



NEW YORK STATE BAR ASSOCIATION
INTERNATIONAL SECTION

Global Conference 2019: A World of Many Voices, United in Our Diversity

Tokyo, Japan | November 5-8, 2019





NEW YORK STATE BAR ASSOCIATION
INTERNATIONAL SECTION

Madrid

Regional Meeting

April 27-28, 2020

The Westin Palace | Madrid, Spain



www.nysba.org/madrid2020



NEW YORK STATE BAR ASSOCIATION
INTERNATIONAL SECTION



Save the Date!

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Conference 2020**

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www.nysba.org/london2020
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Global Conference 2019: A World of Many Voices, United in Our Diversity

International Section

November 5-8, 2019

Hilton Tokyo

6-6-2 Nishi- Shinjuku, Shinjuku-ku, Tokyo, Japan

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New York State Bar Association

ACCESSING THE ONLINE ELECTRONIC COURSE MATERIALS

Program materials will be distributed exclusively online in PDF format. It is strongly recommended that you save the course materials in advance, in the event that you will be bringing a computer or tablet with you to the program.

Printing the complete materials is not required for attending the program.

The course materials may be accessed online at:

www.nysba.org/JapanCoursebook2019

A hard copy NotePad will be provided to attendees at the live program site, which contains lined pages for taking notes on each topic, speaker biographies, and presentation slides or outlines if available.

Please note:

- You must have Adobe Acrobat on your computer in order to view, save, and/or print the files. If you do not already have this software, you can download a free copy of Adobe Acrobat Reader at <https://get.adobe.com/reader/>
- If you are bringing a laptop, tablet or other mobile device with you to the program, please be sure that your batteries are fully charged in advance, as electrical outlets may not be available.
- NYSBA cannot guarantee that free or paid Wi-Fi access will be available for your use at the program location.

MCLE INFORMATION

Program Title: Global Conference 2019

Date/s: November 5-8, 2019

Location: Tokyo, Japan

Evaluation: https://nysba.co1.qualtrics.com/jfe/form/SV_8HAVjT2bW1D4TnT

This evaluation survey link will be emailed to registrants following the program.

Total Credits: **20.0 New York CLE credit hours**

Credit Category:

14.0 Areas of Professional Practice

2.5 Ethics and Professionalism

3.0 Skills

0.5 Diversity, Inclusion and Elimination of Bias

This course is approved for credit for **experienced attorneys only**. This course is not transitional and therefore will not qualify for credit for newly admitted attorneys (admitted to the New York Bar for less than two years).

Attendance Verification for New York MCLE Credit

In order to receive MCLE credit, attendees must:

- 1) **Sign in** with registration staff
- 2) Complete and return a **Form for Verification of Presence** (included with course materials) at the end of the program or session. For multi-day programs, you will receive a separate form for each day of the program, to be returned each day.

Partial credit for program segments is not allowed. Under New York State Continuing Legal Education Regulations and Guidelines, credit shall be awarded only for attendance at an entire course or program, or for attendance at an entire session of a course or program. Persons who arrive late, depart early, or are absent for any portion of a segment will not receive credit for that segment. The Form for Verification of Presence certifies presence for the entire presentation. Any exceptions where full educational benefit of the presentation is not received should be indicated on the form and noted with registration personnel.

Program Evaluation

The New York State Bar Association is committed to providing high quality continuing legal education courses, and your feedback regarding speakers and program accommodations is important to us. Following the program, an email will be sent to registrants with a link to complete an online evaluation survey. The link is also provided above.

ADDITIONAL INFORMATION AND POLICIES

Recording of NYSBA seminars, meetings and events is not permitted.

Accredited Provider

The New York State Bar Association's **Section and Meeting Services Department** has been certified by the New York State Continuing Legal Education Board as an accredited provider of continuing legal education courses and programs.

Credit Application Outside of New York State

Attorneys who wish to apply for credit outside of New York State should contact the governing body for MCLE in the respective jurisdiction.

MCLE Certificates

MCLE Certificates will be emailed to attendees a few weeks after the program, or mailed to those without an email address on file. **To update your contact information with NYSBA**, visit www.nysba.org/MyProfile, or contact the Member Resource Center at (800) 582-2452 or MRC@nysba.org.

