Data Protection
- Defamation & Media
- Employment & Industrial
- Environment & Planning
- Equity
- Insolvency & Bankruptcy
- Law of Armed Conflict / International Humanitarian Law
- Privacy & Freedom of Information
- Private International Law
- Public & Administrative
- Taxation

Sally has recently acted for:

- A medium-sized South Australian business in a dispute with a former director as to the validity and enforceability of contractual terms in a series of agreements, including injunctive and declaratory relief in proceedings for breach of contract, misleading or deceptive conduct, and breach of statutory duties under the *Corporations Act*.
- A mineral and gas exploration company in an appeal brought by a major debtor against bankruptcy enforcement proceedings.
- A franchisee in proceedings for breach of contract against a large national franchise, including injunctive relief.
- An applicant for the granting of a construction license pursuant to the *Mutual Recognition Act*, in proceedings against a statutory authority.
- A government agency in an unfair preference claim.
- The administrators of a medium-sized South Australian company, in proceedings brought by a major listed creditor to set aside a deed of company arrangement (as junior counsel).
- The proprietor of a pastoral enterprise in the Northern Territory, in proceedings for breach of contract, misleading or deceptive conduct, and breach of statutory duties against a former Chief Executive Officer (as junior counsel).
- A hospitality entrepreneur, in proceedings brought by a major creditor to enforce the terms of a loan agreement (as junior counsel).

Before joining the Bar, Sally worked in private practice at a specialist international litigation firm. During her time as a disputes lawyer, Sally primarily worked on complex, high-value matters arising in a commercial or corporate insolvency context, in both domestic and offshore jurisdictions. These disputes typically involved issues such as breach of contract, professional negligence, wrongful trading, breach of statutory and/or fiduciary duty, misleading or deceptive conduct, and fraud.

By way of example, in 2016 Sally spent six months in the Royal Court of Guernsey in an action brought on behalf of English liquidators against the American directors of a Guernsey-incorporated investment fund that collapsed during the Global Financial Crisis. Sally also acted for the State of South Australia in a Public-Private Partnership dispute in relation to the construction of a major piece of public health infrastructure.

Prior to her legal career Sally worked as an Intelligence Officer, including various deployments to offshore theatres of operation. Most recently, Sally deployed to Afghanistan with Australia's Special Forces, where she was responsible for planning and executing targeting operations against the Taliban. In this regard, Sally is well versed in the practical application and effect of the Law of Armed Conflict (International Humanitarian Law) in the course of conflict involving non-State actors.

During her earlier career Sally was also deployed to Iraq and Afghanistan in various specialist intelligence roles, and also as part of the multi-national task force searching for the missing Malaysian Airlines flight MH 370. Sally also served as the Honorary Aide-de-Camp to His Excellency the Governor of South Australia and as a Japanese-English interpreter at the Ministerial level.

Admission / Registration:

Supreme Court of South Australia
Supreme Court of the Australian Capital Territory
Federal Court of Australia
High Court of Australia
High Court of New Zealand

Professional Education — Legal:

Graduate Diploma of Legal Practice (with Distinction), Australian National University
Bachelor of Laws (Honours), University of Adelaide
Prime Minister's Australia-Asia Endeavour Award (Undergraduate), Government of Australia

Professional Memberships:

South Australian Bar Association
Law Society of South Australia
Women Lawyers' Association of South Australia
Foreign Women Lawyers' Association, Japan

Select Professional Education / Qualifications — Other:

Governor's Leadership Foundation Program, Leaders' Institute of South Australia
Level N1, Japanese Language Proficiency Test, Government of Japan
Advanced Intelligence Officer Course, Defence Intelligence Training Centre
General Service Officer Course, Royal Military College—Duntroon
Bachelor of Arts, University of Melbourne
Victorian Certificate of Education, Methodist Ladies College

Professional Appointments:

Member, South Australian Veterans' Advisory Council (current)
Director, Leaders' Institute of South Australia (current)

Languages:

English (native)
Japanese (professional working proficiency)

Dr. Sebastian Heim, BEITEN BURKHARDT, Munich / Germany
Partner / Attorney-at-law (Germany) / LL.M. (London)
Head of Patent & Technology Litigation

Sebastian is partner and shareholder with the leading independent German law firm BEITEN BURKHARDT (www.bblaw.com). He is in charge of the firm's patent and tech practice with its strong focus on Technology Transfer and tech-related Intellectual Property / Trade Secret Litigation. His particular experience lies in complex patent, copyright and trade secret litigation trials for multinational companies, including pre-trial discovery enforcement ("*Besichtigungsverfahren*").

Sebastian is lecturer with the Technical University of Munich. He is also co-author of a German text book on license agreements published by *De Gruyter* ("*Lizenzvertragsrecht*", second edition announced for spring 2020), and he has published a series of articles on various intellectual property and trade secrets matters.

Sebastian can be reached at sebastian.heim@bblaw.com.



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.”
- 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.
 - Partnered with DOJ officials over a multi-year period to monitor Microsoft’s judgment compliance, which included setting up a group of software engineers, referred to as “TC” (technical committee), to oversee Microsoft technical activity.
 - As Judge Kollar-Kotelly was to note, “the TC has truly become one of the most successful aspects of the Final Judgments, because it has been invaluable in facilitating the Plaintiffs’ enforcement efforts.” *New York v. Microsoft Corp.*, 531 F.Supp.2d 141, 157 (D.D.C. 2008).
- 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.”

- A regular author and speaker at conferences spanning a range of subjects, including antitrust, class actions, data security and privacy, no-poach agreements, international litigation and arbitration, state aid under the TFEU, and trade law.
- Lectured and presented in Amsterdam, Antigua, Berlin, Dublin, Geneva, Hanoi, Krakow, Lisbon, Montreal, Paris, Sao Paulo, Seoul, Stockholm, 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.
- Chair-elect and CIO of NYSBA's International Section. 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. Also a member of antitrust, litigation, information technology and intellectual property groups in the American Bar Association, and the Lawyers' Committee for Civil Rights Under Law.
- 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.

Additional information may be found in Mr. Himes' firm bio:

<https://www.labaton.com/en/ourpeople/Jay-Himes.cfm>



**Partner of Oh-Ebashi LPC & Partners
Takashi Hirose**

**Daiichi Tokyo Bar Association,
Japan Federation of Bar Associations (2007)
California (2015)**

Location : Tokyo Office

Professional Summary

Mr. Takashi Hirose is a partner of Oh-Ebashi LPC and belong to Intellectual Property Practice Group thereof. Mr. Hirose has drafted and advised on intellectual property licensing, joint development agreements and other business contracts including international transactions. Mr. Hirose has also dealt with intellectual property related litigations in several fields including pharmaceuticals, mechanical engineering and consumer products. In addition, Mr. Hirose has also dealt with forensic investigations and many complex litigations including high profile product liability cases and corporate litigations. Mr. Hirose teaches a business law course (patent law and copyright law part) as a part-time lecturer of Tokyo University of Foreign Studies. Mr. Hirose is a member of AIPPI and a member of the Standing Committee on Commercialization of IP thereof.

Education & Professional Experience

2014-2015 Paul, Weiss, Rifkind, Wharton & Garrison LLP (New York Office)

2014 Harvard Law School (LL.M.)

2012-2013 Corporate Research Department, Sumitomo Mitsui Banking Corporation

2006 The University of Tokyo

Practice Areas

● **Intellectual Property Law**

Intellectual Property Transactions / Unfair Competition / License and Franchise

● **Corporate and M&A**

General Corporate Practice / M&A, Reorganization, and Business Alliance

Corporate Governance / Shareholders Meeting / Venture and Startup Support

● **Risk Management & Compliance**

Corporate Investigation / Product Liability / Global Compliance

● **Dispute Resolution**

Intellectual Property Dispute Resolution /Corporate Litigations, Disputes and D&O Liabilities / Product Liability /International Dispute Resolution

Professor Lusina Ho 何錦璇

**Harold Hsiao-Wo Lee Professor in Trust and Equity
BA (Oxon), BCL**

Professor Lusina Ho applies her expertise in both common law and civil law trusts to analyse laws and regulations pertaining to the use of trusts in China. Her book, *Trust Law in China*, published in 2003, is so far the only comprehensive critique of the Chinese Trust Law in the English legal literature, and has enabled international experts to gain a thorough understanding of the subject. Her research has provided much-needed analysis, given the burgeoning interest in the use of trusts in private wealth management in China, and the world-wide growth in the adoption of the trust.

After obtaining her undergraduate and Masters degrees in Laws from the University of Oxford, Professor Ho joined the Faculty of Law at HKU in 1992. While pursuing her research interests in Trust and Equity, Restitution, and Comparative trust, she has provided advice to both the Central Government on the enactment of the Chinese Trust Law, and the HKSAR Government on the reform of the Trustee Ordinance.

The work of Professor Ho has been published widely and has been cited in the English House of Lords and the Court of Appeal of England and Wales, and has been translated and published in Japanese. She serves as a member of the international board of editors of the *Journal of Equity*, and as a country representative for China of *Trusts and Trustees*. She is also an invited member of The International Academy of Estate and Trust Law and the Society of Trust and Estate Practitioners.

Professor Ho has been invited to give public lectures in Tokyo, Montreal and Auckland, and has delivered invited papers at conferences in Oxford, Cambridge, Berlin, Vienna, Montreal, Changsha, Chengdu, Seoul, Yokohama and Singapore. She received the University Teaching Fellowship award in 2000 for excellence in teaching, and the Outstanding Young Researcher Award from HKU in 2006.

Specialized Areas: Obligations, Restitution, Trusts, Non-profit Law

Paul Jackson first arrived in Hong Kong 30 years ago upon joining the HK Police in 1988. Qualified as an electronics and telecommunications engineer in the UK, after a few years of fun chasing smugglers in speedboats, Paul's past caught up with him and he was asked to lead a team to work with all the new mobile phone operators that were granted licences in 1995. Thus began a long career in technology related crime investigation and cyber-security. Given his inability to shoot straight, this was probably a good thing!

As we moved safely past Y2K, he became a founding member of the Technology Crime Division in the HKP leading cybercrime and forensic investigations. At the same time, Paul worked extensively to develop and facilitate cybercrime investigation, intelligence and forensics training programs for Interpol across APAC and occasionally in Europe. He co-founded the HTCIA Asia Pacific Chapter in 2005 and ran cyber-security for the HK portion of the Olympic Games in 2008 among the highlights.

New adventures beckoned in 2010 when Paul joined JPMorgan, and he was soon to move to New York to build (virtually from scratch) the global high tech investigation team, which to this day remains a leading capability in corporate America. The time spent heading this global team was full of extraordinary challenges, dealing with front-page news incidents and high-pressure situations.

Paul moved back to Asia in 2014 keen to bring all the knowledge back with him and work with the community in Asia to uplift capability and standards, Paul moved into the consulting world and now heads Kroll's Asia Pacific Cyber Risk Practice working to protect major organisations throughout the region. He is also a frequent speaker at APAC events and is often quoted in media articles. He can even be heard telling stories on the radio from time to time.



Andre R. Jaglom

PARTNER

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Telephone: +1-212-506-6740

Massachusetts Institute of Technology, 1974, B.S. Physics, B.S. Management
Harvard Law School, 1977, J.D., *magna cum laude*

Practice Areas

Franchise Law, Distribution and E-Commerce
Corporate
Cybersecurity and Data Privacy
Intellectual Property

Areas of Focus

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

Industries

Cannabis
Food & Beverage
Hospitality

Biography

Andre R. Jaglom is the co-chair of Tannenbaum Helpern's Corporate practice 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 teams in numerous major distributor acquisitions and joint ventures, and has structured and handled dozens of brand distribution rights transactions. He also 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 in 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.

Drew is a member of the NYSBA Executive Committee; Chair of the NYSBA Business Law Section, a former Chair of the NYSBA International Section and Chair of its International Distribution, Sales and Marketing Committee; 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 2018 – every year that selections have been made. He has also been selected for inclusion in the *Best Lawyers in America Guide* every year from 2013 through 2020.

Activities:

New York State Bar Association:

Executive Committee

Past Chair, Section Delegates Caucus

Business Law Section:

Chair

Executive Committee

Franchise, Distribution & Licensing Law Committee

International Section:

Former Chair

Executive Committee

Former Delegate to House of Delegates

Co-chair, International Distribution, Sales and Marketing Committee

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

Secretary and Board of Directors, The American Institute of Wine & Food

Club Counsel, *MIT Club of New York*, 2001-2008

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

Cheol JEONG

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Address: 10F, KT&G Seodaemun Tower, 60 Chungjeong-ro, Seodaemun-gu, Seoul 03740, Korea

Mr. Jeong is the head of Mergers & Acquisitions / Corporate Practice Group where he is in charge of overseeing cross-border and domestic M&A transactions. Mr. Jeong has an in -depth knowledge of and extensive experience in varying industries including manufacturing, hospitality business, and energy and infrastructure.

Key clients include SK Holdings and KCC group.

Education

2010 University of Southern California, Gould School of Law (LL.M.)

1998 Seoul National University (LL.B.)

Professional Experience

2005-Present Partner, JIPYONG LLC

2017-Present Legal Advisor, Ministry of Justice for Korean Small-and-Medium Enterprises in the Overseas

2002-2005 Judge Advocate Officer, Korean Air Force

2002 Judicial Research and Training Institute, Supreme Court of Korea

Bar Admissions

2013 New York

2002 Korea

Awards

2017 Commendation from the Minister of Justice (Dec. 2017)

Professional Accolades

2014-2019 Leading Lawyer, IFLR1000

Languages

Korean / English



Youngjin JUNG

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Youngjin Jung is a partner at Kim & Chang's antitrust and competition law practice. Dr. Jung has significant experience in all areas of antitrust enforcement in merger control, international cartel and abuse of market dominance (including abuse cases of major global technology companies) in major industries such as the technology and IT sectors. He also leads the firm's international trade practice (including trade remedies, WTO/FTA and sanctions).

Dr. Jung was a visiting professor at Duke Law School and an adjunct professor at Georgetown Law School. He has served as a Non-Governmental Advisor (NGA) for the ICN, and has served as an Officer of IBA International Antitrust Committee and a member of the International Cartel Task Force at ABA Section of Antitrust. He has also worked as the vice-chair of the International Antitrust Committee of ABA Section of International Law.

Dr. Jung was a legal advisor for the Korea-US/Korea-EU Free Trade Agreement (FTA) as a member of the cartel advisory board of the Korea Fair Trade Commission and the Korea Communication Commission. Prior to these experiences, he was a professorial fellow at the Institute for International Economic Law in Washington, DC. He has also participated as a member of the Korean delegation in the OECD competition committee and the WTO Working Party on Interactions between Trade and Competition. He is a registered arbitrator at the World Bank's ICSID Arbitration Panel and the Korea Commercial Arbitration Board and is also currently a registered panelist at Korea-US FTA's dispute settlement body. He worked as an executive member of the IBA Trade and Customs Committee. He also worked at the International Trade Ministry and is the current president of the Korean Society of International Economic Law.

Dr. Jung has authored numerous articles on competition law and international trade, including an ABA Treatise entitled "Competition Laws outside the United States" (co-authored, 2011); "Cartel Enforcement Worldwide" (Cambridge University Press, 2009); "How Far WTO Should Reach into Income Tax Policies" (Journal of International Taxation, 2005); and "How Intellectual Property Rights Interact with Competition Law and Policy in Korea: QUO VADIS?" (Journal of European Competition Law & Practice, 2018).

He has been consistently listed in The International Who's Who of Competition Lawyers, The International Who's Who of Business Lawyers and Chambers Asia-Pacific. He has also consistently been listed as a leading lawyer in WTO and International Trade in Chambers Global, Euromoney, and Who's Who International of Customs and Trade lawyers. He was also noted as a leading expert in Technology, Media and Telecommunication by Euromoney.

Education

Yale Law School (LL.M., 2000; J.S.D., 2003)
Passed the Higher Civil Service Examination on Foreign Affairs (1996)
Passed the Higher Civil Service Examination on Government Administration (1996)
Judicial Research and Training Institute of the Supreme Court of Korea (1993)
College of Law, Seoul National University (LL.B., 1991)

Experience

Member, International Cartel Task Force Committee, ABA Section of Antitrust (2019-Present)
President, Korean Society of International Economic Law (2018-Present)
Member, Special Committee on Ethics of the National Assembly (2015.1.-Present)
Panelist, KOREA-US FTA Dispute Settlement Body (2014.10.-Present)
Adjunct Professor, Korea National Diplomatic Academy (2012)
Kim & Chang (2009-Present)
Legal Advisor of Ministry of Public Administration and Security (2008-2010)
Member of Legal Advisors, Korea Communication Commission (2008-2010)
Adjunct Professor, Georgetown University Law Center; Visiting Professor at Duke University School of Law (2008)
Arbitrator of World Bank ICSID Panel (2007-Present)
Member, Public Information Review Board under Office of Prime Minister (2007-2010)
Member, Cartel Advisory Board of Korea Fair Trade Commission (2004-2009)
Yulchon (2004-2009)
Judge Advocate (1994-1997)

Admissions

Admitted to bar, Korea, 1993; New York, 2001

Publications/Activities

The Guide to e-Commerce & Digital Competition Law – 1st edition (Co-author, Law Business Research, 2019)
The Law Reviews - The Dominance and Monopolies Review: Korea chapter (Co-author, Law Business Research, 2017-2018)
Year-in-Review 2017 (Co-author, ABA SIL International Antitrust Committee, 2018)
How Intellectual Property Rights Interact with Competition Law and Policy in Korea: QUO VADIS?, Journal of European Competition Law & Practice, Vol. 9, No.4 (2018)
The Dominance and Monopolies Review (First Edition): Korea chapter (Law Business Research, 2013)
2011 Antitrust Year in Review: Korea chapter (Co-author, ABA, 2012)
Competition Laws outside the United States (Korea Chapter) (American Bar Association, 2011)
What to do with the Dilemma facing the State of Necessity Defense under the Investment Treaties and How to Interpret the NPM Clause?, The Journal of World Investment & Trade Vol.12 No.3 (Co-author, The Journal of World Investment & Trade, 2011)
The KFTC's Foray into the Intersection between Competition Law and Intellectual Property Law: A Path Towards Convergence or Divergence?, Antitrust and Intellectual Property (Competition Law International, 2011)
Anti-Cartel Enforcement Worldwide (Korea Chapter) (Cambridge University Press, 2009)
Competition Laws outside the United States (Korea Chapter) (Co-author, American Bar Association, 2009)
Competition Law and Practice: A Review of Major Jurisdictions (Korea Chapter) (Co-author, Cameron May, 2009)
Abuse of Market Dominance in Korea: Some Reflections on the KFTC's Microsoft Decision, Legal Issues of Economic Integration (2008)
Extradition and Mutual Antitrust Assistance Treaties: Cartel Enforcement's Global Reach, Antitrust Law Journal (Co-author, 2008)
A New Kid on the Block: Korean Competition Law, Policy and Economics, Competition Policy International (Co-author, 2007)
The New Economic Constitution in China: A Third Way for Competition Regime, Northwestern Journal of International Law and Business (2003)

Awards

Leading Lawyer, Who's Who Legal: Korea, Trade & Customs (Who's Who Legal, 2019)
Leading Lawyer, Who's Who Legal: Korea, Competition (Who's Who Legal, 2019)
Leading Individual, The Legal 500 Asia Pacific: Antitrust & Competition (Legalease, 2019)
Leading Lawyer, Leading Lawyers 2017: Antitrust & Competition (LegalTimes, 2017)
Competition Expert, Who's Who Legal: Competition 2017 (Law Business Research, 2016-2017)
Leading Individual, Chambers Asia-Pacific: Competition/Antitrust (Chambers and Partners, 2014-2019)
Leading Lawyer, Asialaw Leading Lawyers, Competition & Antitrust (Euromoney, 2013, 2018)
Leading Lawyer, Who's Who Legal: Trade & Customs (Law Business Research, 2013, 2015-2016)
Leading Individual, Chambers Global: International Trade (Chambers and Partners, 2011-2013)
Leading Individual, Chambers Asia-Pacific: International Trade (Chambers and Partners, 2010-2013)
Best Lawyer, Expert Guide: Telecommunication, Media and Technology (Euromoney)
Best Lawyer, Expert Guide: International Trade (Euromoney)

Languages

Korean and English

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Yuko Kanamaru
Partner

Yuko is a partner from Mori Hamada & Matsumoto. She is well-versed in advising and representing clients in a wide range of domestic and international disputes, including litigation, arbitration and labor tribunal proceedings. She also regularly advises clients on a range of corporate matters, such as formulation and implementation of internal rules, regulations and systems, and also personal information matters. Based on her experience at a top Japanese manufacturing company, she communicates and works very closely with clients to find and realize the best solutions for them.

Qualification, Education and Experience

- Admitted in Japan (2006), and in New York (2013)
- Keio University (LL.B., 2002 and LL.M., 2005)
- University of California, Los Angeles, School of Law (LL.M., 2012)
- with Rajah & Tann LLP, Singapore (2012-2013)
- Seconded to Sumitomo Electric Industries, Ltd. (2013-2014)
- Lecturer at Keio University (2018-, for International Commercial Dispute Resolution)

Major Publications

- The Japan chapter of “International Comparative Legal Guide to: International Arbitration 2019” (Global Legal Group, 2019, co-author)
- The Japan Chapter of “Global Legal Insights: International Arbitration 2019” (Global Legal Group, 2019, co-author)
- The Japan chapter of “International Comparative Legal Guide to: Enforcement of Foreign Judgments 2019” (Global Legal Group, 2019, co-author)
- The Japan chapter of “International Comparative Legal Guide to: Employment & Labour Law 2019” (Global Legal Group, 2019, co-author)



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Naoki KANAYAMA

Professor of Keio University Law School

Naoki KANAYAMA has been a professor of civil law at Keio University Law School since 2004. He teaches courses in contract law, arbitration, and French law. He has been a visiting professor at *l'École Normale Supérieure de Paris* (2006) and *l'Université de Paris II* (2008).

He holds a Doctorate in Law (Kyoto University, 1996)

He graduated from Doshisha University Faculty of Law (1977), and Graduate School of Law (1981), Knox College (Illinois, USA, 1982), before completing the Kyoto University Graduate School of Law doctoral program (1984), and was awarded the degree of *DEA de droit privé* from *l'Université de Paris I* (1987). Before joining the Keio University faculty, he was a professor of civil law at Himeji-Dokkyo University, and Hosei University. He also teaches at Waseda University (since 2003) as a part-time professor.

He was *Boursier du Gouvernement français* (1985-1988)

Fields of Expertise

- Contract law
- Civil Law
- French Law
- Comparative Law
- Arbitration Law
- Global Law
- Asian Contract Law

Publications

Publications in English, French, or Italian:

He has written mostly in the areas of French legal history, French civil law, limitation of actions, comparative law, and Asian contract law.

1.- « La Révolution et la prescription : la naissance du principe de l'imprescriptibilité de l'action en revendication en droit français », *La Révolution et l'ordre juridique privé*, 2 vols, PUF, 1988, t. 2, p.733-742

2.- « L'enseignement du droit comparé au Japon », *Revue internationale de droit comparé*, 1988, no 4, p.741-743

3.- « Les civilistes français et le droit naturel au XIXème siècle : à propos de la prescription », *Revue d'histoire des facultés de droit et de la science juridique*, no 8, 1989, p. 129-154

4.- "The Influence of the French Revolution on the Notion of Law: the Idea of Civil Legislation and the Birth of Modern Law", *L'image de la Révolution française*, 4 vols, Paris, 1989-1990, t. 4, p. 2694

5.- « Suppléments à Fenet, ou mieux comprendre le Code civil français de 1804 (I) », *Himeji International Forum of Law and Politics*, no 1, 1993, 85-204

6.- "Japan," in: Ewoud H. Hondius (ed.), *Extinctive Prescription / On the Limitation of Actions* :

Reports of the XIVth Congress, International Academy of Comparative Law (Athens, 31 July - 7 August 1994, Kluwer Law International, 1995, p. 229-248

7.- "Entretiens sur la propriété" avec Frédéric Zenati, Himeji International Forum of Law and Politics, no 2, 1995, p. 53-83

8.- "Entretiens sur la prescription" avec Frédéric Zenati, Himeji International Forum of Law and Politics, no 2, 1995, p. 85-105

9.- « De l'obligation de "couverture" à la prestation de "garantir" -- donner, faire, ne pas faire ... et garantir ? -- », in : Mélanges Christian Mouly, 2 vols, 1998, t. 2, p. 375-399

10.- « Donner et garantir - un siècle après ou une autre histoire », in : Études offertes à Jacques Ghestin, Le contrat au début du XXIe siècle, LGDJ, 2001, p. 473-487

11.- « On ne peut que présumer la vérité : l'autorité de la chose jugée », in : Joël MONÉGER et al. (dir.), Robert-Joseph Pothier, d'hier à aujourd'hui, Economica, 2001, p. 143-157

12.- « La liberté contractuelle, un droit de l'homme ? » in : Jean-Luc CHABOT, et al. (textes réunis par), Le Code civil et les Droits de l'homme, Actes du Colloque international de Grenoble, 3 et 4 décembre 2003, l'Harmattan, 2005, p. 131-159

13.- « Qu'est-ce que le "civil" ? De la Révolution française au Code civil », in : Libres propos sur les sources du droit, Mélanges en l'honneur de Philippe Jestaz, Dalloz, 2006, p. 273-292

14.- « Evolutions récentes du droit des contrats au Japon », in : Études offertes au Doyen Philippe Simler, Litec et Dalloz, 2006, p. 577-585

15.- Droit japonais et droit français au miroir de la modernité, avec Jean-Louis Halpérin, Dalloz, 2007, 274 p.

16.- « Les sources du droit au Japon : Aspects contemporains », in : Les sources du droit : aspects contemporains, Société de Législation Comparée, 2007, p. 55-62, suivi d'un débat, p. 69-79

17.- « Intérêt général, pays de Rousseau aujourd'hui », in : L'intérêt général au Japon et en France, Dalloz, 2008, p. 53-58

18.- « Regards d'un civiliste étranger sur le nouveau droit français de la prescription », Revue des contrats, 2008/4, p. 1445-1449

19.- « Vérités, droits substantiels et autorité de la chose jugée », Justices et droit du procès, in : Du légalisme procédural à l'humanisme processuel, Mélanges en l'honneur de Serge Guinchard, Dalloz, 2010, p. 759-770

20.- « La Concurrence déloyale, Rapport japonais », avec Atsushi Omura, in : La concurrence, Journées marocaines, 2006, Travaux de l'Association Henri Capitant des amis de la culture juridique française, t. 56, 2010, p. 171-184

21.- « PACL (Principles of Asian Civil/Commercial Law) », Revue des contrats, 2010/3, p. 995-1006

22.- « La prescription extinctive au Japon : Délai de droit commun et proposition de réforme », in :

Patrice JOURDAIN et Patric WÉRY (dir.), La prescription extinctive, Etudes de droit comparé, Schulthess et Bruylant, Bruxelles, 2010, p. 973-982

23.- "PACL (Principles of Asian Civil Law)," in : Mélanges Jean-Louis Baudouin, sous la direction de Benoît Moore, Éditions Yvon Blais, 2012, p. 393-419

24.- « Chose et bien », in : Le patrimoine au XXI^e siècle : Regards croisés franco-japonais, Société de Législation Comparée, 2012 (dir. par Michel Grimaldi, Naoki Kanayama, Naoya Katayama, et Mustapha Mekki), p. 89-99

25.- « La possession des choses corporelles et incorporelles », in : Le patrimoine au XXI^e siècle : Regards croisés franco-japonais, Société de Législation Comparée, 2012 (dir. par Michel Grimaldi, Naoki Kanayama, Naoya Katayama, et Mustapha Mekki), p. 415-427, 457-463

26.- "Struggles against Usurious Loans in Japan", Sogang Journal of Law and Business, vol. 2, number 2, 2012, p. 53-72

27.- « Il carattere non occidentale del codice civile giapponese: mito o realtà? », Annuario 2013, p. 199-204

28.- Les notions fondamentales de droit civil : Regards croisés franco-japonaises, sous la responsabilité scientifique de Denis Mazeaud et Mustapha Mekki, Naoki Kanayama et Katsumi Yoshida, LGDJ, Lextenso éditions, 2013

29.- PACL (Principles of Asian Contract Law), in : Béatrice JALUZOT (dir.), Droit japonais, droit français, Quel dialogue ?, Schulthess, 2014, p. 185-196

30.- Le caractère non-occidental du Minpo, mythe ou réalité, in : Pierre Brunet, Ken Hasegawa, Hajime Yamamoto (dir.), Rencontre franco-japonais autour des transferts de concepts juridiques, Mare & Martin, 2014, p. 31-38

31.- Internationalisation of Legal Education: Japan, in: Japanese reports for the XIXth International Congress of Comparative Law (Vienna, 20-26 July 2014) : Japanese reports for the Second Thematic Congress of the International Academy of Comparative Law (Taipei, 24-26 May 2012) ; Rapports japonais pour le XIX^{ème} Congrès international de droit comparé (Vienne, 20-26 juillet 2014) : rapports japonais au II^{ème} Congrès thématique de l'Académie internationale de droit comparé (Taipei, 24-26 mai 2012), 2015, International Center of Comparative Law and Politics, Graduate School of Law and Politics, the University of Tokyo (ICCLP Publications no. 13), p. 34-42

32.- Preuve et vérité au Japon (avec Kazushi Sugimoto), in : La preuve, Journées Pays-Bas/Belgique, 2015, Travaux de l'Association Henri Capitant, t. 63, p. 875-881

TAKAYUKI KIHIRA

Partner, Mori Hamada & Matsumoto

Tokyo, Japan

Takayuki Kihira is a corporate/M&A partner with Mori Hamada & Matsumoto, one of the largest Japanese law firms having approximately 500 lawyers. Mr. Kihira's areas of practice include mergers and acquisitions, venture financing and international commercial transactions.

He has constantly been selected as a recommended lawyer in corporate and M&A sector in Japan, including Chambers Global (2019) and Chambers Asia-Pacific (2019).

Since 2015, Mr. Kihira has been teaching "Global M&A Practice" as an adjunct professor of law at Cornell Law School in the U.S. Mr. Kihira is qualified to practice law in both Japan and New York.

He is a graduate of Cornell Law School (LL.M.) and Hitotsubashi University (LL.B.).

During 2006-2007, he worked with the international law firm of Shearman & Sterling LLP in New York.



Catherine (Kyeong) Kim

Associate (admitted in New York & Massachusetts) of DR & AJU LLC

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Catherine (Kyeong) is a Foreign Attorney (admitted in New York & Massachusetts, USA) in international arbitration and international dispute resolution team. She has represented and advised various Korean and international clients on international arbitration matters under the ICC, KCAB and CAS rules or ad hoc matters. Recently, since the bankruptcy of a large Korean shipping company, she has advised the company in many related international arbitration matters and has also advised manufacturers, F&B industry, cosmetic companies, athletes, etc.

Catherine also advises clients on pre-arbitration steps such as choosing arbitration institutions, or post-arbitration award steps such as recognition and enforcement. Additionally, she often advises on general corporate matters and international deals.

A graduate of Boston University School of Law, Catherine was an active participant in Stone Moot Competition and APALSA organization. Prior to law school, she graduated from University of Illinois at Urbana-Champaign, where she studied International Studies with a focus on Business Communications and French and took a semester of study abroad in Paris, France where she pursued art and literature classes conducted in French.

EXPERTISE

- **International Arbitration/International Dispute Resolution:**
 - ▶ Represented Hanjin Shipping in various disputes regarding priority claims from companies from various countries such as Saudi Arabia, Turkey, Indonesia, Israel, Greece, etc. under the KCAB international rules.
 - ▶ Represented Hanjin Shipping in various international disputes involving foreign courts in countries such as France, Thailand, Indonesia, Malaysia, UK, etc.
 - ▶ Represented a Singaporean logistics company against a large Korean construction conglomerate in its arbitration under the KCAB domestic rules.
 - ▶ Represented a Singaporean manufacturer against a Korean company under the KCAB international rules.
 - ▶ Represented a Korean manufacturer against a Taiwanese company under the ICC rules.
 - ▶ Represented a Korean soccer player against FIFA in a doping related dispute at the CAS.
 - ▶ Advised a European company in an underground pipeline manufacturing project deal of more than USD10M with a Korean company.
 - ▶ Advised a Korean cosmetics company in its various export deals in U.S. and Europe.
 - ▶ Advised a U.S. company with a Korean parent company in its local U.S. lawsuit with regards to international discovery under the U.N. Hague Convention rules conducted in Korea.
 - ▶ Advised international parties facing criminal charges in Korea successfully settle the charges (criminal matters).
- **International Projects:**
 - ▶ Advised various Korean and international companies on international contracts between Korea and foreign countries (U.S., European countries, Singapore, etc.) regarding sale and purchase agreements, distribution agreements, license agreements, share purchase agreements, JV agreements, etc.
 - ▶ Advised a Korean company with an international contract with the government of Ecuador with regards to a sewerage system expansion project in Ecuador.

- ▶ Advised Korean South-East Power Co. regarding certain wind projects in the U.S., and assisting with a potential JV project in Vietnam in BCC form.
- ▶ Advised a Korean company regarding multi-national research survey on debtor/creditor laws.



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KAP - YOU (KEVIN) KIM is a senior partner of BAE, KIM & LEE LLC and head of the International Arbitration & Litigation Practice Group, which was the first dedicated practice group in the field in Korea, and was named in the "GAR 30" list of top practices worldwide and earned GAR "Win of the Year" in 2011.

Kevin is a Vice President of the ICC Court and Advisory Board Member of the International Council for Commercial Arbitration (ICCA). He also serves in a number of other prominent positions, including as, a member of the Panel of Arbitrators of ICSID, and an Editorial Board Member of the Global Arbitration Review. He also served as Secretary General of the ICCA from 2010 to 2014, a Court Member at the LCIA Court from 2007 to 2012 and Vice Chair of the IBA Arbitration Committee from 2008 to 2010.

Domestically, He is a Chair of the KCAB International Committee, President of the ICC Korea Arbitration Committee and Vice president of the Korea Arbitrators Association. He also served as inaugural Secretary General of the Seoul International Dispute Resolution Center (Seoul IDRC) from 2012 to 2014, President of the Korean Council for International Arbitration (KOCIA) from 2012 to 2014 and Chair of the International Committee of the Korean Bar Association from 2000 to 2002.

He has acted as counsel, presiding arbitrator, co-arbitrator or sole arbitrator in more than 300 cases of international arbitrations under various rules including ICC, LCIA, AAA (ICDR), SIAC, HKIAC, LMAA, JCAA, UNCITRAL and KCAB for 30 years. He served as lead counsel in a case that was awarded "Arbitration Win of the Year 2010" by the Global Arbitration Review. Presently, he is involved in several investment arbitrations, including representing Korea in an ICSID arbitration brought by Lone Star Funds, the first investment arbitration brought against Korea and the first Korean investor to bring an arbitration against a foreign government

Chambers Asia reports that Kevin is "one of the most respected figures in the Asian arbitration space" and "the best Korean lawyer in the field of arbitration in Asia," according to clients. He is recognized by *Chambers* as a "Star Individual" in dispute resolution (2010-2019) and has also been repeatedly recognized in *Who's Who Legal* (2006-2019) and *Asia-Pacific Legal 500* (2005-2019).

Kevin holds degrees from the Seoul National University College of Law (LL.B., LL.M.) and Harvard Law School (LL.M.). He has authored a number of publications on international arbitration and litigation practice, and was general editor of *Arbitration Law of Korea: Practice & Procedure* (Juris Publishing, 2012), the first hornbook on arbitration in Korea written in English. He also authored *Arbitration Law & Practice* (Bakyounghsa, 2012), a hornbook on arbitration in the Korean language. Kevin is licensed to practice in Korea and New York, and speaks Korean (native), English (fluent), and Japanese (conversational).

WWL says: Kap-You Kim "is a huge name in the market", say peers, who regard him as "one of the standout counsel in Korea" thanks to his "very strategic approach".



Masafumi Kodama is a partner at Kitahama Partners in Japan. He received his LL.B from the University of Tokyo, started his practice in Osaka, Japan in 1993 and thereafter received LL.M degree from Cornell Law School. After graduation from Cornell, he worked in New York and Singapore for a little more than a year. He has worked as counsel and arbitrator in a number of international commercial arbitration cases, as well as counsel for execution / setting aside cases before Japanese courts. With such experience, he regularly advises numerous multi-national companies on arbitration, has written and lectured for a variety of arbitration and dispute resolution issues, including the Japan Chapter of “World Arbitration Reporter” issued by Juris Publishing. He has been a Council member of Japan Association of Arbitrators since 2011, and the Deputy Secretary General of Japan International Dispute Resolution Center since 2018. He is also a CEDR accredited mediator and an SIMC Specialist Mediator.

BIO FOR KENSUKE KUBO

Kensuke Kubo is an Associate Professor in the Faculty of Business and Commerce at Keio University, Tokyo. His field of specialization is industrial organization, with a focus on the application of economic analysis to competition matters. Some of his publications have been published in top academic journals such as the *Journal of Health Economics*.

Prior to joining Keio University in April 2018, Kensuke was a Senior Vice President at AlixPartners. From June 2014 to May 2016, he headed the economic analysis team in the Mergers and Acquisitions Division of the Japan Fair Trade Commission (JFTC). Before that, Kensuke was an academic researcher at the Institute of Developing Economies, Japan External Trade Organization. He was also a visiting researcher at the Indian Statistical Institute in New Delhi for two years.

During his tenure at the JFTC, Kensuke planned and executed economic analysis in several high-profile merger cases. Some of the results from these analyses – including those in the retail, material, medical equipment, and energy industries – have been publicized by the JFTC.

As a consultant, Kensuke has produced economic analysis reports in the context of merger review, cartel damages, and other antitrust cases. He has presented the results of his economic analysis in front of JFTC investigators on multiple occasions.

Kensuke currently serves as a Visiting Researcher at the Competition Policy Research Center of the JFTC, as well as a non-governmental advisor to the JFTC in the International Competition Network. He is also a Supporting Member of the Japan Competition Law Forum.

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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.

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Kenneth J. Lebrun

Mr. Lebrun is a partner at Davis Polk and Wardwell LLP, a leading international law firm headquartered in New York. Based in Davis Polk's Tokyo office, he has extensive experience in public and private cross-border mergers and acquisitions, joint ventures, strategic alliances and private equity transactions. Mr. Lebrun has represented major Japanese companies and financial institutions for more than 20 years on many of their largest and most significant transactions. He is the Chair of the Foreign Direct Investment Committee of the American Chamber of Commerce in Japan and has served on various study and advisory committees to the Government of Japan on topics relating to foreign direct investment.

Mr. Lebrun is admitted to practice in the State of New York and is a registered foreign lawyer in Japan. He has a B.A. from Carleton College, a J.D. from the Georgetown University Law Center and a Master of Science in Foreign Service degree from Georgetown University.



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Hoin Lee is a senior foreign attorney at Kim & Chang, with expertise on labor and employment law issues. Mr. Lee also has extensive experience in finance matters (both regulatory and transactional).

Mr. Lee advises major private and not-for-profit employers on all aspects of employment and labor-related matters, including restructuring programs and early retirement plans, employment counseling, labor-management relations, collective bargaining negotiations and strategy, labor-related issues in M&A, crisis management, and business transfers and acquisitions.

Prior to joining Kim & Chang, Mr. Lee worked at Milbank, Tweed, Hadley & McCloy LLP in its New York and Hong Kong offices.

Mr. Lee has been consistently recognized as a leading individual in his practice areas, including as one of the top tier practitioners in securitization by both Chambers Global and Chambers Asia-Pacific 2017 and 2018 and a leading lawyer in banking & finance and labour & employment by Asialaw Leading Lawyers in 2017 and 2018.

Education

New York University School of Law (J.D., 2000)
College of Law, Seoul National University (LL.B., 1991)

Experience

Kim & Chang (2008-Present)
Milbank, Tweed, Hadley & McCloy LLP (2000-2008)

Awards

The A-List: Korea's Top 100 Lawyers, Asia Business Law Journal (Vantage Asia, 2019)
Leading Individual, Chambers Asia-Pacific: Capital Markets - Securitisation (Chambers and Partners, 2017-2019)
Leading Individual, Chambers Global: Capital Markets - Securitisation (Chambers and Partners, 2017-2019)
Leading Lawyer, Asialaw Leading Lawyers: Banking & Finance, Labour & Employment (Euromoney, 2017-2018)
Market-Leading Lawyer, Asialaw Leading Lawyers: Banking & Finance (Euromoney, 2016)



Max Lee

Max Lee is a Senior Associate with Tsar & Tsai Law Firm, who regularly handles government contract disputes, anti-trust and anti-bribery compliance issues, employment matters, data privacy, and intellectual property matters and has vast experience of court procedures and practice in the above areas.

His major practices in the above areas include:

- Anti-trust investigation: Advised client on strategies responding to Taiwan Fair Trade Commission investigation, coordinated with legal counsels of foreign jurisdictions in aligning legal strategies, planned and carried out internal investigations for client that resulted in successful anti-trust risk identification and the subsequent remedial measures.
- Anti-bribery compliance: Planned and carried out investigation on client's suspected employees/departments for possible corruptive practices, conducted interviews on suspected employees that successfully uncovered inappropriate payments, recommended clients of anti-corruption best practices aiming at minimizing potential anti-bribery risks.
- Public construction dispute resolution: Successfully represented clients in civil/criminal/administrative/arbitration proceedings concerning disputes in large public construction and public procurement projects, such as defending client against unreasonable administrative orders, obtaining favorable arbitration award in construction contract payment disputes.
- Trade secret protection: represented clients in trade secret misappropriation cases, including filing criminal complaints, cooperating with the prosecutors in investigating the crimes, conducting forensic analysis on trade secrets suspected to be stolen, etc.