Newly Admitted Attorneys—Permitted Formats

For official New York State CLE Board rules, please see www.nycourts.gov/attorneys/cle. In accordance with New York CLE Board Regulations and Guidelines (section 2, part C), newly admitted attorneys (admitted to the New York Bar for less than two years) must complete **Skills** credit in the traditional live classroom setting or by fully interactive videoconference. **Ethics and Professionalism** credit may be completed in the traditional live classroom setting; by fully interactive videoconference; or by simultaneous transmission with synchronous interactivity, such as a live-streamed webcast that allows questions during the program. **Law Practice Management** and **Areas of Professional Practice** credit may be completed in any approved format. The transitional CLE requirement for newly admitted attorneys does not include the Diversity, Inclusion and Elimination of Bias CLE credit component.

Tuition Assistance

New York State Bar Association members and non-members may apply for a discount or scholarship to attend MCLE programs, based on financial hardship. This discount applies to the educational portion of the program only. Application details can be found at www.nysba.org/SectionCLEAssistance.

Questions

For questions, contact the NYSBA Section and Meeting Services Department at SectionCLE@nysba.org, or the NYSBA Member Resource Center at (800) 582-2452 (or (518) 463-3724 in the Albany area).



NEW YORK STATE BAR ASSOCIATION
INTERNATIONAL SECTION

One Elk Street, Albany, NY 12207
Phone 518.463.3200
www.nysba.org

Tuesday, November 5

At the offices of Oh-Ebashi LPC & Partners, Tokyo | 2F Kishimoto Building, 2-2-1 Marunouchi, Chiyoda-ku, Tokyo

- 10:00 am–5:45 pm Registration/Check | Kotobuki
- 12:00–1:15 pm Executive Committee Luncheon Meeting
- 1:15–2:30 pm Chapter Chairs Meeting
- 2:30–3:45 pm Latin American Council Meeting
- 3:45–5:00 pm Asian Bar Council Meeting
- 6:30 pm Bus transfers from Hilton Tokyo to EC Dinner (EC and Steering Committee members only)
- 7:00 pm **Executive and Steering Committees' Dinner** | The Palace of Tokyo
- 9:00 pm Bus transfers from EC Dinner to Hilton Tokyo

Wednesday, November 6 – Transitional Program

- 7:00 am–5:00 pm Registration/Check-In | Kotobuki
- 6:00 am Continental breakfast available starting at 6:00 am | Marble Lounge
- 8:00–8:05 am **Welcome** | Diane O'Connell, International Section Chair
- 8:05–8:15 am **Introduction** | Henry M. Greenberg, NYSBA President

8:15–11:45 am Mock International Arbitration & Advocacy Workshop | Fuji Ballroom

Generously Sponsored by Mori Hamada and Matsumoto

A mock arbitration problem will be used to demonstrate advocacy techniques in international arbitration. Designed for counsel, arbitrators, in-house counsel, and anyone interested in international arbitration, this extended session will feature experienced international arbitration practitioners making brief presentations on best practices for international advocacy and participating in mock arbitration sessions. Our workshop will consider how international advocacy differs from advocacy in national courts, and how practitioners may most effectively advocate for their clients amid a diversity of cultures, legal traditions, and ethical requirements.

- 8:25–9:15 am **Advocacy & Ethics in International Arbitration**
1.0 MCLE Credit
in Ethics

Moderator: Jordan Tan, Clifford Chance, Singapore

Panelists:

Jessica Fei, King & Wood Mallesons, Beijing
Carlos Ramos-Mrosovsky, Alston & Bird, New York
Nancy Thevenin, Thevenin Arbitration & ADR, New York
Christine Artero, Singapore Arbitration Chambers

Mock Arbitration #1

- 9:15–11:45 am **Tribunal:** Alex Yanos, Alston & Bird, New York; Kevin Tan, Rajah & Tann, Singapore; Tomoko Kamikawa, Matsui & Kamikawa, Osaka

Counsel for the Claimant: Asuza Saito, Nishimura & Asahi NY LLP, New York; Daniel Allen, Mori Hamada & Matsumoto, Tokyo

Counsel for the Respondent: Francisco Franco-Rodriguez, Baker McKenzie, Mexico City; Masafumi Kodama, Kitahama Partners, Osaka