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TSAR & TSAI LAW FIRM

- General corporate matters: reviewed and suggested modifications to employment agreements and employee handbooks, answered clients' queries as to labor law issues, represented clients in business ownership disputes, drafted and reviewed various types of purchase agreements, distribution agreements, OEM agreements, R&D outsourcing agreements, etc.

ADMITTED

Taiwan (2011)

State of New York (2019)

Passed the 2019 June CFA Level I Exam. Currently a candidate of the CFA Level II program.

EDUCATION

Soochow University (LL.B., 2003)

National Taiwan University (LL.M., 2009)

Duke University School of Law (LL.M., 2018)

LANGUAGE

Mandarin Chinese, English, and Japanese

EDWARD K. LENCI is Executive Vice Chair of the New York State Bar Association’s International Section and Co-Chair of this 2019 Global Conference. He is a partner in the New York City office of Hinshaw & Culbertson LLP. His practice focuses on the defense of businesses sued in class action lawsuits, the litigation and arbitration of complex business/commercial disputes, including reinsurance disputes, and appeals. Of particular note is a class action defense victory in the U.S. Supreme Court, for a prominent student loan servicer, involving enforcement of a class action waiver in a student loan’s arbitration provisions. He also chairs Hinshaw’s reinsurance practice. He began his legal career here in Tokyo when he worked at Hamada & Matsumoto (now Mori Hamada & Matsumoto) during the summer following his first year at Columbia University School of Law. Before that, he had lived in Japan – after graduation, *summa cum laude*, from Fordham University – as a *kenkyūsei* (research student) at International Christian University (ICU). In addition to his studies at ICU, he spent a number of weekends and the New Year’s holiday at Zen temples, taught English weekly at *Sankoin*, a Buddhist convent that operated a restaurant offering *shōjin ryōri* (“devotional cuisine”), and practiced *Shorinji Kempo*, a martial art. At Columbia, he was awarded “Achievement with Honors” from Columbia’s Parker School of Foreign and Comparative Law. Since graduation, he has practiced in New York City, including a period at New York City’s Marks & Murase, where he met the attorney with whom he would later form Wilker & Lenci LLP. He joined Hinshaw in 2007. He has spoken around the world and written about class actions, reinsurance, and arbitration, including alternative fora for international arbitrations. The media has quoted him concerning arbitration, foreign sovereign immunity, and the Consumer Financial Protection Bureau. He is serving his third term as a member of the Editorial Advisory Board of Law360 International Arbitration. He was interviewed on *RTÉ*, Ireland’s public service broadcaster, about Dublin’s advantages as a center for international arbitration and is honored now to represent Arbitration Ireland at this Global Conference’s Arbitration Plenary. He and his wife, Monica, an artist, live in Greenwich, Connecticut.

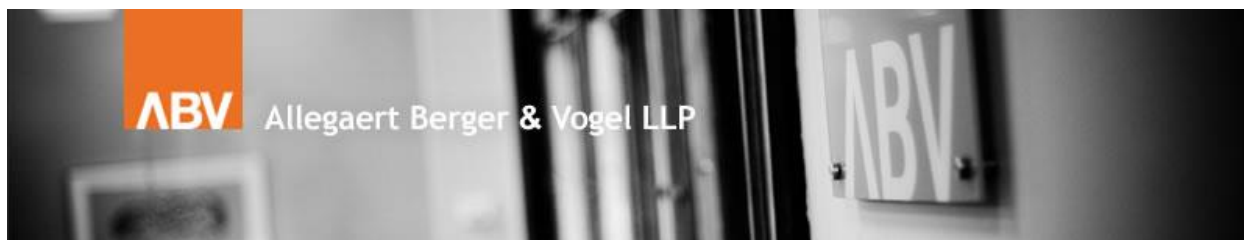
MEEKS, SHEPPARD, LEO & PILLSBURY

ROBERT J. LEO is a partner in the New York office of Meeks, Sheppard, Leo & Pillsbury. The firm's practice focuses on U.S. and international law and regulations affecting exports and imports. Bob has been in private practice since 1991.

Prior to joining the firm, Bob was Vice President and Counsel for the American Association of Exporters and Importers (AAEI), a national trade association representing U.S. companies before Congress and the Executive Branch. Recently he served on AAEI's Board of Governors and as a member of the AAEI Industry Leadership Council. He is also a Board member of the New York based trade association, NEXCO, and is active in various other associations, including the Home Fashion Products Association, which the firm serves as Counsel.

Bob is a cleared advisor to the U.S. government on customs and trade facilitation issues and has served in that capacity for over 20 years. He was re-appointed in 2018 by the U.S. Department of Commerce and the Office of the U.S. Trade Representative to the Industry Trade Advisory Committee on Customs and Trade Facilitation (ITAC 12). Bob is also a select member of the New York District Export Council, which helps promote U.S. exports.

He served as Chair of the New York State Bar Association's International Section in 2005 and was Program Co-Chair for the Section's Fall Meeting in Shanghai in 2006. He is currently Co-Chair of the Section's International Trade Committee. Bob is also a long-standing member of the Customs and International Trade Bar Association. He graduated from the State University of New York at Albany and received his J.D. from Brooklyn Law School. While in law school he was Managing Editor of the *Brooklyn Journal of International Law* and served as an intern for then Chief Judge Edward D. Re of the U.S. Court of International Trade.



Bianca Lin

Associate

Bianca Lin joined the Firm as an associate in 2015. She has represented client interests in complex business litigation matters. Ms. Lin's professional experience covers a broad range of areas, including contract, securities, corporate governance, partnership, bankruptcy litigation, employment disputes and real property. As a Taiwanese lawyer with experience in both civil and common law legal systems, Ms. Lin brings a unique perspective from experience in both civil and common law legal systems to representing foreign clients.

Academic Background

LL.M., New York University School of Law, 2015

LL.B., National Taiwan University, College of Law (Presidential Award, 2012)

Bar and Court Admissions

New York

Southern District of New York

Eastern District of New York

Taipei, Taiwan

Publication

"Securitized Loans in Bankruptcy," Mortgage and Asset Backed Securities Litigation Handbook, West® Legalworks, (section co-author).

"From Tesla to the Use of Social Media and Public Company's Disclosure of Material Information," Commercial Times, Aug. 15, 2018 (Chinese).

Representative Matters

Representation of indenture trustee and monoline insurers of the notes in the trust in a 1.83 billion residential mortgage-backed securities put-back action in which the trustee sought to enforce its contractual rights of repurchase of the mortgage loans in the trust. Secured favorable confidential settlement.

Representation of Swiss and French banks, which are subsequent transferees of funds related to a Ponzi scheme, in defending the adversary bankruptcy proceedings commenced by the trustee and the liquidator. Multiple appeals pending.

Representation of more than 10 pharmacies, including an international pharmacy, in defense of fraud, importation, trademark, RICO, and unjust enrichment claims brought by a pharmaceutical company for the pharmacies' alleged sales of international versions of blood glucose test strips in the U.S. Won the motion to dismiss RICO and unjust enrichment claims. Secured favorable settlements. Representation of more than 60 pharmacies in response to the subpoenas issued in connection with this action. Assisted in the negotiation between the nonparty pharmacies and Plaintiff's counsel so that none of the nonparty pharmacies were later added as defendants.

Representation of software company in breach of contract action in connection with installation of financial software at a U.S. bank. Obtained reversal on summary judgment. Parties reached settlement.

Representation of financial corporation in connection with breach of contract action. Obtained judgment in full amount, including legal fees and expenses.

Representation in connection with defense of alleged breach of commission agreement. Won motion to dismiss the action. Won the appeal of same in the First Department.

Representation of partner in joint venture over abortive deal for development of a shopping center. Obtained management role through court decision.

Performed analysis of U.S. securities regulatory regimes with respect to the launch of a decentralized digital asset exchange for a Taiwan-based cryptocurrency company.

Representation of Hong Kong based manufacturer against U.S. based corporation in connection with breach of contract and alter ego claims. Appeal pending.

Representation of borrower in connection with breach of loan agreement and commercial foreclosure. Results pending.

Representation of an optical company in connection with employment disputes. Parties reached settlement.

Representation of shareholders in shareholders' derivative lawsuit for breach of fiduciary duty, etc. Action pending.

Representation of company in shareholders' derivative lawsuit. Action pending.

Representation of a leading global manufacturer of flavor-enhancer in connection with the investigation concerning controlled substance compliance.



Dominique Lombardi

**Partner (Foreign Lawyer)
Rajah & Tann Singapore LLP**

Competition & Antitrust and Trade

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E dominique.lombardi@rajahtann.com

Qualifications

- DESS in International Business Law, Paris X University (France) - (AE/Alumni)
- Master's degree in business law, Paris X University (France)

Dominique is the Deputy Head of Rajah & Tann Singapore LLP's Competition & Antitrust and Trade Practice. A Foreign Lawyer with the Competition & Antitrust Practice, she has extensive experience in European competition and antitrust laws and regulatory issues.

Having spent more than a decade in Asia, she has acquired an intimate knowledge of competition regimes in the region and brings to the Practice a unique dual European/Asian approach. Dominique has worked both in private practice and as an in-house lawyer with her expertise covering all aspects of competition/antitrust law - merger control, international cartels (including multi-jurisdictional leniency), vertical restraints, abusive conduct - as well as deregulation law.

Dominique has been cited as a leading lawyer by various journals, including *Chambers Asia Pacific*, *Euromoney Experts Guides (Guide to the World's Leading Competition & Antitrust Lawyers)*, *Who's Who Legal* and *Best Lawyers*. *Chambers Asia Pacific* notes her "very reliable legal analysis" and describes her as one who is "flexible and understands where the client's priorities lie".

Separately, Dominique is an Adjunct Lecturer at Sorbonne Assas International Law School - Asia, where she lectures on European Competition Law. Dominique is a French native speaker.

In 2018, Dominique was conferred Knight of the French National Order of Merit.

Experience

Competition & Antitrust

On Competition & Antitrust, Dominique has been involved in major cartel / abuse investigations, leniency applications, cross-border mergers / other notifications as well as market studies.

Biography

She has also assisted on numerous compliance training and implementation of competition compliance programmes laws across the region.

Dominique was further involved in the drafting of the Airport Competition Code, drawing from her EU experience in the regulation field.

Significant matters Dominique has been involved in include:

- Mergers:
 - DKSH / Auric Pacific Marketing Pte Ltd and Centurion Marketing Pte Ltd
 - Essilor / Luxottica
 - Sinochem / Halcyon
 - Moog Inc. / SIA Engineering Company
 - Emperador / Beam Suntory
 - FMC / Asia Renal Care
 - Chartered Semiconductor / Hitachi Semiconductor

Dominique further assisted in the assessment of a number of multi-national merger transactions, reviewing the needs for notification across multiple countries.

- Major investigations (public):

- Coca-Cola
- Chicken cartel
- Freight forwarders
- Lifts
- Express Bus agencies
- Financial advisers
- Capacitors
- Bid-rigging in F1
- Food delivery
- Ball bearings
- Ticketing

Dominique also assisted in a number of market studies conducted by the regulator in industries such as the petrol industry or FMCGs.

Further, Dominique has been involved in various leniency applications in relation to international cartels.

Before joining Rajah & Tann Singapore, and as an in-house counsel in a leading energy company in Europe, Dominique provided legal advice and support in major European M&A operations, including notification to the European Commission of a number of acquisitions/joint-ventures in the energy sector in France, United-Kingdom, Germany, Spain, Italy; advised and provided constant support in the company day-to-day business, including in-depth legal and economic analyses of commercial activities and industrial agreements and practices viz competition laws; managed litigation and disputes essentially in the field of antitrust law.

Trade

On Trade, Dominique has been involved in various matters relating to export and import permit applications and clearances involving strategic and various other regulated and prohibited goods and on strategic and controlled goods issues and assisted with voluntary disclosure programmes.



LUCY LU

Partner

Shanghai

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Ms. Lucy Lu specializes in labour and employment, foreign investment, mergers and acquisitions, and corporate matters.

She has extensive experience in labor matters. Her experience includes: reviewing and drafting labor contracts, offer letters, and other employment-related agreements, employee handbooks, internal rules and policies, conducting labor due diligence investigations, providing legal opinions for the establishment, modification and termination of employment, and advising on employment arrangements for merger and acquisition transactions.

Ms. Lu has represented many domestic and foreign corporations on their investments in China. She has participated in a large number of investments, restructurings and mergers and acquisitions on behalf of many multinational and medium-sized foreign enterprises. Her services cover due diligence investigations, project structuring, document drafting and review, negotiations, issuing legal advice, and communicating with relevant government authorities on behalf of clients.

Ms. Lu has been ranked as a “Leading Individual” by Chambers Asia Pacific Guide for consecutive years in labor law. Ms. Lucy Lu has been ranked as one of the Leading Individuals by Asialaw in its 2016 Asia Pacific rankings. In 2016, based on the votes and recommendations of hundreds of in-house counsels, Ms. Lu has been commended as “In-House Community External Counsel of the Year” by one of the most well-known legal media in Asia, In-House Community.

Ms. Lu joined King & Wood Mallesons in 2001. Before joining our firm, she worked with the Suzhou Justice Bureau and Suzhou Gucheng Law Firm. She obtained her LL.B. from the Law School of Nanjing University, and her LL.M. from the University of London. She was admitted as a Chinese lawyer in 1994.

Alejandro María Massot

Alejandro María Massot obtained his law degree from the Universidad Torcuato Di Tella. In 2008 he graduated as an LL.M. from the University of Chicago Law School. In 2011 he obtained a Masters Degree in Law and Economics from the Universidad Torcuato Di Tella; being awarded the Best Thesis Award.

Mr. Massot has a strong practice advising clients on corporate matters and new industries relating to Argentina and other Latin American countries. He has also developed skills regarding Antitrust Law matters. He has been involved in Data Protection matters since before the current Argentine legislation was enacted and has since then been actively involved with private and public organizations and agencies to strengthen protection of private data and information, becoming a leading professional on this area.

Likewise, he has been Professor at the Universidad Torcuato Di Tella Law School; he also collaborates with the Universidad Notarial Argentina. He has published extensively on several legal and business matters.

He is a member of the Bar of the City of Buenos Aires and of the New York State Bar. He chairs the Argentine Chapter of the International Section of the New York State Bar Association. He is an advisor to the Federal Congress of Argentina.

Mr. Massot is admitted to practice in the City of Buenos Aires and in the State of New York.

Languages: Spanish, English, and French.

Shigeki Minami

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Shigeki Minami is a lawyer licensed in Japan (admitted in 1997) and a partner at the Tokyo office of Nagashima Ohno & Tsunematsu. He is an expert in tax law matters, including transfer pricing, cross-border mergers and acquisitions, international reorganizations, anti-tax-haven (CFC) rules, withholding tax issues, tax treatment on various financial instruments, corporate tax issues and other general tax issues. With respect to such matters, he has acted as counsel in various tax disputes on behalf of major Japanese and foreign companies.

Mr. Minami served as the Chair of the Asia-Pacific Regional Committee of the International Fiscal Association (IFA) from 2016 to 2018 and is a member of the Practice Council of the International Tax Program at the New York University School of Law.

For the past several years, Mr. Minami has been selected as one of the leading practitioners in the corporate tax categories in *Who's Who Legal* and listed as one of the top lawyers in Japan (Tax Law) in *The Best Lawyers in Japan*. He is also recognized as an "Indirect Tax Leader" and a "Tax Controversy Leader" by the *International Tax Review*.

Mr. Minami graduated from the University of Tokyo with an LLB in 1994 and the New York University School of Law with an LLM in Corporate Law in 2002 and Tax Law in 2003.

MIMURA Mitsuhiro is a Senior Research Fellow of Research Division at the Economic Research Institute for Northeast Asia (ERINA) in Niigata, Japan. Dr. Mimura received Ph. D. in Jurisprudence from Graduate School of Law, Osaka University, Japan in 2001. Upon graduation he has been making a research at ERINA. His area of study includes North Korean economy, North Korean law, and Inter-Korean Relationship and Northeast Asian economic integration. Since 1996, he has visited North Korea more than thirty times. He often visits various cities in Northeast Asia including Pyongyang for academic exchange. He is one of the rare Japanese scholars who are able to exchange thoughts directly with North Koreans scholars in Pyongyang. Supported by colleagues in both Koreas, China, Russia, the U.S., the E.U. and Japan, his research has deep insight into how Northeast Asia and widely accepted in Northeast Asian countries including North Korea. Based on his unique experience, he advocates a new perspective of integrated North East Asian economy.

Mitsuko (Mimi) MIYAGAWA
Attorney-at-Law (Japan and New York)
Partner, TMI Associates

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Mitsuko (Mimi) Miyagawa, admitted to the bar in Japan (1986) and New York (1994), has over 30 years' experience handling IP matters (especially, trademark, design, copyright, unfair competition and trade secret) and has represented clients in infringement litigation as well as IP-related business negotiations. She has been highly ranked as one of the best IP lawyers in Japan. She has also actively worked as a member of several governmental committees related to IP rights, and lectured on IP law at Keio Law School. She recently received the 2019 Intellectual Property Awards for Contribution to the IP Rights System from the Minister of Economy, Trade and Industry.

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|----------------------------------|--|
| Education | Harvard Law School (LL. M., 1993)
The University of Tokyo, Faculty of Law (LL.B.,1984) |
| Experiences | Outside Director, Mitsubishi Motors Corporation (2019-)
Corporate Auditor, Panasonic Corporation (2016-)
Outside Director, S.T. Corporation (2015-)
Auditor, Unilever Japan Holdings K.K. (2012-2016) |
| Public Services | Chairperson of the Committee on Intellectual Property Rights, the Japan Federation of Bar Associations (JFBA) (2019-)
Director, Japan Trademark Association (JTA) (2015-)
Director, Japan Association of Arbitrators (JAA) (2018-)
Member of the Customs Dissatisfaction Review Committee and IP Subcommittee, Ministry of Finance (2017-)
Member of the IP Strategy Headquarters of the Cabinet (2013-2017) |
| Law Firms | TMI Associates (Associate,1990-1995; Partner,1995-)
Addleshaw Goddard, London (1994)
New York Office of Proskauer Rose LLP (1993-1994)
Nishimura & Asahi, Tokyo (Associate,1986-1990) |
| Memberships | IBA, ABA, IPBA, INTA, AIPPI, Volunteer Lawyers for the Arts, New York, New York County Lawyers' Association |
| Recent Publications and Seminars | Chambers Global Practice Guide – Trade Marks 2019
“Arbitrating IP Disputes” IPBA Annual Meeting 2019 in Singapore
“Passing Off vs. Unfair Competition, Protection of Brand and Design in the fashion field” FICPI-JAPAN Osaka Symposium 2018 |

Mariana Eguiarte-Morett
Partner – Mexico City Office
Attorney
meguiarte@sanchezdevanny.com
t. (+52 55) 5029-8523



Practice Areas:

- 📌 Tax

Education:

- 📌 Master of Laws in Tax, distinguished as a scholarship recipient by the Ministry of Education. Universidad Panamericana, Mexico City, Mexico (2013).
- 📌 Studies in corporate finance. Instituto Tecnológico Autónomo de México, Mexico City, Mexico (2010, 2011).
- 📌 Master of Laws (LL.M.) in International Tax Law, distinguished as Wallace and CONACYT's scholarship recipient. New York University School of Law, New York, USA (2009).
- 📌 Special Studies in Tax Law, honorable mention. Universidad Panamericana, Mexico City, Mexico (2007).
- 📌 Law Degree, honorable mention. Universidad Panamericana, Mexico City, Mexico (2006).

Background:

Mariana has 15 years of legal experience, and is admitted to law practice both in Mexico and in the State of New York, USA. Her practice is primarily focused on two fronts. The first is advising national and multinational companies in domestic and international tax issues (inbound and outbound), including mergers and acquisitions, corporate restructurings, leveraged financing and project financing, tax aspects of compliance and diligence processes, along with interpretation and application of treaties. She has also developed a niche practice in consumption taxes, focusing on Value Added Tax and Special Goods and Services Tax. The second, which is closely related with her tax advisory capacities described on the first front, comprises the assistance in dealing with the tax authorities (i) in the negotiation of complex tax rulings and agreements for clients to optimize and secure their tax treatment in Mexico, including international tax and transfer pricing issues (such as APAs and BAPAs), along with assisting in complex administrative procedures to obtain tax authorizations and refunds of taxes; and (ii) in tax audits and investigations aimed at eliminating or minimizing tax exposure of clients subject to audit procedures by the authorities. Mariana has advised national and multinational clients in diverse sectors including real estate, energy, hospitality, automotive, retail, and air transportation. Before joining Sánchez Devanny, she participated in the opening of the Business Planning and Tax practice group of a Texas law firm with offices in Mexico City. She also worked in the tax consulting area of an important full service law firm in Mexico City.