Secretary to the Tribunal/Alternate: Yoshinori Tatsuno, Mori Hamada & Matsumoto, Tokyo

Mock Arbitration #2

Tribunal: Haig Oghigian, Woods, Montreal; Gonzalo Zeballos, Baker Hostetler, New York; May Kim Ho, Singapore

Counsel for the Claimant: Yoko Maeda, City Yuwa Partners, Tokyo; Evan Michailidis, Duane Morris, New York

Counsel for the Respondent: Yuko Kanamaru, Mori Hamada & Matsumoto, Tokyo; Kimarie Cheang, HFW, Singapore

- 12:00–1:20 pm **Networking Lunch | Welcoming remarks by Chargé d'Affaires Joseph M. Young, US Embassy**
Further address by Claire Flores, Senior Legal Manager, BARBRI | Sakura Ballroom

1:25–3:30 pm
2.5 MCLE Credits
in Areas of
Professional
Practice

The A-Team: We Love It When Your Arbitration Comes Together | Fuji Ballroom

This unique plenary brings together representatives of major arbitral institutions – our amazing A-Team – for a discussion guided by three seasoned international practitioners. Among the topics of discussion will be recent developments affecting international ADR, future trends, and how diversity (e.g., the Arbitration Pledge) and competition are driving these institutions to innovate.

Co-Chairs:

Yoshimasa Furuta, of Anderson Mori & Tomotsune, Tokyo. In addition to his international arbitration practice, Mr. Furuta is an executive director of the Japan Association of Arbitrators (JAA) and a founding member of the new Japan International Dispute Resolution Center (JIDRC).

Jay G. Safer, of Wollmuth Maher & Deutsch LLP, New York. In addition to his international arbitration and litigation practice, Mr. Safer is a Lecturer in Law and an Adjunct Professor at Columbia University School of Law and at Fordham University School of Law and on the AAA Roster of Neutrals for Commercial Cases.

Ron Soffer, Soffer Advocats, Paris. In addition to his international litigation and arbitration practice, Mr. Soffer has taught on the Faculty of Law of the Hebrew University of Jerusalem and is a member of the Panel of Arbitrators of the International Centre for Dispute Resolution and a Fellow of the Chartered Institute of Arbitrators.

Panelists:

Marc L. Abrams, Board Member, AIDA Reinsurance and Insurance Arbitration Society (ARIAS) – U.S., and Partner, Mintz Levin, New York

Mingchao Fan, Regional Director, Arbitration & ADR for North Asia, International Chamber of Commerce (ICC), Shanghai

Sarah Grimmer, Secretary-General, Hong Kong International Arbitration Centre (HKIAC), Hong Kong
Prof. Yoshihisa Hayakawa, Rikkyo University, Secretary General, Japan International Dispute Resolution Center (JIDRC), and Partner, Uryu & Itoga, Tokyo

Kap-You (Kevin) Kim, President, the KCAB International Arbitration Committee; Senior Partner, Peter & Kim, Seoul

Michael D. Lee, Vice President, International Centre for Dispute Resolution (ICDR), Singapore, American Arbitration Association (AAA), Singapore

Donemark J. L. Calimon, Secretary General, Philippine International Center for Conflict Resolution (PICCR), and Partner, Quisumbing Torres, Manila

Ranse Howell, Director of International Operations, JAMS, Washington DC/London

Kristin Campbell-Wilson, Deputy Secretary General, of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC), Stockholm

Edward K. Lenci, on behalf of Arbitration Ireland, and Partner, Hinshaw & Culbertson LLP, New York

Michele Park Sonen, Head, North East Asia, Singapore International Arbitration Centre (SIAC), Seoul

3:30–4:00 pm

Networking Break | Sakura Ballroom

4:00–5:30 pm
1.5 MCLE Credits
in Ethics

Judicial/International Litigation Plenary | Fuji Ballroom

It has often been said that if you lose the court, you lose the case. The judicial plenary brings together experienced jurists from different jurisdictions, including the United States, Japan and Korea, to discuss the ethical aspects of practice before the courts. Courtroom presentation and demeanour along with effective and ethical brief writing practices will be explored and discussed, as will the tips and tricks that can assist counsel in making arguments that will be well received by the court.

Co-Chairs:

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

Hyun Suk Choi, Choi & Park, LLC, New York

Panelists:

Hon. Mr. Michihiro Mori: Judge, Fukuoka District Court (2000 – 2003); Judge, Tokyo District Court (1995 – 2000)

Judge Loretta Preska: Senior US District Judge and former Chief Judge of the US District Court for the Southern District of New York

Judge Woojin Kim: Chief Researcher, Judicial Policy Research Institute of the Supreme Court of Korea; Presiding Judge, the Seoul High Court

6:00 pm

President's Welcome Reception | Featuring Henry M. Greenberg, NYSBA President | Sakura Ballroom

7:00 pm

Welcome Dinner | Fuji Ballroom

Thursday, November 7 – Non-Transitional Program

7:30 am–5:30 pm Registration/Check In | Kotobuki

6:00 am Continental breakfast available starting at 6:00 am | Marble Lounge

8:30–10:00 am General Counsel Roundtable I Plenary | Fuji Ballroom

1.5 MCLE Credits in Areas of Professional Practice

Generously Sponsored by Nagashima Ohno & Tsunematsu

Co-Chairs:

Tomoyuki Otsuki, Senior Counsel Law, Intellectual Property and Compliance, IBM Japan, Ltd., Tokyo
Diane O’Connell, PriceWaterhouseCoopers LLP, New York

Panelists:

Catherine O’Connell, Catherine O’Connell Law (Former Regional Counsel and Head of Legal, Molex Japan LLC, Senior In House Counsel, Panasonic Corporation, Mitsubishi Motors and Olympus Corporation), Tokyo
Yasuyoshi Goto, Yasuyoshi Goto Law Office (former General Counsel of MODEC, Inc.), Tokyo
Miki Sakakibara, President, Japan In-House Lawyers Association, Tokyo
Piyasena Perera, Corporate Finance Attorney, Softbank Investment Advisers, London

10:00–10:30 am Networking Break *Generously Sponsored by Baker McKenzie* | Sakura Ballroom

10:30 am–12:00 pm 1.5 MCLE Credits in Areas of Professional Practice

Track 1 Disputes	Track 2 Corporate/Transactional	Track 3 Special Interest
<p>PANEL 1 Sakura 1 Challenges in Cross-Border White Collar Criminal Investigations</p> <p>This panel will explore the role of in-house and outside counsel in internal investigations, representation of the company and company employees, privilege considerations (both corporate and individual), coordination of investigations in different countries, self-reporting to government officials, document production and preserving confidentiality, and jurisdictional considerations.</p> <p>Co-Chairs: Atsushi Yamada, Anderson Mori & Tomotsune, Tokyo Jay Himes, Labaton Sucharow LLP, New York</p> <p>Panelists: Daniel J. Fetterman, Kasowitz Benson Torres LLP, New York Eriko Watanabe, Nagashima Ohno & Tsunematsu, Tokyo Dominique Lombardi, Rajah & Tann LLP, Singapore Nobuaki Mukai, Momo-o, Matsuo & Namba, Tokyo Lisa P. Phelan, Morrison Foerster LLP, Washington, DC</p>	<p>PANEL 2 Sakura 2 Drafting Distribution Contracts Around the World: A Practical Guide</p> <p>Distribution contracts are fundamental to international distribution of goods. We will take a practical approach to drafting issues for key contract provisions from the perspective of key regions of the world, and pay particular attention to how suppliers and distributors can address the disruptive complications arising from the explosive growth of e-commerce intermediaries and their disregard for distribution territories.</p> <p>Co-Chairs: Nagako Oe, TMI Associates, Tokyo Andre R. Jaglom, Tannenbaum Helpern Syracuse & Hirschtitt LLP, New York</p> <p>Panelists: Hernán Pacheco O., EY Law S.A., San José, Costa Rica George Ribeiro, Ribeiro Hui, Shanghai Michele S. Riley, Columbia University, International Center for Cooperation and Conflict Resolution, New York Sofia Cerqueira Serra, Morais Leitão, Galvão Teles, Soares da Silva, Lisbon Michael S. Carl, SSEK Indonesian Legal Consultants, Jakarta</p>	<p>PANEL 3 Aoi Ready for Investment in North Korea? Exploring Possible Legal Framework for Foreign Direct Investment in North Korea</p> <p>In light of a complex and evolving relationship between North Korea, its neighbors, and the United States, this panel will explore the following topics: overview of the Foreign Direct Investment Law of North Korea; lessons learned from the Kaesong Industrial Region and Rason Special Economic Zone in North Korea; possible legal and economic framework for North Korea and foreign investors; independent dispute resolution system; and the current status of international sanctions on North Korea</p> <p>Co-Chairs: Hyun Suk Choi, Choi & Park, LLC, New York Carlos Ramos-Mrosovsky, Alston & Bird, New York</p> <p>Panelists: Prof. Mitsuhiro Mimura, Economic Research Institute for Northeast Asia (ERINA), Niigata Carlos Ramos-Mrosovsky, Alston & Bird, New York Glen N. Kelley, Jacobson Burton Kelley, New York Cheol Jeong, Jipyong, Seoul</p>