Representative Experience:

- 📌 Acted as lead tax counsel advising a multinational and world leading port investor, developer and operator on the implications of the recent Mexican tax reforms to its corporate structure in Mexico, as well as on a tax efficient restructuring aimed at securing tax treaty benefits of the Hong Kong-Mexico Tax Treaty.
- 📌 Acted as co-lead tax counsel for a United Arab Emirates group in the hospitality sector. Counsel included a complex due diligence process to discover mismanagement issues, and tax planning for an efficient restructuring of the group's operations in Mexico aimed at changing control to a different entity of the group while allowing for an efficient repatriation of funds and exit strategy.
- 📌 Acted as co-lead tax counsel for a multi-national company in the automotive sector to construct a defense position within a tax audit procedure, where the substance of the transactions was proved to validate deductibility of royalty and technical assistance payments made to foreign related parties thereby successfully reducing 80% of the company's tax liability before assessment.
- 📌 Acted as co-lead tax counsel for a German food products company in the purchase of a Mexican gelatine producer. Besides a complex due diligence process for the acquisition, counsel also included tax planning for a leveraged buy-out structure and issuance of supporting legal opinions.
- 📌 Advised an international clothing and sports retail group on the structuring of their operations in Mexico from both a tax (including transfer pricing) and international trade perspective.

- 🔴 Acted as co-lead tax counsel for one of the largest bottling companies in the country in a restructuring process to incorporate a minority shareholder, involving other jurisdictions such as Ecuador, Argentina, Uruguay and Spain to achieve the most tax efficient result possible.
- 🔴 Advised an international clothing retail group on their investment in Mexico, creating a tax efficient structure for the import, distribution and sale of goods to the final consumer, as well as validating such structure with the tax authority and obtaining approval by such authority of large refunds under the concept of Value Added Tax.
- 🔴 Advised multinational groups in the automotive sector regarding the restructuring process of their operations in Mexico to comply with new maquila regulations per the recent Mexican tax reforms, as well as to simplify their operations in the country.
- 🔴 Advised multinational groups in the beauty sector and in the metal/mining sector regarding compliance with Mexican rules pertaining to their global transfer pricing policy.
- 🔴 Advised an airline to achieve before the judicial authorities the annulment of several tax assessments imposed by the authority, under the argument that such airline had triggered a permanent establishment in the country, thereby clarifying its tax situation in Mexico.
- 🔴 Advised one of the most important worldwide retail sellers of beauty products regarding the international tax implications of its expansion into Latin America, and the establishment of a supply chain within Latin America.
- 🔴 Advised a group of companies engaged in the software sector, having obtained a ruling from the tax authority and a further large refund of Income Tax unduly withheld by Mexican resident tax payers.

Publications:

- 🔴 Co-author, "Investment Funds – Mexican report for the IFA 2019 Congress", pending to be published by the International Fiscal Association (IFA), London, United Kingdom.
- 🔴 Co-author, "Multilateral Instrument – Permanent establishment", published on IDC Magazine, 2018.
- 🔴 Co-author, "Taxation of Virtual Transactions in Mexico", published on the e-book "Volume 1 – Memories of the IFA Regional Congress of 2015", Santo Domingo, Dominican Republic.
- 🔴 Author, "Analysis of Article 6 of the OECD Model Convention", published in the book "Comments to Double Tax Treaties" – 2nd part, edited by Themis and the Mexican Branch of the International Fiscal Association, 2015.
- 🔴 Author, "Utilizing Tax Incentives for Infrastructure Ventures in Latin America: The Mexican Perspective," volume 40, number 5 of Intertax, Kluwer Law International, 2012.
- 🔴 Author, "Mexico – Federal Chapter," North American Tax Handbook 2010 and Latin American Tax Handbook 2010, International Bureau of Fiscal Documentation (IBFD)
- 🔴 Author on the Mexico Chapter of the collection Country Surveys (including surveys on "Corporate Taxation," "Individual Taxation," and "Business and Investment" in Mexico), International Bureau of Fiscal Documentation (IBFD) Tax Research Platform (online publication), 2010-2015.

Recent Presentations:

- 🔴 Lecturer for the course "Income Tax Law for Foreign Tax Residents" at the Master of Laws in Tax, Universidad Panamericana, Mexico City, Mexico (as of 2015). *First (and currently the only) woman appointed as lecturer of the Master of Laws in Tax taught at Universidad Panamericana.*
- 🔴 Secretary & Speaker, "Seminar A: Effectiveness of anti-tax avoidance mechanisms (including limitation on benefits)", Nineteenth Congress of the International Fiscal Association (IFA), Seoul, Korea, 2018.
- 🔴 Speaker, "BEPS from a North American Perspective – Selected Aspects of the BEPS Project", Seasonal Meeting 2018: Where do we go from here?, International Law and Practice Section of the New York State Bar Association (NYSBA), Montreal, Canada.
- 🔴 Speaker, "Recent Developments on anti-avoidance rules in a tax treaty context", The New Era of Taxation, International Bar Association (IBA), Buenos Aires, Argentina, 2017.
- 🔴 Speaker, "Update on the MLI", International Fiscal Association (IFA), Mexican Chapter, Mexico City, Mexico, 2017.
- 🔴 Speaker, "Panama Papers", Asociación Nacional de Especialistas Fiscales (ANEFAC), Guanajuato Chapter, Leon, Guanajuato, Mexico, 2016.
- 🔴 Speaker, "Women in the Law", Seasonal Meeting 2016, International Law and Practice Section of the New York State Bar Association (NYSBA), Paris, France, 2016.
- 🔴 Speaker, "Taxation of Illegal Activities", Seventeenth Congress of the International Fiscal Association (IFA), Madrid, Spain, 2016.

- 🔴 Speaker, "Mergers & Acquisitions", 9th Annual U.S.-Latin America Tax Planning Strategies, American Bar Association (ABA) Section of Taxation, International Fiscal Association (IFA) – USA Branch and International Bar Association (IBA) Taxes Committee, Miami, Florida, 2016.
- 🔴 Speaker, "Chambers Diversity Summit: Mexico", Chambers and Partners in association with Linklaters, Pacheco Coto and Sanchez Devanny, Mexico City, Mexico.
- 🔴 Speaker, "Update on BEPS", International Fiscal Association (IFA), Mexican Chapter, Mexico City, Mexico, 2016.
- 🔴 Speaker, "Energy Sector Investment in Brazil" and "Cross Border Charitable Planning", Seasonal Meeting 2015: Reforming, Regrouping, Recycling – Brazil's Recent Developments and Opportunities for Latin America amidst Global Challenges, International Law and Practice Section of the New York State Bar Association (NYSBA), Sao Paulo, Brazil.
- 🔴 Speaker, "Taxation of E-Commerce Transactions", Seventh Latin American Regional Congress, International Fiscal Association (IFA), Santo Domingo, Dominican Republic, 2015.
- 🔴 Speaker, "FATCA Implementation", Seasonal Meeting 2014: Rebuilding the Transatlantic Marketplace: Austria and Central Europe as Catalysts for Entrepreneurship and Innovation, International Law and Practice Section of the New York State Bar Association (NYSBA), Vienna, Austria, 20154
- 🔴 Speaker, "Roundtable on recent experience of transfer pricing", International Bar Association (IBA), Tax Section, 2014 Annual Meeting, Tokyo, Japan
- 🔴 Invited lecturer of "Tax Planning" at the Master of Laws in Tax of Universidad Panamericana, Mexico City, Mexico, 2014.
- 🔴 Speaker, "Tax regime applicable to the 'maquiladora' industry in Mexico", International Trade Committee, Mexican Bar Association, Mexico City, Mexico, 2014.
- 🔴 Speaker, "International Tax Planning for Business Investments in Vietnam and New Asia", Seasonal Meeting 2013: Building Global Partnerships and Opportunities in the New Asia – Vietnam and USA as a Model for Growth and Success, International Law and Practice Section of the New York State Bar Association (NYSBA), Hanoi, Vietnam.
- 🔴 Speaker, "Cutting your losses. Where did all my NOLs go?", International Bar Association (IBA), Tax Section, 2013 Annual Meeting, Boston, USA.
- 🔴 Speaker, "Exchange of information and collection assistance: Is transparency trumping taxpayer confidentiality?", International Bar Association (IBA), Tax Section, 2013 Annual Meeting, Boston, USA, 2013.

Affiliations:

- 🔴 Founding member of the Young IFA Network (YIN) Study Committee of the IFA, Mexico Chapter. Appointed as Sub-coordinator of said committee for the period 2015 to 2017.
- 🔴 Member of the BEPS Study Committee of the International Fiscal Association (IFA), Mexico Chapter.
- 🔴 Member of the New York Bar.
- 🔴 Member of the Tax Section, the International Section, the International Taxes Committee and the Latin American Council of the New York State Bar Association (NYSBA).
- 🔴 Co-chair for the Mexico Chapter of the Latin American Council within the International Law and Practice Section of the New York State Bar Association.
- 🔴 Founder and co-president of the Women in Law Committee within the Latin American Council.

Languages:

- 🔴 Spanish
- 🔴 English

Rankings:

- 🔴 Recognized in 2014, 2015 and 2016 by the publication "Who's Who Legal Mexico" as one of the leading tax lawyers of the country, distinguishing herself as having a "great relationship with clients" and as having "made a real name for herself in the market".
- 🔴 Recommended in 2015 by the publication "The Legal 500 Latin America 2015".
- 🔴 Recognized in 2016 by the publication "Chambers & Partners Latin America" where sources said: "She is brilliant and dedicated, with a passion for tax law which shows in her work. She has a great career ahead of her".



Mariana Eguiarte Morett



Mariana Eguiarte Morett



Best Lawyers®



Michihiro Mori

Managing Partner

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<Education>

1999 Harvard Law School (LL.M.)
1993 The University of Tokyo (LL.B.)

<Professional experience>

2007 - 2019 Partner, Nishimura & Asahi
2005 - 2006 Counsel, Nishihimura & Asahi
2003 - 2005 Judge of the Fukuoka District Court
2000 - 2003 Staff Attorney, Civil Affairs Bureau, General Secretariat Office of the
Supreme Court of Japan
1995 - 1998 Judge of the Tokyo District Court

<Qualifications>

Admitted in Japan (2005)

<Major Publications (Written in English)>

- Japanese-English Model Work Rules [3rd Edition] (Author-Editor, Chuou-Keizaisha, 2019)
- Practical Law Global Guide 2018 & 2019 : Pensions (Japan Chapter) January and November 2018 Practical Law Global Guide 2018:Pensions (Japan Chapter)
- Japan Chapter and Asia Overview Thomson Reuters (Professional): Group insolvency and directors' duties - 4th Edition (May 2015)

<Awards>

2019 The Legal 500 Asia Pacific 2019 Labour and Employment Leading Individual
2018 Chambers Asia Pacific 2019 Employment Leading Individual
2018 Who's Who Legal: Japan 2018 Restructuring & Insolvency Leading lawyer



DANIEL L. (D.L.) MORRISS

Partner | Hinshaw & Culbertson LLP | 151 N. Franklin St., Ste. 25 | Chicago, IL 60606 |
(312) 704-3298 | dmorriss@hinshawlaw.com



DL Morriss is a civic-minded commercial litigation Partner at Hinshaw & Culbertson LLP. DL's practice consists of representing companies in internal management and governance disputes as well as lender financial work out litigation. He also has significant experience litigating commercial landlord and tenant disputes. DL has worked at Hinshaw since 2008 and enjoys training and mentoring associates who work on his matters.

In 2017, DL was appointed Diversity & Inclusion Partner where he oversees management of Hinshaw's five affinity groups, mentoring programs and Attorney Life Committee all focused on improving culture firm wide. As part of this role, DL facilitates strategic planning initiatives that lead to recommendations and implementation of efforts to increase the firm's commitment to attorney development, relationship building and community engagement.

DL has a strong commitment to civic engagement. He serves on the Board of Directors for The Joffrey Ballet and serves on its Executive Committee, Development Committee and is a regular participant of its Community Engagement Committee that works to expand access to dance across Chicago. DL is a 2016 Fellow of Leadership Greater Chicago and served on its Leadership Fellows Association that facilitates engagement across nonprofit, private and government sectors to improve Chicago's economic and cultural vibrancy. DL also has served on the boards of Breakthrough and the Dr. Martin Luther King Jr. Boys and Girl Club, nonprofits in Chicago's East Garfield Park neighborhood that provide services to homeless families and offers youth development programs. DL lives in Chicago's West Loop neighborhood with his wife and three children.

DL is a 2008 graduate of DePaul University College of Law where he earned a Juris Doctor and a 2005 graduate of Wheaton College where he earned a B.A. in Psychology.

Nobuaki Mukai, Ph.D.

Partner, Momo-o, Matsuo & Namba

mukai@mmn-law.gr.jp

Nobuaki Mukai is a partner of Momo-o, Matsuo & Namba in Tokyo. Dr. Mukai graduated from the University of Tokyo in 1994 and received his LL.M. from Cornell Law School (New York) in 2001. He obtained his Ph.D. degree in Business Law/Antitrust Law from Hitotsubashi University, the Graduate School of International Corporate Strategy, in 2009.

Since joining Momo-o, Matsuo & Namba in 1996, Dr. Mukai has represented both corporations and individuals in defence of international and domestic antitrust violations, both administrative and criminal, and has litigated or defended civil antitrust cases in industries such as construction, manufacturing, retail and transportation, including:

- the Freight-forwarders case;
- the Auto-parts cases;
- the Maritime transporters case; and
- the Electronic parts case.

He has also advised on numerous M&A transactions from a competition-law perspective. Dr. Mukai has handled transactions and disputes for clients in intellectual property, including, among others, patents and copyrights. He also advises clients on general corporate and commercial law matters. Dr. Mukai's recent recognitions include Chambers Asia Pacific for Competition/Antitrust, The Best Lawyers in Japan for Antitrust/Competition and Who's Who Legal for Competition.

Dr. Mukai served as a member of the Japan Fair Trade Commission (JFTC) Study Group on a prospective JFTC discretionary surcharge (or, fining) system from February 2016 to March 2017. He has been the chief secretariat of the Working Group regarding the amendment of the Japanese Antimonopoly Law at the Japan Federation of Bar Associations, and Executive Board Member and Secretary General of the Japan Competition Law Forum. He also serves as a lecturer in the Antitrust/Competition law area at Ritsumeikan University School of Law since 2011.

Representative Sample of Books/Publications:

(English Translation of Title Only. Language of Book/Publication is Japanese)

- Newly Introduced Fine Calculation Mechanism on Corporate Groups and its Impact on Group Compliance Programs (January 2019) (included in: Co-author, "Frontier of Antitrust Law: Practical Issues Confronting Japan," Shojihomu)
- The Antimonopoly Act and Private Enforcement of Actions for Damages and for Injunction (Masahiro Murakami, Supervising Editor) Co-Chief-Editor, Chuokeizai-sha (March 2018)
- Editorial: "Expectations of the Next Amendment to the Laws and Regulations of the Antimonopoly Act-Fact-Finding and the Interplay of Due Process," The Horitsu Jiho, Vol. 89, No.12/1118 (November 2017)

(English Publications)

- Getting The Deal Through, Vertical Agreements 2010 through 2019, Co-author, Law Business Research Ltd. (2010 through 2019)

Satoru NAGASAKA

Practice Area

General Corporate Legal Practice / M&A / Alliances / Corporate Governance / Consumer-Related Laws / Copyright / Patents / Trademarks / Designs / Media, Entertainment and Sports / IT and Communications Matters / Public Relations Legal Practice / Crisis Management / Company Fraud Investigation / Dealing with Antisocial Forces / Commercial Litigation / Intellectual Property Litigation and Trials / Administrative Disputes / International Litigation, Arbitration, Mediation and ADR / Consumer Relations / Cartels, Bid Rigging and International Cartels / Monopolization, Abuse of a Dominant Position and Designation of Unfair Trade Practices / Merger Control / The Subcontract Act / The Act against Unjustifiable Premiums and Misleading Representations / Establishment and Operation of the Personnel System / Labor and Employment Due Diligence in M&A and IPOs / Response to Labor Tribunals and Formal Lawsuits / Immigration-Related Matters / Construction and Building Litigation / French Legal Practice / Other International Practice / Brands / Pharmaceuticals, Medical Care, Health Care and Biotechnology / IT and Communications Matters / Human Resources, Education and Welfare / Emerging Companies / Business Succession / Inheritance / Drafting Wills / Agreement on Division of Estates

Education

University of Washington (LL.M., 2001)
Legal Training and Research Institute of the Supreme Court of Japan (1992-1994)
The University of Tokyo (LL.B., 1990)

Admission

Japan (1994)

Experience

TMI Associates (Associate, 1994-2002; Partner, 2003-Present)
Hughes Hubbard & Reed LLP, New York (2001-2002)

Languages

Japanese / English

Memberships

Tokyo Bar Association



Articles & Publications

- 2016/08/10 **ARTICLE** "Updates on Recent Legal Practices in Myanmar: Necessary Measures for Companies in the Event of Unauthorized Use of Their Trademarks – An Overview of the Systems Regarding Intellectual Property in Myanmar"
- 2016/01/01 **ARTICLE** "Efficient Measures for E-Discovery"
-

Seminars & Lectures

- 2013/11/06 **HOSTED / CO-HOSTED** The Joint Seminar "Legal Practice: U.S. Civil Procedure"



TOMOKO NAKADA

Attorney-at-law Admitted in Japan & New York

Date of Birth: January 20th , 1972
Office: Hokusei Law Office, P. C.
Address: 6 F, Miya BLDG. 3-4, Kojimachi 4-chome
Chiyoda-ku, Tokyo 102-0083, JAPAN
Tel: 81-3-3237-8080
Fax: 81-3-3237-8134
E-mail: tomoko@hokusei-law.com

EDUCATION

- **The University of Tokyo**, Faculty of Law (Bachelor of Laws, 1995)
- **New York University School of Law** (LL.M., 2001)
- **Keio University Law School** (Completed degree in tax laws of the programs for development of specialized attorneys, 2017)

ADMITTED

- **Japan** July 2000
- **New York** August 2002

PROFESSIONAL EXPERIENCE

- **Tokyo District Court**, Tokyo, Japan
Judge April 1997 to June 2000
Drafted judgments on civil cases
- **Hokusei Law Office, P.C.**, Tokyo, Japan
Attorney-at-law July 2000 to Present
Practicing mainly in the field of will and inheritance
- **Harvard Law School**, Boston, MA, U.S.A.
Attended as a visiting researcher September 2001 to May 2002
- **The American College of Trust and Estate Counsel**
International Fellow March 2015 to Present
- **The International Academy of Estate and Trust Law**
Academician April 2017 to Present

PROFESSIONAL AFFILIATIONS

- Japan Federation of Bar Associations (Nichibenren)
- Dai-ni Tokyo Bar Association
- Japan Association of the Law of Trust
- The International Academy of Estate and Trust Law
- The American College of Trust and Estate Counsel
- American Bar Association
- New York Bar Association



BERNARD (BARRY) A. NIGRO JR

Bernard (Barry) A. Nigro Jr. serves as Acting Principal Deputy Assistant Attorney General in the Antitrust Division of the United States Department of Justice. Mr. Nigro has previously served as Deputy Director of the Federal Trade Commission's Bureau of Competition, Chair of the Antitrust Department of Fried, Frank, Harris, Shriver & Jacobson LLP, and Vice Chair of the American Bar Association's Section of Antitrust Law. Mr. Nigro graduated from Georgetown University and The George Washington University Law School, and subsequently clerked for the Honorable Charles R. Richey on the United States District Court for the District of Columbia. Mr. Nigro's practice has focused on investigations and litigation under federal and state antitrust and unfair competition laws, including private and government litigation and criminal grand jury proceedings. He frequently handles matters relating to the clearance of mergers, acquisitions and joint ventures, deceptive trade practices, advertising, unfair marketing practices and antitrust compliance counseling and training.



Partner
Yuichi Oda

**Tokyo Bar Association, Japan Federation of Bar
Associations (2007)**
New York State Bar Association (2016)

Location : Tokyo Office

Professional Summary

Yuichi Oda is a partner in the Competition and Antitrust/Consumer Protection practice of Oh-Ebashi's Tokyo office group. Mr. Oda provides counsel in all areas of competition law, such as government investigations, follow-on litigations, and mergers and acquisitions. He has substantial experience defending clients in cartel cases, including investigations by the JFTC and follow-on administrative/private litigations, abuse of bargaining power cases launched by the JFTC. He also has experience coordinating cartel matters and mergers and acquisitions in multiple jurisdictions, including the U.S., the European Union, Canada, Brazil, and Korea.

Education & Professional Experience

September 2015 - July 2016 Weil, Gotshal & Manges LLP, New York (Antitrust Section)
2015 Washington University in St. Louis School of Law (LL.M.)
2006 Hitotsubashi University School of Law (J.D.)
2004 Hitotsubashi University (LL.B.)