12:15–1:50 pm **Lunch** | Introduction by Henry M. Greenberg, NYSBA President | Fuji Ballroom

Keynote Speaker: Hon. Kunio Hamada, former Justice of the Supreme Court of Japan and founding partner, Mori Hamada & Matsumoto, Tokyo

Track 1 Disputes	Track 2 Corporate/Transactional	Track 3 Special Interest
<p>PANEL 4 Sakura 1 Freezing Orders and Other Extraordinary Injunctive Relief in North America, Asia, and Europe: What Cross-Border Litigators Need to Know</p> <p>The panelists will discuss freezing orders, also known as Mareva Injunctions in certain common law jurisdictions, and other injunctive reliefs offered to plaintiffs in North America, Asia and Europe, and how this could affect US-based parties and cross-border litigation.</p> <p>Co-Chairs: Prof. Naoki Kanayama, Keio University Law School, Tokyo Chris Semerjian, Fasken, Montreal</p> <p>Panelists: Gonzalo S. Zeballos, Esq, Baker Hostetler, New York Dongfeng Zhao, JustFaith Law, Beijing Max Lee, Tsar & Tsai Law Firm, Taipei François Berbinau, BFPL Avocats, Paris Sally Heidenreich, Murray Chambers, Adelaide</p>	<p>PANEL 5 Sakura 2 The Increasing Importance of Trade-Secret Protections</p> <p>In our global economy, trade secrets are an increasingly important means of protecting intellectual property rights that are not subject to, or suited for, copyright or patent protection. This panel will explore the development and application of trade secret laws in various jurisdictions, which is also the primary topic covered in the Summer 2019 edition of the International Law Section's Practicum publication.</p> <p>Co-Chairs: Takanori Abe, Abe & Partners, Osaka Torsten M. Kracht, Hunton Andrews Kurth LLP, Washington, DC</p> <p>Panelists: Eriko Hayashi, Oh-Ebashi LPC & Partners, Tokyo Dr. Sebastian Heim, Beiten Burkhardt, Munich Chris Williams, Gilbert + Tobin, Sydney Chun Y. Yang, Kim & Chang, Seoul</p>	<p>PANEL 6 Aoi Tax Multilateralism – Panacea against Tax Abuse? Or Just a Taxpayer Compliance Nightmare!</p> <p>The real world implementation of OECD's BEPS Project presents tax planning and compliance issues for multinational enterprises and their advisors. Addressing these will be time-consuming and expensive; perhaps, not quite the task of cleaning the Augean stable, but difficult nevertheless. This panel will discuss (i) the procedures and problems for MLEs in gathering and transmitting tax information relating to CbC (country by country) reporting, including confidentiality concerns, taxpayer safeguards on competent authority requests for information, and bilateral tax examinations, and (ii) the BEPS Multilateral Instrument ("MLI") which modifies bilateral tax treaties to promote greater uniformity and reduce opportunities for tax avoidance.</p> <p>Co-Chairs: Shigeki Minami, Nagashima Ohno & Tsunematsu, Tokyo James R. Shorter, Jr., Shorter Law Offices, New York</p> <p>Panelists: Pere Pons, Chevez, Ruiz, Zamarripa, S.L., Madrid Mariana Eguiarte Morett, Sánchez DeVanny Eserverri, S.C., Mexico City Makoto Sakai, Mori Hamada & Matsumoto, Tokyo</p>

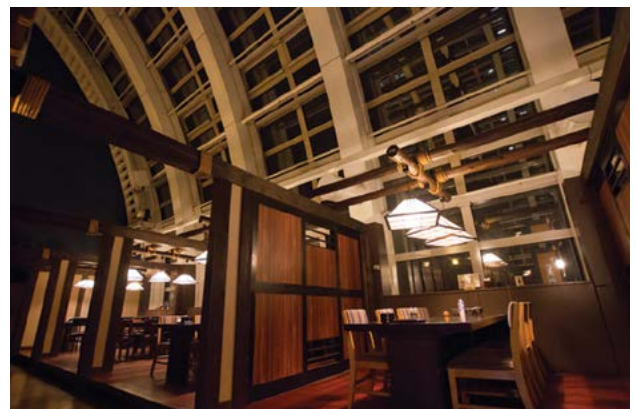
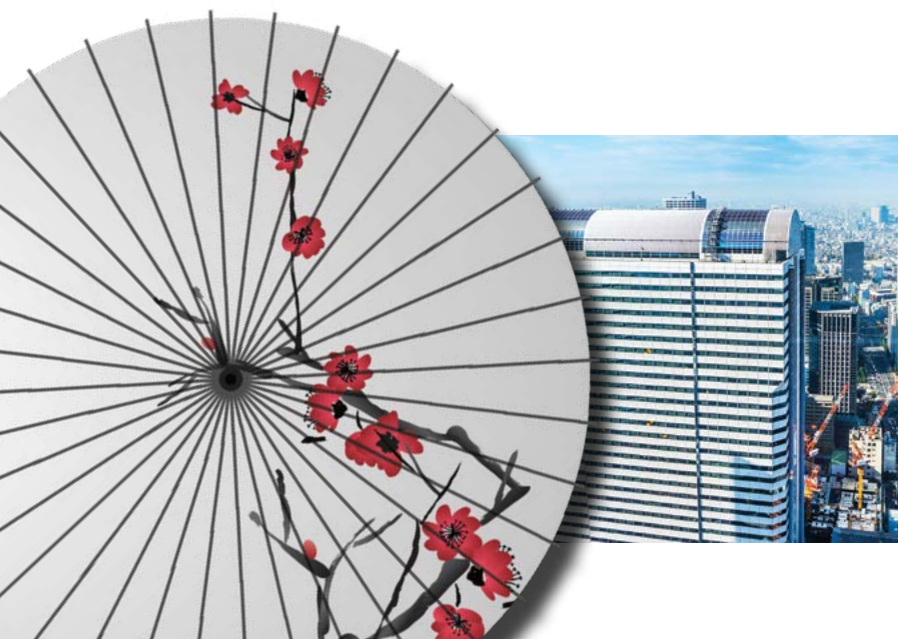