Practice Areas

- Competition and Antitrust/Consumer Protection
Government Investigations / Competition/Consumer Protection Litigation
Merger Control / Competition/Consumer Protection Counseling
Competition/Consumer Protection Compliance
- Dispute Resolution
Competition/Consumer Protection Litigation
- Focusing Industries
Energy / Information Technology, Internet and Telecommunications / Healthcare and
Beauty / Real Estate

Main Activities

- International Competition Network (ICN), Non-Governmental Advisor
- Japan Association of Economic Law
- American Bar Association, Section of Antitrust Law
- Antitrust law Committee, the Tokyo Bar Association

TOMOHIRO OKAWA

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Mailing Address
Nagashima Ohno & Tsunematsu Tokyo Office
JP Tower, 2-7-2 Marunouchi, Chiyoda-ku,
Tokyo 100-7036, Japan

Experienced lawyer with approximately 10 years in the restructuring fields including in-court restructurings, out-of-court workouts, cross-border insolvency cases.

EDUCATION

2013 – 2014	Columbia Law School (LL.M.)
2007 – 2008	The Legal Training and Research Institute of Japan
2004 – 2007	Hitotsubashi University, Graduate School of Law (J.D.)
1996 – 2001	Waseda University, Faculty of Law (Bachelor of Laws)

PROFESSIONAL EXPERIENCE

2002 – 2004	PwC Consulting (currently IBM Japan, Ltd.)
2008 – present	Nagashima Ohno & Tsunematsu (Partner)
2014 – 2015	Weil, Gotshal & Manges LLP, New York
2019-	Adjunct Lecturer (Civil Law), The University of Tokyo

PROFESSIONAL LICENSE

Admitted in Japan (December 2008) and New York (July 2015)

RECENT ENGAGED CASES (RESTRUCTURING FOCUS)

- Debtor's counsel to Takata (airbag manufacturer) in its global restructurings including the Japan's civil rehabilitation and US chapter 11 (2017-2018)
- Debtor's counsel to Akebono Brake Industry in its out-of-court workout (2019)
- Debtor's counsel to Pioneer in its restructuring and sale to a private equity fund (2018)
- Deputy trustee of MtGox (bitcoin exchanger) bankruptcy and civil rehabilitation proceedings (2016 – present)
- Debtor's counsel to Hanjin Shipping representing the recognition proceeding in Japan (2016)
- Debtor's advisor to Elpida (semiconductor manufacturer) corporate reorganization (2013)

PUBLICATIONS

Speaker

- INSOL Tokyo Seminar (2019)
- IBA: 6th Asia Pacific Regional Forum Biennial Conference: Unified Asia Insolvency/restructuring (2019)

Books

- Justice Michiyoshi Kiuchi retirement commemorative theses, published March 2018 (co-author, in Japanese)
- Forefront of M&A Risk Management, published March 2018 (co-author, in Japanese)
- Chambers Global Practice Guides Insolvency 2016 Japan - Law & Practice, published September 2016 (co-author, in English)

Journal Publications

- Distressed M&A in the U.S. and its implications on the Japan practice, published September 2017, in *Shoji Homu* (sole author, in Japanese)
- The Basics of the Bankruptcy Practice: Credit Enhancement by Guarantee and Real Guarantee, published December 2016, in *Hogaku Kyoshitsu* (coauthor, in Japanese)
- Subordination in Japanese Insolvency Proceedings, published October 2012, in *International Financial Law Review* (IFLR) (sole author, in English)
- Issues related to Cross-Border Insolvency Proceedings, published January 2013, in *NBL* (New Business Law) (co-author, in Japanese)

Tomo Okawa is a partner at the Tokyo office of Nagashima Ohno & Tsunematsu. He has been mainly involved in cross-border transactions by leveraging a variety of deal experiences, such as business reorganization and insolvency, banking, and M&A. In particular, he has a wealth of experience in helping distressed companies as debtor's counsel, whether in-court or out-of-court, including handling distressed M&A and DIP financing. He serves as the Adjunct Lecturer at the University of Tokyo to teach the Civil Code of Japan. He is also a frequent speaker to introduce Japanese turnaround practices to other jurisdictions (e.g, INSOL, IBA).

Recent engagements include:

- Debtor's counsel to Takata in its global restructurings including the Japan's Civil Rehabilitation and US Chapter 11 (2017-present);
- Deputy Trustee of MtGox (bitcoin exchange) in its Bankruptcy and later Civil Rehabilitation (2016-present);
- Debtor's counsel to Shanghai International Holding (Japanese subsidiary of state-owned companies) in its Civil Rehabilitation (2019-present);
- Debtor's counsel to Akebono Brake Industry in its out-of-court workout (2019);
- Debtor's counsel to Pioneer in its restructuring and sale to a private equity fund (2018);
- Debtor's counsel to Hanjin Shipping (Korean shipping company) representing the recognition and assistance proceedings in Japan (2016); and
- Debtor's advisor to Elpida in its corporate reorganization (2013).

Professional License

Admitted in Japan and New York

Publication

Speaker

- Virtual assets versus real insolvencies at IBA Seoul Annual Conference (2019)
- Cross-border restructuring from Japan at INSOL Tokyo (2019)
- IBA: 6th Asia Pacific Regional Forum Biennial Conference: Unified Asia Insolvency/restructuring (2019)

Books and Journal Publications



- Justice Michiyoshi Kiuchi retirement commemorative theses, published March 2018 (co-author, in Japanese)
- Forefront of M&A Risk Management, published March 2018 (co-author, in Japanese)
- Chambers Global Practice Guides Insolvency 2016 Japan - Law & Practice, published September 2016 in English)
- Distressed M&A in the U.S. and its implications on the Japan practice, published September 2017, in Shoji Homu (sole author, in Japanese)



Greg Ostling is a corporate partner at Wachtell, Lipton, Rosen & Katz. He focuses primarily on mergers and acquisitions, shareholder activism defense and corporate governance. Greg has repeatedly been recognized as a leading lawyer by numerous publications, including *American Lawyer*, *AmLaw Daily* and *Super Lawyers* magazines. He has advised a broad range of public and private companies and financial sponsors in the United States and abroad in a variety of industries and matters, including:

- **Actelion** in its \$30 billion sale to Johnson and Johnson
- **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
- **Medivation** in its \$14.6 billion sale to Pfizer
- **Anadarko** in its \$60 billion sale to Occidental Petroleum
- **Spectra Energy** in its \$28 billion sale to Enbridge
- **MeadWestvaco Corporation** in its \$16 billion merger with RockTenn
- **Alcoa** in its \$14 billion purchase with Chinalco of an interest in Rio Tinto
- **Cooper Industries** in its \$11.8 billion sale to Eaton
- **Dresser-Rand** in its \$7.6 billion acquisition by Siemens
- **W.R. Grace & Co.** in its \$2 billion spin-off of its Construction Products business and its agreement with 40 North to add two directors to the board
- **Gaming and Leisure Properties** in its \$5.1 billion acquisition of Pinnacle Entertainment
- **LSB Industries** against activist campaigns by Starboard Value and Engine Capital
- **Penn National Gaming** in its \$2.8 billion acquisition of Pinnacle Entertainment
- **The National Geographic Society** in its media joint venture with 21st Century Fox
- **GCP Applied Technologies** in its \$1.05 billion sale of Darex Packaging Technologies to Henkel and its agreement with Starboard Value to add directors to the board
- **AG Edwards** in its \$7 billion acquisition by Wachovia
- **Marsh & McLennan** in its \$6.4 billion acquisition of Jardine Lloyd Thomson
- **Aspen Insurance** against a \$3.2 billion hostile takeover bid by Endurance
- **AT&T** in its \$44 billion merger with MediaOne
- **Motorola** against activist campaigns by Carl Ichan, and its initial public offering/spin-off of Freescale Semiconductor and spin-off of Motorola Mobility
- **Apollo** in its \$27.8 billion buy-out of Harrah's Entertainment
- **Goldman Sachs** in its \$22 billion buy-out of Kinder Morgan

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 in China and a professional soccer player.

	
Tomoyuki Otsuki	
totsuki@jp.ibm.com	

Tomoyuki Otsuki is a Senior Counsel at IBM Japan, Ltd. based in Tokyo, Japan. In this role, his areas of practice include corporate governance, labor and employment, dispute resolution, anti-corruption, compliance, and technology law. He also has extensive experience in compliance field as he acted as Trust & Compliance Officer for IBM Japan for a number of years. Prior to joining IBM, he worked as a lawyer in private practice, a multinational company and a private equity fund, respectively.

Mr. Otsuki graduated from Kyoto Sangyo University with an LL.B. and received a JD from Salmon P. Chase College of Law, Northern Kentucky University. He is admitted to practice law in Washington State, New York and Kentucky.

Mr. Otsuki serves as Chairperson of the International Corporate Counsels Association in Japan.



HERNÁN PACHECO O., LL.M.

PARTNER

HERNAN PACHECO is the Managing Partner of EY Law for Central America, Panama and the Dominican Republic. Hernan has over 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 or sale of businesses in several industries and sectors in Central America and abroad.

EDUCATION

- University of Hull, England, LL.M., 1988
- Autonomous University of Central America, Licentiate in Law, Cum 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 Associations (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 (every year from 2008 to 2019) in “Best in his Field” category or Tier 1 – Corporate M&A.
- 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
- Listed in International Financial Law Review

Lisa M. Phelan, former Chief of the National Criminal Enforcement and Washington Criminal I Sections of the Antitrust Division of the U.S. Department of Justice (DOJ), is a partner in Morrison & Foerster's Global Antitrust Law Practice and Investigations + White Collar Group. With more than 25 years of service at the DOJ as one of the leading authorities in criminal antitrust matters, Ms. Phelan draws upon her unmatched criminal investigations, litigation, and enforcement experience to guide clients through sensitive matters pertaining to international cartel actions and white collar investigations, and to rapidly assess and address their total exposure to potential claims of unlawful collusion.

As Chief of the National Criminal Enforcement and Washington Criminal I Sections of the Antitrust Division, Ms. Phelan supervised and coordinated all investigative and litigation work on international and national criminal cartel cases. Ms. Phelan regularly coordinated investigations and prosecutions with cartel enforcement agencies throughout the world, including in the European Union, Japan, Mexico, Korea, the United Kingdom, Australia, New Zealand, Chile, and Brazil, among others. She also regularly interfaced with other law enforcement units when investigations raised non-antitrust issues.

Prior to Ms. Phelan's appointment as Chief of National Criminal Enforcement, she served as a senior criminal litigator at the Antitrust Division, leading investigations and trials of multinational corporations and their executives for price fixing and related crimes. Ms. Phelan has prosecuted more than 300 federal criminal cases, and oversaw dozens of jury trials throughout her tenure at the DOJ.

Clients turn to Ms. Phelan for her deep knowledge and experience in moments of crisis. She is a trusted advisor when companies and executives are subpoenaed, or when enforcement agencies execute a search warrant or stage a dawn raid. Few in the world have the breadth of her experience to counsel and represent clients through each step of a cartel investigation, leniency application, plea negotiation, or criminal jury trial. She is also an expert in the necessary components of effective compliance programs, and is an asset to clients in preventing antitrust problems before they arise. She has worked on complex antitrust matters across numerous major industries, including financial services, technology, aviation, automotive, shipping, paper, petroleum, chemicals, and pharmaceuticals, among others.

Ms. Phelan has received numerous noteworthy accolades throughout her career, including the Presidential Rank Award, awarded by President Obama in 2015; the Attorney General's Distinguished Service Award, awarded by Attorney General Eric Holder in 2014; and the Assistant Attorney General's Outstanding Service Award, bestowed on multiple occasions, in her capacity as a lead trial attorney and senior official at the DOJ.

Ms. Phelan is consulted by law enforcement agencies and competition partners around the globe on best practices and policies in cartel enforcement and leniency programs. Ms. Phelan speaks frequently at American Bar Association (ABA), International Competition Network, International Bar Association, and various prominent white collar crime conferences.

Ms. Phelan received her J.D. magna cum laude from American University, Washington College of Law, where she served on the *International Law Journal*. She received her B.A. summa cum laude, also from American University.

George A. Pierce
Director, Senior Vice President,
Secretary and General Counsel
Toyota Tsusho America, Inc.

Mr. Pierce joined Toyota Tsusho America in 1993 and established the company's Legal Department. He oversees legal matters concerning the company's operations in the United States, Canada and Mexico. He has continuously served on Toyota Tsusho America's board of directors since 2000, and also serves on the boards of directors of several subsidiary companies.

Before joining Toyota Tsusho America, Mr. Pierce was associated with Mudge Rose Guthrie Alexander and Ferdon where he had extensive experience in various litigation matters including environmental insurance coverage, white collar defense, internal investigations, and trade and regulatory compliance.

Mr. Pierce was admitted to the bar of the State of New York in 1982 and has spoken on labor and employment issues at meetings of the American Bar Association, the International Section of the New York State Bar Association and the International Bar Association, as well as the Practising Law Institute, the American Chamber of Commerce in Japan, the Japanese Chamber of Commerce and Industry of New York, and the Japan Society. He received his law degree from the University of Denver College of Law in 1981. He also holds a master's degree in Sociology from the University of Northern Colorado and a bachelor's degree with majors in Psychology and Japanese Language from the University of Colorado, Boulder.

Pere M. Pons

Partner at Chevez Ruiz Zamarripa (Head of Spain & LATAM)

Calle Hermosilla num.11, 1a planta, 28001 Madrid (Spain)

Mobile: +34.680.708.204 • E-mail: pere.pons@chevez.com

SUMMARY

- Experienced Spanish lawyer, specializing in International Taxation, with particular focus in Latin American and Spanish investments, cross-border financing, funds and others
- Partner at Chévez Ruiz Zamarripa since 2018.
- Based in Madrid. Head of Spanish and Latam practices of the firm
- Former head of the tax department of a top tiered Spanish firm (in its New York office) since 2010
- Author of publications and frequent speaker on tax topics
- Law Degree by Pompeu Fabra University, Master in Taxation by CEF (Barcelona, Spain)

PROFILE AND SPECIALTIES

Pere is an innovative, pro-active and dedicated lawyer with 18+ years experience.

Specialist 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.

Accumulates relevant experience on the tax implications of cross-border financing structures and investments, asset protection, of swaps and financial products, and on Spanish investments abroad. Also experienced in real estate and distressed debt investments, as well as tax planning for tax consolidated groups and subsidiaries of multinational companies, on the assistance to high net worth individuals and family offices, and on the regularization of off-shore investments and excessive debt push down structures (including legal defense in tax audits and courts of justice in Spain).

EDUCATION

- | | |
|-----------|--|
| 2005 | Postgraduate degree on Mergers and Acquisitions by ESADE law School of the Ramon Llull University, Barcelona, Spain. |
| 2005 | Diploma on tax audit and litigation, by the Barcelona Bar Association, Barcelona, Spain. |
| 2003-2004 | Masters Degree in Accounting and Taxation, by Center for Financial Studies - Centro de Estudios Financieros (CEF), Barcelona, Spain. |
| 1997-2001 | Law Degree by the School of Law of the Pompeu Fabra University, Barcelona, Spain. |
-

PROFESSIONAL EXPERIENCE

Jan. 2018-Present **Partner at Chévez Ruiz Zamarripa (Madrid office)**

- Head of Spanish and Latin American practice of the firm. International taxation with particular focus on Latin America, U.S. and Spanish investments, Mergers and Acquisitions, hedge funds, private equity, European Law and high net worth individuals. Proven managerial skills, building a new practice for international firm.

Aug. 2010-Dec. 2017 **Head of tax department at top tiered Spanish firm (NY office)**

- Head of the tax department. International taxation with particular focus on Latin America, U.S. and Spanish investments, Mergers and Acquisitions, hedge funds, private equity, European Law and high net worth individuals. Proven managerial skills, capacity for opening new markets, and building a successful practice.

May 2006- Aug. 2010 **Top tiered Spanish firm (Barcelona, Spain)**

- International taxation with particular focus on Latin America, US and European investments, Mergers and Acquisitions, cross-border financing, family offices and high net worth individuals, European law, real estate, tax litigation, prevention of money laundering, and tax consolidation.

Sept. 2002 - May 2006 **Relevant national firm (Barcelona, Spain)**

- Became responsible for the Barcelona office tax practice. High specialization in International taxation. Financial services, aerospace industry, real estate and excise taxes teams.

Sept. 2001- Sept. 2002 **International firm (Barcelona, Spain)**

- Manufacturing industry, Real Estate and Financial services teams.

2001 **Government of the Barcelona Province (Diputació de Barcelona)**

- Legal department and local assistance department. Assistance to municipalities in connection with public tenders and legal disputes and proceedings.

LANGUAGES

- English, French, Spanish and Catalan.

AWARDS AND RECOGNITIONS

- 2014 TTN Taxation Network Award, for the article "Taxation of the digital economy: does it require a fundamental change of approach?".
- BNA Bloomberg certificate of excellence for outstanding contribution to the tax community, for "Spain. Competent Authority Functions and Procedures" in "In Income Tax Treaties: Competent Authority Functions and Procedures of Selected Countries (O-Z)", published in Arlington, VA by Bloomberg BNA, 2014.

LEADERSHIP ROLES

- Co-chair of the tax committee of the International Section of the New York State Bar Association (NYSBA)
- Member of the executive committee of the International Section of the New York State Bar Association (NYSBA)

PROFESSIONAL AFFILIATIONS

- New York State Bar (NYSBA)
- American Bar Association (ABA)
- New York City Bar (NYCB)
- International Fiscal Association (IFA)
- Barcelona Bar Association (“ICAB”, Spain)

RELEVANT EXPERIENCE (RECENT)

- 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.
- Advised entertainment group in multiple multimillion acquisitions in Spain, U.S.A, Brazil, Argentina, Chile, and India.
- Advised syndicate of banks in the financing of energy transportation infrastructure in Colombia, USD 600 million.
- 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.

ARTICLES AND PUBLICATIONS

Articles

- “Comentarios a la nueva exención para evitar la doble imposición en el Impuesto sobre Sociedades español: impacto en grupos españoles e internacionales y otros inversores”, in Actualidad Jurídica Uría Menéndez, n.º 39, 2015. Author
- “The EU Commission’s Final Decision on the Provisions Regarding the Amortization of Financial Goodwill by Spanish Companies”, in Corporate Business Taxation Monthly, July 2011. Author
- “Comentarios al proyecto de Ley de Prevención del Blanqueo de Capitales y de la financiación del terrorismo: nuevas obligaciones para entidades financieras y otros sujetos obligados”, in Actualidad Jurídica Uría Menéndez, n.º 25, 2010. Author

Other publications

- “200 preguntas y respuestas sobre la reforma de la Ley General Tributaria”, directed by Miguel Cremades (Director), Gloria Marín (Director), published by Spain by Aranzadi, 2015. Author

- “Caso Roche Vitamins”, in “Tributação internacional: análise de casos, vol. 3”, directed by Leonardo Freitas de Moraes, published in São Paulo: (Brazil) by MP Editora, 2015. Author
- “Spain. Competent Authority Functions and Procedures” in “In Income Tax Treaties: Competent Authority Functions and Procedures of Selected Countries (O-Z)”, published in Arlington, VA by Bloomberg BNA, 2014. Co-author
- “Taxation of Digital Economy: Does it Require a Fundamental Change of Approach?” in Transnational Taxation Network (TTN) Tax Prize, 2014. Winner of the award. Author
- “La compensación de bases imponibles negativas individuales y previas en grupos de consolidación fiscal”, in Estudios Financieros. Revista de Contabilidad y Tributación. Comentarios. Casos Prácticos, n.º 326, 2010. Author
- “Taking a break – licensing and financing through foreign branches of Spanish companies” in Latin Lawyer, Issue number 9, December 2011. Co-author

CONFERENCE PRESENTATIONS (RECENT)

2014

- TTN Taxation Conference and award ceremony. Location: Dublin (Ireland). Presentation: “Taxation of the digital economy: does it require a fundamental change of approach?”. Speaker.

2015

- International Bar Association (IBA) conference: New Era of Taxation. Location: Mexico City. Panel: “The need for an extended treaty network v the opening to treaty abuse: the Latin American dilemma”. Participation as panelist.
- 8th IBA-IFA-ABA Latin American tax planning strategies. Location: Miami, USA. Panel title: “Cross border financing and cash pooling in a post-BEPS environment”. Participation as co-chair of the panel.

2016

- 9th IBA-IFA-ABA Latin American tax planning strategies. Location: Miami, USA. Panel title: “Planning for distressed companies”. Participation as panelist.
- New York State Bar Association (NYSBA) International Section 2016 Fall meeting. Location: Paris, France. Panel title: “The OECD Wants Multinationals to Pay their "Fair Share" - Selected Aspects of the BEPS Project”. Participation as panelist.
- American Bar Association (ABA) Section of taxation Midyear meeting, Foreign lawyers forum. Location: Los Angeles, USA. Panel title: “The EU 2016 tax update”. Participation as panelist.
- 10th International Forum of the Mexican Association of Public Accountants (Colegio de Contadores Públicos). Location: Miami, USA. Panel title: “Tax Implications of International Transactions”. Participation as panelist.

- TTN Taxation conference. Location: New York, USA. Panel title: “Spain and EU tax update 2016: special focus on LATAM cross-border implications”. Speaker.

2017

- 10th IBA-IFA-ABA Latin American tax planning strategies. Location: Miami, USA. Panel title: “Tax controversy: where have all good guys gone!”. Participation as panelist.
- Joint Cross-Border Mergers and Acquisitions Meeting of the New York State Bar Association (NYSBA) International Section and the Union Internationale des Avocats (UIA). Location: New York, USA. Panel title: “Corporate Mergers and Acquisitions”. Participation as panelist.

2018

- 11th IBA-IFA-ABA Latin American tax planning strategies. Location: Miami, USA. Panel title: “Trends in LATAM M&A transactions”. Participation as panelist.
- “Investment protection”. Chevez Ruiz Zamarripa. Location: New York. Participation as panelist.

2019

- 12th IBA-IFA-ABA Latin American tax planning strategies. Location: Miami, USA. Panel title: “Hybrid Instruments/ ATAD/Anti-Hybrid Rules”. Participation as panelist.

CITATIONS

- Cited by Lee Shepard in “Business restructuring fails in Spain”, Tax Notes, April 2012.

William Primps

Of Counsel

William Primps has decades of experience litigating cases for large international businesses across the United States and the world. He counsels his clients on compliance with U.S. law, while also representing these companies in lawsuits and arbitrations that rank among the largest controversies in recent decades, including claims made by an association of Brazil's largest health insurers in cases recently settled in various U.S. courts, as well as a defense in the Southern District of New York of claims for hundreds of millions of dollars for violations of the 1990 Antiterrorism Act by a large China-based bank. Through his work for the North American CRO Council, he has advised a number of large insurers based in Canada, Bermuda and the U.S. on various matters relating to enterprise risk management, and recently has been retained by large U.S. insurers and manufacturers to counsel them on ERM matters including: cyber risk; cybersecurity; cyber insurance; and their presentation of ERM plans to both regulators and rating agencies.

Representative Experience

- *Abramge v. St. Jude Medical; Abramge v. Boston Scientific and Zimmer Biomet*, Cases settled in Minnesota State Court and U.S. District Court in Delaware relating to sales practices in Brazil of large U.S. medical device manufacturers.
- Secured *forum non conveniens* ruling from Minnesota District Court on August 30, 2018 allowing multi-million dollar claims by Brazilian insurers to proceed.
- *Bank of China Ltd.* – Representation of large Chinese bank in defense of terrorism related claims brought by the Boies Schiller firm on behalf of plaintiffs; four-year long case concluded in 2015, *Wultz v. Bank of China Limited*, 11 CV 01266 (S.D.N.Y.)
- *China Aviation Industry General Aircraft Co. Ltd.* (2011-2012)
 - Represented state owned manufacturer of aircraft in its acquisition of Cirrus Industries
 - Represented corporation's defense of shareholder actions, settled in Delaware Chancery Court
- *Taisei Fire and Marine Insurance and Carolina Reinsurance* (2001-2005). Representation in all phases of bankruptcy, federal district court and state court cases during largest reorganization of insurer in Japanese history. Large recoveries gained via use of Chapter 15 procedures. Final settlement of state court action, 4th largest recovery in North Carolina history, assisted by a two-phase mediation.
- *Hydro-Quebec*, Canada's largest provincially-owned utility (1998-2001). Defense of HQ against multi-billion dollar claims of Vermont utilities consortium. At time of award, this was the largest pending international arbitration.

Education

- Harvard Law School, J.D.
- Yale University, B.A.





Neil A. Quartaro
WATSON FARLEY & WILLIAMS LLP

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New York, NY 10019
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Mobile: (917) 370-6933
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Contact Details

Tel.: 212-922-2214
Cell: 917-370-6933
Email: nquartaro@wfw.com

Bar Admissions

New York, S.D.N.Y.,
E.D.N.Y.

Education

J.D., Fordham University
School of Law

B.A., International
Relations, York University

About the Firm

Watson, Farley & Williams is a leading international law firm with offices in London, New York, Paris, Hamburg, Frankfurt, Madrid, Munich, Rome, Milan, Athens, Dubai, Singapore, Hong Kong, Hanoi and Bangkok.

Watson, Farley & Williams advises on international litigation, bankruptcy, finance, corporate and commercial matters, mergers and acquisitions, corporate finance, competition, taxation, alternative dispute resolution, real estate and employment law. Industry sectors where Watson, Farley & Williams has particular expertise across the firm include shipping, aviation, energy, oil and gas, natural resources, private equity, real estate and information and communications technology.

Experience

Neil Quartaro is Of Counsel to the Litigation 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.

Frequently appearing in international disputes, Neil has worked on cases all over the United States, in England, France, Switzerland, Denmark, Germany, Holland, Italy, Greece, Brazil and Argentina, as well as Japan, China, South Korea, Singapore and Australia, and has had involvement in many other proceedings around the world.

Neil is a 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. Neil has been appointed to a number of NYSBA Special Committees, including the President's Special Committee on Governance. 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 also taught *Maritime Transportation, Law & Public Policy*, a graduate-level course at Columbia University's School of International and Public Affairs and served on the research team focusing on the future of marine transportation

Representative Recent Matters

Representative recent matters include representing a Canadian ship owner in a multi-jurisdictional dispute, advising secured lenders in complex international shipping bankruptcies, foreclosing on vessels belonging to insolvent borrowers, representing the U.K. National Maritime Museum in acquiring artifacts from TITANIC, and handling the sale and purchase of various ocean-going vessels and oil rigs.

Recent Speaking Engagements

Mr. Quartaro is regularly interviewed on the radio and television, and, in addition to the public speaking engagements listed below, is regularly interviewed and quoted in leading maritime and business publications, including the Wall Street Journal, Fairplay, Global Restructuring Review, and Tradewinds.

- World Maritime Heritage Conference, Speaker (with Dr. Kevin Fewster, Director, U.K. National Maritime Museum) “Saving TITANIC” (Singapore, March, 2019).
- Lloyd’s Maritime Academy, Speaker, “Maritime Bankruptcy and Ship Arrest” (London, England, December 2018).
- New York State Bar Association, International Section, Seasonal Meeting, Speaker, “Ethics of Practice” (Montreal, Canada, October 2018).
- Capital Links, Speaker, “Arbitration Clauses in Financing and Related Agreements” (New York City, October 2018).
- Fordham University School of Law, International Bridge the Gap Program, Chair and Speaker, “International Litigation” (New York City, June, 2018).
- New York State Bar Association, International Section, Asian Regional Meeting, Meeting Chair, (Seoul, Republic of Korea, April 2018).
- Connecticut Maritime Association 2015 to 2019, Chair, Legal Panel (Stamford, Connecticut).

Recent Recognitions and Appointments

Mr. Quartaro has been regularly recognized in the New York legal community, and has recently been recognized by the following publications:

- Judicial and Peer Martindale-Hubbell “AV” rated attorney for both skills and ethics in Admiralty and Maritime Law, Alternative Dispute Resolution, and Banking Law.
- Recognized by the Maritime Law Association as a Proctor in Admiralty.
- Super Lawyers 2011 - 2013 – Selected as a “Rising Star” in Transportation & Maritime Law for four years in a row.
- Super Lawyers 2015 through 2019– selected as a New York “Super Lawyer”
- Who’s Who Legal 2015 through 2019 – Recognized as an expert in shipping law.
- Selected to sit on the Standing Forum of International Commercial Courts, which brings together over 60 Chief Judges from leading international commercial courts.
- Appointed to the New York State Bar Association’s President’s Special Committee on Governance (2019).



Michele S. Riley
Independent Arbitrator and Mediator

Michele S. Riley has over 30 years of international legal experience from working with international law firms in New York and Tokyo, Japan, specializing in commercial transactions and alternative dispute resolution (ADR) processes, both in private practice and as general counsel of a U.S.-based subsidiary of a Japanese multinational. Her areas of expertise cover ADR (arbitration, mediation and negotiation), commercial transactions, finance, cross-border transactions, including joint ventures and mergers & acquisitions, distribution/franchising, consulting arrangements, technology transfer and licensing, procurement, corporate governance and conflict management systems in the workplace.

Ms. Riley is a Fellow of the Chartered Institute of Arbitrators (CIArb) and serves as an ADR Neutral for the International Institute for Conflict Prevention and Resolution (CPR), the American Arbitration Association (AAA), the Financial Industry Regulatory Authority (FINRA), and several federal and state court-annexed mediation programs, including the Pro Bono Appellate Mediator Panel of the Second Circuit Court of Appeals. Complementing her ADR practice, Ms. Riley teaches mediation and negotiation at Columbia University's International Center for Cooperation and Conflict Resolution and in its Master's Degree Program in Negotiation and Conflict Resolution.

Ms. Riley is currently active in promoting the use of ADR in her roles as a member of the CIArb Examinations Board and co-director of the CIArb Accelerated Route to Fellowship program offered by the New York Branch.

As a volunteer for the International Legal Institute — African Center for Legal Excellence, Ms. Riley has provided training in international commercial arbitration to state counsel from the Attorney General's Chambers, Botswana annually in 2015-17 and 2019, and administrators of the Nairobi Centre for International Arbitration, Kenya in 2018. Under the auspices of the International Senior Lawyers Project, she also assisted an NGO, in partnership with the University of Lagos, in developing a Master's degree program in negotiation and conflict resolution at a newly-established College of Negotiation in 2014.

Ms. Riley holds an M.A. from Yale University and a J.D. from Georgetown University Law Center.

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PARTNER
Frankfurt

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Experience

Torsten is a Partner in the Corporate and M&A group and Head of the Frankfurt office. He specialises in domestic and cross-border M&A/private equity transactions, joint ventures, inter-company restructurings and general corporate/commercial matters. He also regularly advises on bilateral and multi-party contract negotiations.

Torsten is recommended by legal directories Legal JUVE Handbuch, Legal 500 EMEA and IFLR 1000. JUVE have described Torsten as “very strong in M&A and financing, an experienced strategist” and “very hands-on and efficient”.

He is also recognised as one of Germany’s leading M&A lawyers by business magazine WirtschaftsWoche, whose rankings are based on votes from M&A professionals by the highly regarded Handelsblatt Research Institute, as well as a distinguished, five-member jury appointed by the magazine.

Recent Representative Matters

- Advising leading German autobahn services company Tank & Rast Group on numerous acquisitions, developments, disposals and financings.
- Advising Econnext GmbH on a variety of transactions inter alia the acquisition of a majority stake in Autarq GmbH by way of a capital increase.
- Advising Jones Lang LaSalle on the sale of its property and accounting management business.
- Advising one of the leading underground gas storage companies in Germany on the acquisitions and disposals of underground gas stores.
- Advising the shareholders of UNITANK on the sale of 100% of the shares in UNITANK to DIF and Aberdeen Standard Investments.

Education

Traineeship in Landau in der Pfalz and São Paulo, Second State Examination and Appointment as Attorney at Law
University Konstanz, Promotion (LLD)
Law Studies, University Konstanz and Universidade de Coimbra (Portugal)

David A. Rosenzweig

Partner

New York

Norton Rose Fulbright US LLP

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david.rosenzweig@nortonrosefulbright.com



David Rosenzweig joined the New York office in 1990 and practices in the area of bankruptcy, reorganization and creditors' rights.

Mr. Rosenzweig handles transactional, litigation and advisory work related to chapter 11 cases, non-bankruptcy workouts and restructurings and commercial finance transactions. His experience includes cross-border insolvency proceedings, property acquisitions and dispositions including the purchases of substantially all of the assets of chapter 11 debtors, structuring transactions to minimize the risks associated with future insolvency and bankruptcy proceedings, defense of avoidance actions such as fraudulent conveyance and preference actions and rendering bankruptcy opinions in connection with securitizations and other financings.

He has broad experience representing secured and unsecured creditors, committees, trustees, debtors, equity holders, landlords and purchasers of assets in chapter 11 reorganization cases and non-bankruptcy workouts and restructurings.

Mr. Rosenzweig's recent clients include energy, trading and manufacturing companies, aircraft owners and financing parties as well as real estate and equipment financing companies.

Education

JD, *high honors*, George Washington University National Law Center, 1987

BA, Economics, Washington University in St. Louis, 1984

Representative experience

His recent significant representations include:

- Original Equipment Manufacturer in the Takata chapter 11 case and global restructuring and sale transaction
- Oceangoing and offshore ship mortgage lenders in the Toisa Ltd. chapter 11 case
- Canadian railway in the Hanjin chapter 15 case
- Acquiror in the Houston Regional Sports Network case
- Suppliers in the General Motors and Chrysler chapter 11 cases
- Energy traders, pipeline owners, and/or asset purchasers in the Enron, Calpine, Mirant, PG&E National Energy Group and U.S. Gen New England chapter 11 cases
- Equity investors in the AES Eastern chapter 11 case
- Major parties in the LBO litigation related to The Tribune Company chapter 11 case
- The largest unsecured creditor, debtor in possession lender and plan sponsor/acquiror in the Frontier Airlines chapter 11 case
- The purchaser acquiring an offshore drilling rig for \$490 million in the PetroRig chapter 11 cases
- One of the largest customers in the Nortel Networks cross-border insolvency proceedings
- Aircraft lessors, debt and equity financiers in the American, Delta, Northwest, US Air, United, Avianca and TWA chapter 11 cases

SAITO LAW GROUP PLLC

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Areas of Concentration:

Complex Commercial Litigation
Securities / Financial Litigation
White-Collar Crime / Regulatory Enforcement

Education:

Keio University (Japan) LL.B.,
1989
St. John's University, J.D.,
1992

Bar Admissions:

New York, 1993
New Jersey, 1993

Court Admissions

New York State Courts, 1993

US District Court for the Southern District of New York, 1993

US District Court for the Eastern District of New York, 1993

United States Supreme Court, 2001

Admitted pro hac vice in various other courts nationwide

Languages:

Japanese

YASUHIRO SAITO

Managing Partner

For over 20 years, Mr. Saito has guided some of the world's largest corporations through their toughest problems. A partner and practice-group leader at prominent Wall Street law firms prior to founding the Firm, Mr. Saito serves regularly as lead counsel for large businesses faced with major corporate scandals and complex commercial disputes.

A skilled advocate and trusted adviser, Mr. Saito has lead the defense of major financial institutions and large accounting firms in some of the largest financial and accounting scandals in the last two decades. Mr. Saito's most recent cases include white-collar criminal and civil litigation matters representing major banks and their senior executives (some subject of national press coverage), a white-collar criminal defense matter involving FCPA and kick-back allegation against a major medical device manufacturer (settled with federal authorities for over \$600 million), and a white-collar criminal defense matter involving allegations of OFAC violation and money laundering connected to the US-Iran nuclear deal and President Obama's pardoning of several defendants (subject of intense press coverage).

Mr. Saito's clients include some of the world's largest banks, investment banks, major accounting firms, multinational trading firms, and large manufacturers in various industries such as chemical, pharmaceutical, medical device and automotive. Some of the world's largest law firms also call on him to represent their clients on special engagements.

Selected Matters ▼

White-Collar Criminal Defense / Regulatory Enforcement

- Representation of major financial institutions including major banks in regulatory enforcement matters.
- Representation of senior executives including a CEO of major financial institutions in white-collar criminal investigation.
- Representation of a Chairman/founder of major automotive parts manufacturer in a regulatory enforcement matter.
- Representation of major multinational trading firms in FCPA investigation.
- Representation of a major medical device manufacturer in FCPA and kickback investigation.
- Representation of senior corporate executives in federal white-collar criminal investigations.
- Representation of international trading firm in connection with federal prosecution arising out of alleged US trade regulation and OFAC violation and money laundering.
- Representation of a major accounting firm in a series of major regulatory enforcement actions.

Complex Commercial Litigation

- Representation of major banks in lenders' liability litigation.
- Representation of large accounting firms in major securities class actions.
- Representation of a major automotive manufacturer in product liability lawsuits.
- Representation of major multinational companies in various contractual and product liability litigations and disputes.
- Representation of a major retailer in complex bankruptcy litigation and arbitration.
- Representative of a major chemical manufacturer in product liability litigation.
- Representation of a heavy equipment manufacturer in major product liability litigation and arbitration.
- Representation of a major brokerage house in various securities litigations.
- Representation of an office supply manufacturer in litigation concerning termination of an international distributor.
- Representation of a major real estate company in a series of major leasing litigation.
- Representation of a major chemical manufacturer in commercial litigation and bankruptcy proceedings.

- Representation of major multinational companies in employment discrimination disputes.
- Representation of a major airline in a series of lawsuits.
- Representation of a major bank in bankruptcy litigation.
- Representation of major pharmaceutical companies in various commercial disputes.

Patent / Intellectual Property Litigation

- Representation of a nation's all authors and publishers in connection with a world-wide class action involving a major internet search engine.
- Representation of a major machine manufacturer in patent litigation.
- Representation of a major brokerage house in trade secret and competitive tort litigation.
- Representation of foreign multinationals in trade secret and competitive tort litigation.
- Representation of a major food manufacturer in trademark litigation.
- Representation of a major retailer in trademark litigation.

Financial Regulations / Regulatory Compliance

- Representation of a major foreign bank in connection with its NYSE listing.
- Representation of a major asset management firm in SEC and CFTC registration.
- Representation of two Big 4 accounting firms in PCAOB registration.
- Counseling major financial institutions and multinationals concerning various federal and state regulations such as Sarbanes-Oxley and Dodd-Frank Acts.
- Counseling major multinationals on assessing and reducing securities, antitrust, and product liability risks.
- Counseling major financial institutions and multinationals in compliance issues.

Outside General Counsel / Mergers & Acquisitions

- Representation as a lead counsel of a major air-conditioning manufacturer in a multi-billion dollar M&A transaction.
- Representation as a lead counsel of a major high-tech manufacturer in acquisition of a mid-sized public company.

- Representation of a foreign medical device manufacturer in acquisition of a US medical device manufacturer.
- Representation of a major accounting firm in major restructuring of their business.
- Representation of multinationals, banks and governmental entities in restructuring and asset disposition.
- Representation of major financial institutions and multinationals in compliance overhaul.

Previous Positions ▼

- Partner, Carter Ledyard & Milburn, LLP (2008 to 2011)
- Practice Group Leader, Japan-related Litigation Practice Group, Hughes Hubbard & Reed LLP (1994 to 2008)
- Federal Law Clerk, Hon. John T. Elfvin, United States District Court Judge for the Western District of New York (1992 to 1994)
- Intern, Hon. George C. Pratt, United States Court of Appeals for the Second Circuit (1990 to 1991)

Other Activities ▼

- Advisory Board Member, Center for International and Comparative Law, St. John's University School of Law
- Former Board Member, Asian American Bar Association of New York
- Former co-chair, Litigation Committee, Asian American Bar Association of New York
- Former co-chair, Student Outreach Committee, Asian American Bar Association of New York
- Master, the Federal Bar Council Inn of Court
- Committee member, Litigation Committee, New York City Bar Association
- Barrister, New York County Bar Association Inn of Court
- Member, American Bar Association, Sections on International Litigation and ADR, International Subcommittee
- Member, International Bar Association, Sections on Litigation, International Litigation, Arbitration and ADR
- American Bar Association

- New York State Bar Association
- New York County Bar Association

Publications ▼

- Regular Columnist, “Battling Corporate Scandals”, *Kigyo Gaikyo*
- Regular Columnist, *Weekly Economist*
- Co-author, “U.S. Litigation Winning Strategies”, *ILS Publication* (2003)
- “ADR Strategies—How to maximize the Benefits” (June 2004)
- Monthly Columnist, “This is How US Litigators Fight,” *Monthly Lawyer*
- Co-author, “The Hartford Decision: Two Years On,” *International Litigation News* (July 1995)
- “Litigation Management in the US,” *International Legal Strategy* (August 1999)
- “Microsoft Case — Substantive Analysis,” *International Legal Strategy* (October 1999)
- “Deposition in US Litigation — Practical Guidelines,” *International Legal Strategy* (May 2000)

Media Appearances ▼

- TV Asahi, Hodo Station (commentator on US litigation process)
- TV Tokyo, News (commentator on US securities regulatory process)
- Nikkei Newspaper (commentator on US litigation trends)

Select Speeches & Seminars ▼

- Keynote speaker, “Annual Training Workshop; Regulatory Compliance”, Japanese Chamber of Commerce and Industry of New York (Summer 2017)
- Keynote speaker, “Future of Books”, International PEN Club Global Conference, Tokyo (Fall 2010)
- Lecturer, “Responding to White-Collar Criminal Investigation – The First Day”, Japanese Chamber of Commerce, New York (Spring 2016)
- Panelist, “Current Trends and Practices in Mitigating FCPA Risks and Threats in Global Private Equity Ventures” (Spring 2016)
- Lecturer, “Responding to Corporate Scandal – Dos and Don’ts”, New York (Winter 2015)

- Panelist, “Global Trends in Corporate Regulatory Investigations in 2015 and Beyond” (Summer 2015)
- Lecturer, “Antitrust and Trade Associations”, New York (Summer 2015)
- Lecturer, “Weathering a Perfect Storm”, New York (Winter 2014)
- Lecturer, “Prosecution of Wall Street”, New York (Winter 2014)
- Lecturer, “Antitrust Enforcement Trend and Risk Management”, New York (Winter 2014)
- Lecturer, “Anatomy of Commercial Litigation”, Business Research Institute, Tokyo (Summer 2014)
- Lecturer, “Hacker, Insider, Vendor, Spy”, New York (Spring 2014)
- Lecturer, “BP Settlement / GHG Litigation / Environmentalist Groups”, New York (Spring 2012)
- Lecturer, “Quantifying the Unquantifiable – Regulatory and Legal Risks Surrounding the Financial Industry – A Practical Overview”, New York (Winter 2011)
- Lecturer, “US Litigation Risk Management and Trial Practice”, Osaka Bar Association / Osaka Chamber of Commerce (Summer 2010)
- Lecturer, “Dealing with Major Corporate Scandal”, New York (Summer 2010)
- Lecturer, “US Litigation Risk Management and E-Discovery”, Japan Pharmaceutical Industry Legal Affairs Association, Tokyo (Spring and Fall 2010)
- Panelist, Global D&O Liability Conference, New York (Spring 2008)
- Lecturer, US Litigation Risk Management for Multinationals, New York (Winter 2007)
- Panelist, Annual Civil Litigation Symposium, Nichibenren, Tokyo (Winter 2007)
- Panelist, Global D&O Liability Conference, London (Winter 2007)
- Lecturer, Litigation Risk Management Seminar, JETRO New York (Fall 2007)

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Admitted in Japan, 2004

Daini Tokyo Bar Association

Admitted in New York, 2010

Registered as Licensed Tax

Accountant, 2015

Tokyo Certified Public Tax

Accountants' Association

Makoto Sakai works primarily in the practice areas of tax, wealth management and M&A. He handles domestic and cross-border M&A transactions and corporate reorganizations from both corporate and tax planning perspectives, as well as tax investigations and tax disputes. Making the most of his experience as a former Review Officer (International Examination) at the Tokyo Regional Taxation Bureau, he takes a pragmatic approach to a wide variety of matters, such as issues relating to corporation tax and consumption tax in Japan, and issues involving international tax such as CFC rules.

Background

- The University of Tokyo (LL.B., 2003)
- Cornell University Law School (LL.M., 2009)
- with Gibson, Dunn & Crutcher in Los Angeles (2009-2010)
- Review Officer (International Examination), Review Division (Large Enterprise Examination Department), Tokyo Regional Taxation Bureau (2011-2013)

Award

- Chambers Asia Pacific 2019
- Best Lawyers

Recent Publications

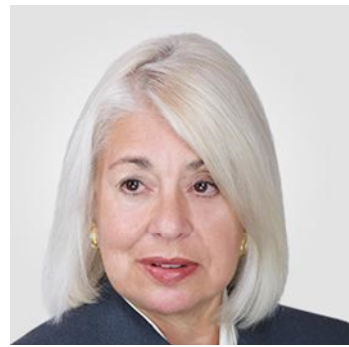
- "Q&A Anti-Tax Haven Rules in Practice" Zeimu Keiri Kyokai, 2019
- "The International Comparative Legal Guide to: Private Client 2019 Japan Chapter" The International Comparative Legal Guide to: Private Client 2019, 2019
- "Comprehensive Analysis of M&A Laws of Japan" Yuhikaku Publishing, 2015.

Miriam R. Schindel, Principal

Principal

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Miriam Schindel's practice focuses on representation of multinational and domestic companies, financial institutions, and municipal entities in employment, benefits and executive/equity compensation matters. Ms. Schindel also advises financial service clients about federal securities law and reporting and disclosure compliance relating to their compensation programs and policies.

Ms. Schindel is a trusted advisor to CEOs, senior executives and Boards of Directors of public and privately-held companies, as well as to government entities. She advises senior management and boards of directors on strategic employment and compensation issues, and internal governance best-practices and policies.

Ms. Schindel represents clients before an array of federal and NY state regulatory authorities, including the FRB, OCC, FDIC, SEC, NYSDFS, IRS, DOL, OSHA, DOT, EEOC, and NY state and NYC human rights entities; and as an experienced and fair negotiator she has successfully represented clients in employment/labor arbitrations and mediations.

Prior to 2007, Ms. Schindel was Deputy General Counsel of a large consumer goods company and Associate General Counsel and Asst. Corporate Secretary of a national retail department store.

As Deputy General Counsel Ms. Schindel headed the employment, labor, benefits, compensation and related litigation division. She handled numerous complex employment/labor issues for her portfolio companies, including negotiating several multi-unit collective bargaining agreements. She successfully negotiated difficult and politically-charged plant closings and mass layoffs with urban city mayors, and with other public economic development officials.

As Associate General Counsel for a large retail department store, Ms. Schindel had responsibility for the shared employment/benefits legal services provided to both retail and non-retail businesses. She was general counsel to the company's \$6 billion pension fund and established a legal services business plan for her legal group that added value and substantially reduced legal costs in key business-unit operations. Additionally, Ms. Schindel headed an investigation team in Saipan, Northern Mariana Islands (a commonwealth of the United States) when the company and 20 other retail businesses were sued by unions and human rights groups for alleged violations of minimum wage and hour and human rights laws as a result of their respective contracts with offshore manufacturers operating in Saipan.

Practice Areas:

Corporate Diversity Counseling; Corporate Governance and Internal Investigations; and Employee Benefits

Education: Fordham University School of Law, J.D., 1981 and Hunter College, B.A., 1970

Admitted to Practice: U.S. Supreme Court, 2015; New York E.D.N.Y; New York S.D.N.Y, 2019; and New York, 1982



William H. Schrag

Partner

William.Schrag@ThompsonHine.com

Business Restructuring, Creditors' Rights & Bankruptcy
International

Overview

Bill is a partner in the Business Restructuring, Creditors' Rights & Bankruptcy group. With more than 35 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:

Contact Information

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12th Floor
New York, New York 10017-4611
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Fax: 212.344.6101

Education

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

Experience

- Representing major creditor in Westinghouse Electric Company (Bankr. S.D.N.Y.).
- 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 Pacific Gas and Electric, Toys"R"US, MF Global, Lyondell, Delaco, Enron, Rockefeller Center Properties, Montgomery Ward, London Fog, Commodore, Barney's and Penrod.



Areas of Expertise

Litigation and Dispute Resolution | Commercial Litigation |
Alternative Dispute Resolution | Employment Advice and
Litigation | Labour Relations and Collective Bargaining |
Labour, Employment & Human Rights | Human Rights |
Franchising | Technology, Media and Telecommunications

Education

2009, LLM, Common Law nord-américaine, University
of Montréal

2007, LLB, University of Montréal

Jurisdictions

New York, 2010 | Quebec, 2010

Languages

French | English

Chris Semerjian practises civil and commercial litigation and employment law. He represents clients during civil, commercial or employment disputes before the courts and various administrative tribunals, such as the Commission des relations du travail.

Chris has specific expertise in injunctions concerning the application of non-compete and non-solicitation clauses, as well as unfair competition or the misappropriation of confidential information or trade secrets. He acts quickly and confidently in an emergency to defend clients' rights.

Chris advises Quebec SMEs, large corporations and those looking to pierce the market on the different labour laws, in particular the Act respect labour standards and the Charter of the French Language.

He works efficiently, conscientiously and energetically to ensure clients are satisfied.



FASKEN

Client Work

- A victory for freedom of the press at the Chamberland Commission
- Eldorado Gold closes 100% share ownership of Integra Gold
Advised Eldorado Gold Corporation

Presentations

- **Injonctions interlocutoires en propriété intellectuelle : du mythe à la réalité**
Intellectual property group seminar , Montréal, November 14, 2018
- **Enterprise Management 2.0**
This conference is offered exclusively to in-house counsel who are members of the Jeune Barreau du Québec (10 years of practice or less), Montréal, October 7, 2015
- **Fasken Martineau Blitz Training Sessions - 2nd Edition**
Montréal, March 21, 2013

Publications

- **Leave to Appeal From a Judgment Authorizing a Class Action Granted – a Rare Occurrence!**, March 14, 2019
- **Supreme Court of Canada Refuses Leave, Refuses Radical Change to “Deal Privilege”** ,
Litigation and Dispute Resolution Bulletin, November 5, 2018
- **Iggillis Holdings v Canada – Federal Court of Appeal Upholds Application of Common Interest Privilege to Transactional Documents**, March 23, 2018
- **The Superior Court of Quebec Says Yes to the Issuance of an Interlocutory Injunction in a Patent Infringement Litigation**, March 13, 2018
- **Quebec Superior Court Rules on the Concept of Fair Dealing in Relation to the Substantial Reproduction of Journalistic Works**, September 20, 2017
- **Non-Compete Agreement in Purchase and Sale or Employment Agreement? | The HR Space**, Labour, Employment and Human Rights Bulletin, February 22, 2012

Rankings and Awards

- *Lord Reading Law Society* Lord Reading Law Society, awarded for excellence in constitutional law



FASKEN

Memberships and Affiliations

- Member, Young Bar Association of Montréal (YBAM)
- Member, Bar of Montréal
- Member, Quebec Bar
- Member, Canadian Bar Association (CBA)
- Member, New York State Bar Association (NYSBA)
- Member, American Bar Association (ABA)



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Japan Foreign Law Licensed Attorney
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Michael H. Shikuma specializes in international tax and cross-border estate planning in Japan, the US, and the Asia-Pacific region. With over 29 years of professional practice experience, he assists individuals and cross-border families with multi-jurisdiction asset holdings in developing tax-efficient structures for holding assets in various jurisdictions and minimizing gift, estate and inheritance taxes. In addition, he assists with cross-border probate and succession procedures and tax compliance for decedents with cross-border families and/or assets. He also assists entrepreneurs, SMEs, global companies, and investment funds with tax planning for cross-border corporate restructuring, investment and financing structures, and mergers and acquisitions, in Japan, the US, and the Asia-Pacific region. He has extensive US federal and state income, sales, and transfer tax experience, as well as experience in representing individual and corporate clients in tax controversy cases.

Mr. Shikuma is admitted to practice before the Hawai`i State Bar and the United States District Court for the District of Hawai`i. He is licensed as a foreign law lawyer in Japan (*Gaikokuhou Jimu Bengoshi*). In addition, Mr. Shikuma is a Certified Public Accountant* (Hawai`i).

Mr. Shikuma is a regular featured speaker at the annual Asia Conference of the Society of Trust and Estate Practitioners (“STEP”), the American Chamber of Commerce in Japan, and other seminars/conferences. He has published numerous articles on international tax and estate planning in various periodicals, including *STEP Journal*, *IBFD*, *Tax Notes International*, *International Tax Review*, and *Asia-Pacific Journal of Taxation*. He has served as Co-Chair of the Taxation Committee of the American Chamber of Commerce in Japan, Chair of the Tax Section of the Hawai`i State Bar Association, and Co-Chair of the Tax Committee of The Chamber of Commerce of Hawai`i. He received his J.D. from New York University School of Law and Bachelor of Accountancy, *summa cum laude*, from The George Washington University School of Government and Business Administration. He practiced at the Tokyo offices of Morrison & Foerster (2011-2014) and White & Case (2000 to 2011). Prior to this, he practiced in Honolulu at Cades Schutte Fleming & Wright (1992-1999) and Coopers & Lybrand (1987-1989).

Mr. Shikuma is a Band 1 lawyer, Private Wealth Law – Japan, in *Chambers and Partners* 2018 High Net Worth Rankings, as well as an “Up and Coming” Tax lawyer in *Chambers Asia Pacific*, 2014, and was selected Best Cross-Border Tax & Estate Planning Lawyer – Japan in *Acquisition International* 2019 Accounting, Audit and Tax Awards. Shikuma Law Office was awarded Best Cross-Border Estate Planning Law Firm – Japan by *APAC Insider’s* 5th Annual Legal Awards (2019). Mr. Shikuma was selected by his peers for inclusion in *The Best Lawyers© in Japan* (5th ed. 2014) -

*-not in public practice.

Tax Law, and recognized in *The Legal 500 Asia Pacific* (2015) as a Leading Lawyer - Tax, the *Tax Directors Handbook* 2014 edition, and *Who's Who Legal: Japan (Private Client)*.

LICENSES AND CERTIFICATIONS

Hawai'i State Bar - 1992.

United States District Court for the District of Hawai'i - 1992.

Japan Licensed Foreign Attorney (*Gaikokuhou Jimu Bengoshi*), *Daini* Tokyo Bar Association - 2000.

Certified Public Accountant* (Hawai'i) - 1992.

EDUCATION

J.D., New York University School of Law - 1992.

Bachelor of Accountancy, *summa cum laude*, The George Washington University School of Government and Business Administration - 1987.

PROFESSIONAL ASSOCIATIONS

Hawai'i State Bar Association.

American Bar Association.

Daini Tokyo Bar Association.

American Institute of Certified Public Accountants.

Hawai'i Society of Certified Public Accountants.

The International Academy of Estate and Trust Law (Academician).

Society of Trust and Estate Practitioners (TEP).

ARTICLES AND PUBLICATIONS

- *Big in Japan – Michael H Shikuma Outlines Recent Changes to the Scope of Japan's Gift Tax and IHT Rules*, STEP Journal (February 2019).
- *Japan – Trusts, Topical Analyses*, International Bureau of Fiscal Documentation (September 2014).
- *Private Client Multi-Jurisdictional Guide 2013/14: Japan Q&A*, Practical Law Company (February 2014).
- *Tax Planning for International Mergers, Acquisitions, Joint Ventures, and Restructurings - 2nd Edition*, Country Reports: Japan, Kluwer Law International (December 2013).
- International Tax Review's *World Tax 2011* and *World Tax 2010*, Japan Chapter, Euromoney Institutional Investor PLC (2010 and 2009).
- *Law Firm Explains Taxation of Foreign Investors in Tokyo Stock Exchange - Tokyo Stock Exchange Explains Tax Treatment of Co-Location Services*, Tax Analysts' Worldwide Tax Daily (July 21, 2010).
- *Japanese Business Law - Chapter 12: Taxation*, Kluwer Law International (2007).

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



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James R. Shorter, Jr. has over 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 with the law firm of Thacher Proffitt & Wood, LLP in New York City 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) (25th annual revision - April 2019; 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, "Tax considerations for establishing a business in the U.S.", New York State Bar Association, International Section, 2019 Regional Meeting Stockholm, Sweden (May 7, 2019)
- Co-Chair/Speaker for panel, "BEPS from a North American Perspective", New York State Bar Association, International Section, Fall Meeting, Montreal, Canada (October 26, 2018)
- 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 (October 17, 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, "LIFO 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 LIFOs - 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



Janiece Brown Spitzmueller has been an assistant to family court judges, a special education hearings officer, and a civil prosecutor for a municipal agency. A former teacher, she has taught from pre-school to post-secondary education, was involved in attorney and staff training, has developed and moderated continuing education programs for attorneys in the United States and in Africa, and has published law articles on various legal issues. Currently, Janiece uses her background in art, education, photography and videography to advocate for human rights through media, producing human rights programs for international audiences. In addition to her position as a United Nations delegate for a non-governmental organization, Janiece has had opportunities to speak at the UN. She has served in the NYSBA House Delegates, is a life fellow of the New York Bar Foundation, and serves on the board of the New York County Lawyers' Association. Janiece holds a baccalaureate degree in child development with concentrations in psychology and sociology from California State University, a law degree from Boston University, a certification in global affairs with a concentration on governance in Africa from New York University, and a certification in human rights with a subfield in education from Columbia University.

Yuri Sugano is a partner in the Tokyo office of Nishimura & Asahi, and a member of the Insolvency and Restructuring Group at Nishimura & Asahi, the largest restructuring and insolvency practice in Japan with more than 50 highly specialized attorneys who provide first-class service for all types of restructuring and insolvency cases. As an insolvency and restructuring partner in the firm, her expertise includes, but not limited to, insolvency and restructuring, M&A, and labor law. Actually, she is a leading partner of the Labor Law Group at Nishimura & Asahi, which specializes in a wide variety of labor law matters.

With regards to Ms. Sugano's hands on cross-border insolvency and restructuring credibility, her track record is as described below:

- Represented an OEM creditor in Takata's civil rehabilitation case which went insolvent with tremendous amount of potential recall claims caused by its faulty airbag inflators.
- Represented a counter-filing of civil rehabilitation proceedings against the existing bankruptcy case of Mt. Gox, a crypto-currency exchange which went bankrupt in 2014, in order to counter the projected payout in the bankruptcy and allow for alternative outcome.
- Filed for recognition of Japanese civil rehabilitation proceedings for DAIICHI CHUO KISEN KAISHA, an international shipping company, in 6 foreign countries, including the U.S., the U.K., Canada, Australia, South Africa, and Korea, in order to avoid the seizure of its vessels operating around the world and to ensure stable operations.
- Advised an unnamed audio-visual equipment manufacturer, which had headquarters in Japan and the U.S., in its negotiation with its shareholders and financial institutions in an out-of-court workout. Upon completion of preparations for concurrent dual petitions for Chapter 11 in the U.S. and corporate reorganization proceedings in Japan, we leveraged a successful settlement in an out-of-court workout.
- Were retained as Japanese legal counsel to represent the class action case in which bitcoin creditors filed a claim against Mt.Gox in the bankruptcy proceeding.
- Acted for YOHJI YAMAMOTO Inc., an Japanese apparel brand, not only in Japanese civil rehabilitation proceedings but also coordinated and orchestrated its filings for overseas bankruptcy proceedings and liquidation proceedings in order to close its subsidiaries in the U.S., Italy, and Belgium.

Ms. Sugano's recently published English articles are as follows:

- Failing Birds in the Sky: Dealing with Airlines in Financial Distress and Beyond (co-authored, 2017, October 2017 edition of Norton Journal of Bankruptcy Law and Practice),
- Collection of Practical Issues Important to Small Practitioners - Japan (co-authored, 2016, INSOL International - Small Practice Issues Technical Series)
- Pensions and Insolvency (co-authored, 2015, INSOL International - An International Survey).

Ms. Sugano is a member of the following professional associations:

- (i) International Insolvency Institute's NextGen Leadership Program (Class V),
- (ii) International Association of Restructuring, Insolvency & Bankruptcy Professionals and,
- (iii) International Women's Insolvency & Restructuring Confederation.

Finally, Ms. Sugano graduated from Kyoto University in 2001 with an LL.B. and was admitted by the bar in Japan in 2003. She worked at Oh-Ebashi LPC & Partners and moved to Nishimura and Asahi in 2007. She graduated from New York University School of Law for an LL.M. in 2012. From 2012 to 2013, she expanded her expertise in M&A by working as a financial advisor at GCA. Following that, she returned to Nishimura and Asahi, where she has been a main stay in its Insolvency and Restructuring Group, as well as assisting with its Labor Law Group.

KAZUYA TACHIBANA

SMBC Trust Bank Ltd.

Head of Trust Business Development Dept. /Senior Expert /Attorney at Law

Admitted in Japan

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EDUCATION

- The University of Nagoya (JD 2006)

PROFESSIONAL EXPERIENCE

- Financial Services Agency/Ministry of Finance, Tokyo, Japan
Public Servant December 2006 to November 2011
Drafted financial laws and regulations
Supervised financial institutions
Introduced Basel regulations
- Citibank Japan Ltd. , Tokyo, Japan November 2011 to November 2015
 - Compliance Dept. Vice President
Developed internal compliance systems
 - Surveillance unit Deputy Head
Responded to inspection of supervisory institutions
- SMBC Trust Bank Ltd. ,Tokyo, Japan November to 2015 to Present
 - Head of Product Process Dept.
Developed sales system of mutual funds, bonds, insurance and deposit
 - Product Planning Dept./ Head of Trust Business Development Dept./
Senior Specialist
Product Planning mainly in the field of estate and trust

PROFFESIONAL AFFILIATION

- Japan Federation of Bar Association
- Dai-Ichi Tokyo Bar Association

Biography



Shin Tanaka

Senior Partner & President

Shin Tanaka joined FleishmanHillard in August 1997 as a founder and managing director of its operation in Japan. As a pioneer in the strategic communications consulting, he provides strategic counsel in all aspects of communications needs from corporate communications to reputation management, issues/crisis management.

Before joining FH, Shin worked with Sega Enterprises as general manager of the overseas amusement division. Prior to Sega, he worked in the public relations division of the Honda Motor Company, where he served as manager of Honda's Detroit office and was responsible for developing the company's corporate communications strategy in the United States, which includes government relations, academic programs, investor relations, marketing communications, and corporate public relations. Before his U.S. assignment, he worked in Honda's overseas sales and marketing division. During his time with Honda in Japan, he worked in the company's production control operations.

Shin is a graduate of the department of economics at Keio University in Japan.

田中 慎一

シニア・パートナー、プレジデント

1978年、慶應義塾大学経済学部を卒業し、本田技研工業株式会社に入社。ワシントン事務所にて米国における政府議会・マスコミ対策を担当した後、1985年には日米自動車貿易摩擦が大きな問題となる中、初代デトロイト事務所長として北米地域における同社の広報戦略立案・展開の責任者となる。1994年、セガエンタープライゼス株式会社に転じ、海外オペレーション部長等を歴任する。

1997年、世界最大のコミュニケーション・コンサルティング・ファームであるフライシュマン・ヒラード(本社:米国セントルイス)に参画、日本法人を立上げ、代表取締役就任に就任、現在に至る。

企業や組織の事業戦略実現を支える戦略コミュニケーション®分野の第一人者として、多様化するビジネス課題に直面する数多くの日系外資系企業/組織にコンサルティング・サービスを提供している。

Hiroyuki Tezuka
Partner, Nishimura & Asahi, Tokyo

Hiroyuki Tezuka is a partner at Nishimura & Asahi, and heads the firm's international dispute resolution practice group. He specializes in international commercial litigation and arbitration. He has been involved in a number of international arbitrations as counsel, sole-arbitrator, co-arbitrator, or chairman, including before the ICC, JCAA, AAA-ICDR, VIAC, KCAB and SIAC.

Hiroyuki serves as an executive director of the Japan Association of Arbitrators, was a vice-chair of the Arbitration Committee of the IBA Legal Practice Division, and is a committee co-chair of the Dispute Resolution and Arbitration Committee at the IPBA. Since 2013, he has been a member of SIAC's Court of Arbitration. From 2013 to 2016, he taught international arbitration at the University of Tokyo, School of Law as visiting professor. Since 2016, he has been a member of the ICC Institute of World Business Law, the ACICA council, the Seoul IDRC Advisory Board and a fellow of the Chartered Institute of Arbitrators (FCIArb). He is also a member of the International Court of Arbitration of the International Chamber of Commerce (ICC) for Japan and since 2018 he is a Council member of the ICC Institute of World Business Law. Since 2019, he is a chair of the International Arbitration Committee at the IADC (International Association of Defense Counsel).

Hiroyuki graduated from the University of Tokyo (LL.B., 1984) and Harvard Law School (LL.M., 1992).

He is admitted as an attorney in Japan (1986) and in New York (1993).



Thevenin Arbitration & ADR

Nancy M. Thevenin, Esq., F.C.I.Arb.

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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, a past chair of the New York State Bar Association's International Section, and a Member of the ICSID Panel of Arbitrators.

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.

HIRONOBU TSUKAMOTO

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Professional Experience

Partner, **Nagashima Ohno & Tsunematsu NY LLP**, NY, USA

Hironobu Tsukamoto specializes in litigation and arbitration of a broad range of commercial disputes, employment disputes and intellectual property disputes. Mr. Tsukamoto counsels and represents both domestic and foreign clients. He is also experienced in advising clients on non-contentious general corporate matters including employment law issues and intellectual property matters. Mr. Tsukamoto also counsels clients regarding employment law issues arising in relation to M&A transactions.

He graduated with an LL.B. from Kyoto University in 1998 and with an LL.M. from the University of Chicago in 2005. He was admitted to practice law in Japan in 2000 and in the State of New York in 2006. He worked at Weil, Gotshal & Manges (Silicon Valley) as a visiting attorney from 2005 to 2007.

Professional Qualification

Admitted in New York and Japan

Education

University of Chicago, the Law School, Chicago, IL
Master of Laws, June 2005
Kyoto University, Faculty of Law, Kyoto, JAPAN
Bachelor of Laws, March 1998

Professional Organization

Japan Federation of Bar Associations
Dai-ichi Tokyo Bar Association
International Bar Association
American Bar Association
NY State Bar Association
Inter-Pacific Bar Association

Publications

“Be careful with redundancies” - The 2010 Guide to Japan 8th Edition, a Supplement to International Financial Law Review, March 2010 (Co-author)
“Assessing the consequences” - Asian-Counsel (Volume 8 Issue 7, 2010) (Co-author)
“Social Media and Employment Law. An International Survey (Japan chapter)” Kluwer Law International (September, 2015) (Co-author)
“Arbitration World - Jurisdictional Comparisons 5th Edition 2015” Thomson Reuters (October 2015) (Co-author)
“The International Comparative Legal Guide to: Enforcement of Foreign Judgments 2016 Chapter 18 Japan” Global Legal Group Limited (March 2016) (Co-author)
“Ministry of Health, Labour and Welfare strengthens overtime regulations” International Law Office Online Newsletter “Employment & Benefits-Japan” (April 2017) (Co-author)
“Getting the Deal Through - Appeals 2017 Japan” (August 2018) (Co-author)
“The Banking Litigation Law Review - Edition 2 JAPAN” (September 2019)

Language

Japanese (native)
English (fluent)



Scott A. Warren

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Practice Focus

- Data Privacy & Cybersecurity
- Intellectual Property & Technology
- Litigation
- Government Investigations & White Collar
- Corporate

Education

- Southwestern School of Law, J.D., 1987
- University of Denver, B.A., 1984

Admissions

- California, 1987
- U.S. Ct. of App., Ninth Circuit
- Japan - Gaikokuho Jimu Bengoshi, 2017

Scott Warren is a partner in our Tokyo office and leads a team that specializes in cybersecurity, data privacy and digital data disclosures in Japan and Asia. He advises on digital compliance, eDiscovery and corporate data privacy for global and local corporations. He also has significant experience in compliance, intellectual property, litigation, dispute resolution and government regulatory and internal investigations. He has provided advice to global multinational corporations in the hi-tech, software, retail, healthcare, pharmaceutical, automotive, banking, trading, telecommunications and professional services industries.

Scott started his career as a civil litigator in California and is experienced in all phases of disputes resolution, from pleadings through conducting jury trials. He moved to Japan in 1993 and wrote the *Japan Employers Handbook* for CCH, a large international publishing company. While general counsel at Sega Corporation, he handled various intellectual property issues, including licensing and anti-counterfeiting actions on infringers on every continent except Antarctica. He also oversaw Sega's internal and regulatory investigations, including anti-competition, US International Trade Commission and safety reporting matters.

As senior attorney for Microsoft, Scott was responsible for the Xbox launch in Japan, Korea, Hong Kong, Taiwan and Singapore. He was the head of anti-piracy for Xbox worldwide, head of anti-piracy for all Microsoft products in North Asia and served in the region as the head of Internet Safety, working with law enforcement and governments to better protect the public from cyber threats. He handled internal cyberbreach issues from a legal perspective. In this capacity, he became involved with The Society for the Policing of Cyberspace, a nonprofit organization, where he serves on the executive board.

He was the managing director of Kroll in Japan and regional managing director of Kroll Ontrack in Asia, providing clients with investigative, computer forensics and eDiscovery services. Later, he opened Epiq Systems in Japan and built the team and services in order to provide eDiscovery solutions to global organizations. Many of these investigations involved antitrust, bribery, SEC and other regulatory matters.

Having served as in-house counsel for more than 13 years and having built two successful legal services companies in Asia, Scott brings a unique understanding, expertise and global perspective to his clients.

Scott is also a Certified International Counter-Cyber Crime Professional and is certified as a Member of the Chartered Institute of Arbitrators (CIArb).

Speaker Biography: Lawrence H. Weintraub, Esq.

Lawrence (“Larry”) H. Weintraub has worked in DEC’s Office of General Counsel from 2007. He serves as the program counsel for DEC’s Division of Environmental Permits. The Division of Environmental Permits administers the State Environmental Quality Review Act and the Uniform Procedures Act and manages most of the major environmental permitting work of DEC. The Division of Environmental Permits played a leadership role within DEC in promulgating the 2018 amendments to the SEQR regulations that became effective on January 1, 2019. Larry has also counseled the agency with respect to many of its major permitting and environmental reviews that have occurred since 2007 including ones involving resort development around Belleayre Mountain in the Catskills and oil and gas matters. Larry also represents the DEC staff in proceedings before the Public Service Commission. Before joining the DEC, Larry worked in both government and private practice. The focus of his practice was on environmental and municipal law. He is admitted to the New York Bar and several Federal Courts.

Gavin Westerman is a partner in Weil's M&A practice, and is based in New York. Gavin focuses his practice on corporate restructurings, regularly representing companies, equity holders, creditor committees and purchasers in chapter 11 reorganizations, out-of-court restructurings and exchange offers. Gavin's experience also includes representing public and private companies, as well as private equity funds, in connection with acquisitions and divestitures, both public and private, domestic and cross-border. He also counsels clients regarding general corporate matters, including reporting requirements, corporate governance issues and other strategic considerations. Gavin was profiled in Law360's "Sealing the Deal" for his work advising Takata Corporation in its \$1.6 billion asset sale to Key Safety Systems, Inc. through a chapter 11 plan. He was named among The M&A Advisor's 2016 Emerging Leaders and has been recommended by Legal 500 US for M&A: large deals (\$1bn+).

Representative restructuring transactions include:

Company Representations

- Sears Holdings Corporation in its \$5.2 billion sale of its core assets to ESL Investments Inc. in connection with its chapter 11 proceedings
- Ditech Holding Corporation in the sales of its forward mortgage servicing and originations business, and of its reverse mortgage business, through a chapter 11 plan
- Waypoint Leasing (Ireland) Limited in its sale in bankruptcy of a significant portion of its assets to Macquarie Rotorcraft Leasing (Ireland) Limited, and a related series of equity and asset sales to certain of its lenders through credit bids
- Takata Corporation in its \$1.6 billion asset sale to Key Safety Systems Inc. through a chapter 11 plan
- Claire's Inc., one of the largest retailers in the United States, in its prearranged chapter 11 case involving the restructuring of more than \$2 billion in funded debt, and a related rights offering
- Fieldwood Energy LLC in its prepackaged chapter 11 case involving a \$1.6 billion balance sheet deleveraging, a \$525 million rights offering, and a \$710 million acquisition of deepwater oil and gas assets
- Southeastern Grocers, LLC in its \$1.3 billion prepackaged chapter 11 cases
- Aéropostale, Inc. in its 363 bankruptcy sale to a consortium including General Growth Properties, Authentic Brands Group, Simon Property Group, Gordon Brothers Retail Partners, and Hilco Merchant Resources
- American Gilsonite Company in its prepackaged chapter 11 case
- Angelica Corporation in its 363 bankruptcy sale to KKR
- Fairway Group Holdings in its prepackaged chapter 11 case
- CHC Group Ltd. in its chapter 11 case
- Vantage Drilling Company in its prepackaged chapter 11 case
- The Great Atlantic & Pacific Tea Company (A&P) in the sale of its stores as part of its chapter 11 case
- LodgeNet Interactive in its sale to Colony Capital through its prepackaged chapter 11 case
- Endeavour International Corporation in its chapter 11 case
- The Oversight Committee of the Board of Trustees of Centerline Holding Company in its comprehensive debt restructuring, recapitalization and sale of businesses to Island Capital Group

Creditor Representations

- Ad hoc group of secured lenders in the out-of-court restructuring of Stallion Oilfields
- Ad hoc group of secured lenders in the out-of-court restructuring of Things Remembered
- Ad hoc group of secured lenders in the chapter 11 restructuring of Aspect Software
- Ad hoc group of secured lenders in the chapter 11 restructuring of Magnum Hunter Resources Corporation
- Ad hoc group of senior noteholders in the chapter 11 restructuring of K-V Pharmaceutical
- Ad hoc group of second lien bondholders in the out-of-court restructuring of DirectBuy

Overview

Alan Wong is Senior Vice President and Head of the Human Resources Department, Bank of China, U.S. Branches, which currently employs over 800 individuals in four U.S. branches in New York City, Chicago, and Los Angeles. Mr. Wong oversees and is responsible for the H.R. functions in all four branches of the Bank.

Through the over 30 years of his professional career, Mr. Wong has been a strategic partner to the Bank's Executive Management. He has significant experience overseeing various pillars within the Human Resources field, including:

- Talent Acquisition, Onboarding, Employee Relations;
- Benefits and Compensation;
- Training and Development, including his partnership for executive management training led by Head Office;
- Performance Management;
- Expatriate Management; and
- Human Resources Operations and Administration

Mr. Wong tactfully handles personnel-related issues. Along with his staff, he carries out internal investigations and advises Branch personnel on how to respond to employee concerns. He works with all departments of the Bank, including Legal, Audit, and Compliance, and supervises outside counsel in threatened and actual employment disputes.

Mr. Wong also interacts with bank supervisory agencies, including the Office of the Comptroller of the Currency (OCC), and assists the Branch in implementing all regulatory, personnel-related programs, including those related to anti-discrimination, anti-harassment, and whistleblower rights. To that end, Mr. Wong has implemented and, with the Office of the General Counsel, oversees the Bank's internal hotline.

Mr. Wong and his staff also carry out periodic FLSA audits and updates of personnel policy manuals for the Bank's four Branches.

Mr. Wong is an active member of various professional organizations and a frequent public speaker. He has spearheaded the Foundation of the Asian Human Resources Forum, providing advice and guidance on HR related issues to numerous Asian companies, both in financial services and other industries. He is a respected and well-known authority on the application of U.S. employment and human resources law and practice to Asian businesses.

Professional and Community Affiliations

- Chairman, Foreign Bank Human Resources Forum
- Member, New Jersey China Chamber of Commerce

Education

B.A., Business Administration and Economics, State University of New York at Albany.

Tang Hang Wu is a Professor at the School of Law, Singapore Management University where he directs the Centre for Cross-Border Commercial Law in Asia. His research interests include land law, restitution, equity, trusts, charity and non-profit law. Prior to joining SMU in 2013, he taught at the Faculty of Law, National University of Singapore for twelve years where he was a tenured faculty member. Hang Wu has published widely and his work has been relied on by all levels of the Singapore courts, the Royal Court of Jersey, the Caribbean Court of Appeal, the Federal Court of Malaysia and law reform committees in the Commonwealth. In his capacity as a consultant at TSMP Law Corporation where he co-heads the Trusts & Wealth practice, Hang Wu has advised members of the legal profession in Singapore and Malaysia and various Singapore government departments on complex legal issues. Hang Wu is frequently instructed as Counsel by other practising lawyers to argue difficult cases before the Singapore Court of Appeal and advise on complex legal issues which arise in domestic and international litigation. Recently, he acted as an expert witness for the U.S. Department of Justice on Singapore trust law in relation to the case of General Sani Abacha, the second largest action brought under United States' Kleptocracy Asset Recovery Initiative, involving over €100 million where his evidence was accepted by the United States District Court for the District of Columbia.



Gonzalo Zeballos focuses on sophisticated cross-border fraud investigations, asset tracing and asset recovery. He works closely with internal and external resources from various disciplines to address jurisdictional challenges, develop innovative investigative tools and implement novel approaches to applying the laws of sovereign states to root out fraud and corruption. Recommended by *The Legal 500 2017* in the area of international-litigation, and listed by *Who's Who Legal* for asset recovery in 2017, he has been involved in litigation, investigations and recovery efforts in dozens of jurisdictions. These include civil and common law jurisdictions and involve civil, criminal and arbitral proceedings.

Since 2009, he has led and managed international investigations and foreign recovery efforts in the representation of Trustee Irving H. Picard for the SIPA liquidation of Bernard L. Madoff Investment Securities LLC. Through his efforts, along with those of the BakerHostetler asset-recovery team, more than \$11 billion in assets have been recovered from the decades-old Madoff Ponzi scheme – the largest of its kind in U.S. history

Well-versed in all aspects of international litigation, he often presents on fraud, asset tracing and recovery tools and cross-border investigations.

Select Experience

- Lead attorney for international recovery efforts of misappropriated assets and related litigation in the representation of Trustee Irving H. Picard for the SIPA liquidation of Bernard L. Madoff Investment Securities LLC.
- Coordinated with Canadian co-counsel in cross-border asset recovery action for H.M.B. Holdings, a corporate victim of illegal expropriation by a sovereign government.
- Advised the court-appointed receiver on international aspects relating to misappropriated global assets from international hedge funds created and run by Michael Kenwood Group, LLC.

Experience

- Lead attorney for international recovery efforts of misappropriated assets and related litigation in the representation of Trustee Irving H. Picard for the SIPA liquidation of Bernard L. Madoff Investment Securities LLC.

- Coordinated with Canadian co-counsel in cross-border asset recovery action for H.M.B. Holdings, a corporate victim of illegal expropriation by a sovereign government.
- Advised the court-appointed receiver on international aspects relating to misappropriated global assets from international hedge funds created and run by Michael Kenwood Group, LLC.
- Advised a large Middle Eastern bank during a multinational contract dispute arising from the mortgage-backed securities crisis.
- Advised a hedge fund client during a breach of contract dispute arising under U.K. law.
- Successfully represented Zaha Hadid, renowned international architect, in a defamation and trade-libel case.

Recognitions

- The Legal 500 United States (2017 to 2019)
 - Recommended in Dispute Resolution: International Litigation
- Who's Who Legal: Asset Recovery (2017)
- New York Metro "Super Lawyer" (2011, 2013 to 2017)
- New York State Bar Association: Empire State Counsel Award

Memberships

- The International Academy of Financial Crime Litigators: Founding Member (2018)
- International Bar Association
- American Bar Association
- New York State Bar Association
- New York City Bar Association
- Hispanic National Bar Association
- Departmental Disciplinary Committee, New York Supreme Court, Appellate Division First Judicial Department: Appointed Member (2012 to 2017)

Jianwei Zhang Partner

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Practice Areas

Capital market, corporate and mergers & acquisitions, assets management

Professional Experience

Mr. Zhang acts as the Managing Partner of Jun He Law Offices, Shenzhen Office. Mr. Zhang was a member of CSRC Offering Review Committee and is a member of SSE STAR Listing Committee.

Mr. Zhang's key practice areas cover capital market, mergers & acquisitions (M&As), assets management and general corporate matters. Mr. Zhang advises various domestic and international companies in their daily corporate matters, including without limitation China Merchants Group, China Resources Group, China Merchants Bank, PingAn Bank, Tencent, and ZTE.

Mr. Zhang has ranked as a leading lawyer in capital market, corporate and commercial areas by Chambers Asian-Pacific guide for many years.

Mr. Zhang also acts as an arbitrator of South China International Economic and Trade Arbitration Commission (Shenzhen Court of International Arbitration), a member of China Venture Capital Association, a mediator of the Mediation Center of SCIA and a member of the Legal Committee of ICC Shenzhen.

Education

Mr. Zhang was graduated from Jilin University of Technology and obtained a Bachelor's degree in Machinery Design and Manufacture, and then graduated from the Graduate School of Jilin University and obtained a Juris Master degree.

Practicing License

Mr. Zhang is a member of the All China Lawyers Association and Shenzhen Lawyers Association.



Dongfeng Zhao partner

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Mr. Zhao Dongfeng is a board member of International Construction Law Association (“ICLA”), vice-chairman of ICLA (China), Executive Director of International Construction Law Program of Peking University, member of China Law Society and the managing partner of Beijing JustFaith Law firm.

Mr. Zhao graduated from Peking University Law School. Before practicing as a lawyer, Mr. Zhao worked in one of top Chinese leading international contractors listed ENR225 and specialised in contract management, legal management and survey management of several extra large-scale overseas projects and accumulated extensive experience in the management of overseas on-site project.

Prior to his involvement with JustFaith Law firm, Mr. Zhao worked as a counsel in the Project & International Construction Group of Pinsent Masons LLP and learned from Mr. John Bishop, the leading authority in the international construction law industry. Mr. Zhao provided professional legal service with hundreds of contentious and non-contentious matters for dozens of domestic and overseas construction companies.

With regard to international construction arbitration and dispute settlement, Mr. Zhao has considerable experience of ICC arbitration, UNCITRAL arbitration and Litigation in project host countries. He is one of few lawyers in China who has quite capable of providing professional legal services in this area.

With regard to international construction arbitration and dispute settlement, Mr. Zhao has wide experience of ICC arbitration, UNCITRAL arbitration and Litigation in project host country. He is one of few lawyers in China who have quite capable of providing professional legal services in this industry.

Mr. Zhao was invited by many famous universities to give the lecture on international construction law including but not limited to Peking University, Tsinghua University, University of Vienna and Tianjin University, dozens of training and consulting institutions of international construction and numerous international construction companies and got high praise.

As the invitation of King's College, the Association of Consultant Architects and Association of Consultancy and Engineering, Mr. Zhao reviewed the PPC Alliance Contracts and he was also invited by the Going Through the Deal to write the column of China construction law.

Mr. Zhao is dedicated to introducing the good practice and core knowledge system of the international construction law to China and writes many articles, which have extensive influence in this industry. His courses have been the high-end courses and popularized in the area of international construction law, including the analysis of FIDIC conditions, the magnificent legal and contractual risk of international construction and its precaution, the claim of international construction, the multi-tie dispute resolution mechanism and arbitration of international construction, the investment and financing of international construction, project financing, legal practice of PPP, the role change from the contractor to the investor, legal and contractual practice of material procurement of international construction, drafting an English contract of international construction, writing an English letter of international construction, etc.