Track 1 Disputes	Track 2 Corporate/Transactional	Track 3 Special Interest
<p>PANEL 7 Sakura 1 Current Issues for US and Japanese Businesses, with a Focus on Jurisdiction</p> <p>The panel will discuss commercial litigation risks faced by Japanese businesses, with a focus on jurisdictional issues. The topics will include jurisdictional reach of US courts in commercial litigation, jurisdictional reach of Japanese courts internationally, US-Japan parallel litigation, and white-collar defense perspective, as well as observations related to other Asian countries. The panel will discuss practical issues and cautionary tales and will offer helpful tips and possible solutions for Japanese businesses.</p> <p>Co-Chairs: Yasuhiro Saito, Saito Law Group PLLC, New York Prof. Margaret McGuinness, St. John's University Law School, New York</p> <p>Panelists: Satoru Nagasaka, TMI Associates, Tokyo Teruo Saito, Anderson Mori & Tomotsune (former General Counsel of AIG Japan), Tokyo Howard Fischer, Moses & Singer LLP, New York Douglas K. Freeman, Law Offices of Douglas K. Freeman, Tokyo Kyeong Catherine Kim, DR & AJU LLC, Seoul Bianca Lin, Allegaert Berger & Vogel LLP, New York</p>	<p>PANEL 8 Sakura 2 Cross-border M&A and Protectionism</p> <p>The panel will discuss implications of recent changes in foreign investment control on cross-border M&A transactions in the respective jurisdictions of the panelists. It will outline changes in legislation and in the application of foreign investment control laws by governmental authorities and talk about M&A transactions where foreign investment control played a significant role.</p> <p>Co-Chairs: Takayuki Kihira, Mori Hamada & Matsumoto, Tokyo Anna Dąbrowska, Wardyński & Partners, Warsaw Torsten Rosenboom, Watson Farley & Williams, Frankfurt</p> <p>Panelists: Kenneth Lebrun, Davis Polk & Wardwell LLP, Tokyo Avimukt Dar, Indus Law, New Delhi Daniel He, JunHe LLP, Shanghai Robert J. Leo, Meeks, Sheppard, Leo & Pillsbury, New York Kosuke Hamaguchi, Nagashima Ohno & Tsunematsu, Tokyo</p>	<p>PANEL 9 Aoi A Century of Trust Law in Asia and in North America</p> <p>Japan adopted a Trust Law in 1926, followed by Korea, China, and Taiwan. This panel will focus on the lessons to be learned from the Asian and North American experience of trusts, looking to what North America can learn from Asia about commercial trusts and what Asia can learn from North America about trusts for wealth preservation and transmission.</p> <p>Co-Chairs: Lusina Ho, Professor, University of Hong Kong Michael W. Galligan, Phillips Nizer LLP, New York</p> <p>Panelists: Makato Arai, University of Tsukuba, Tokyo Rachel Blumenfeld, Aird & Berlis LLP, Toronto Hao Wang, Rayyin Partners, Beijing Tang Hang Wu, Professor, Singapore Management University, Singapore Glenn Fox, Baker McKenzie, New York Kazuya Tachibana, SMBC Trust Bank, Tokyo Tomoko Nakada, Hokusei Law Office, Tokyo</p>

6:30 pm Walk to Hokkaido restaurant (15 minute walk), limited transportation available
Bus transfers from Hilton Tokyo to Hokkaido restaurant

7:00 pm **BARBRI Dinner at Hokkaido restaurant** | Nishi-Shinjuku 6 5 1 Shinjuku Island Tower 44F, Tokyo
Remarks by Claire Flores, Senior Legal Manager, BARBRI

9:30 pm Bus transfers from Hokkaido restaurant to Hilton Tokyo



Friday, November 8 – Non-Transitional Program

7:30 am–5:30 pm Registration/Check In | Kotobuki

8:30–10:00 am **Human Rights Plenary | Human Rights in Daily Life | Fuji Ballroom**

Like the law, human rights is a seamless web that touches every aspect of our lives. This plenary will focus on three of them: Human Trafficking, Diversity and Inclusion, and Marriage Equality. The panelists will provide an overview of the law in each area along with their views on a variety of hot topics.

0.5 MCLE Credits
in Areas of
Professional
Practice

Human Trafficking

Chair:

Prof. Osamu Arakaki, International Law, International Christian University, Tokyo

Panelists:

Dilton Ribeiro, International Christian University, Tokyo

Shihoko Fujiwara, Lighthouse: Center for Trafficking Victims, Tokyo

0.5 MCLE Credits
in Diversity,
Inclusion and
Elimination of Bias

Diversity and Inclusion

Chair:

Kenneth G. Standard, Epstein Becker Green, New York

Panelists:

Ulrich Fobian, Weavind & Weavind, South Africa

Mariana Eguiarte Morett, Sánchez DeVanny Eserverri, S.C., Mexico City

D.L. Morriss, Hinshaw & Culberston LLP, Chicago

Miriam R. Schindel, Jackson Lewis PC, New York

0.5 MCLE Credits
in Areas of
Professional
Practice

LGBTQ/Marriage Equality

Chair:

Janiece Brown Spitzmueller, Global Digital Productions LLC, New York

Panelists:

Alexander Dmitrenko, Freshfields Bruckhaus Deringer, Tokyo

Rika Beppu, Squire Patton Boggs, Tokyo

Hanae Fujinami, Morrison & Foerster, Tokyo

10:00–10:30 am

Networking Break | Fuyo

Generously sponsored by Labaton Sucharow



Track 1 Disputes	Track 2 Corporate/Transactional	Track 3 Special Interest
<p>PANEL 10 Sakura 1 Cross-Border Insolvency</p> <p>Cross-border insolvencies have become increasingly prevalent, as more and more businesses with overseas facilities, employees and debtor/creditor relationships face financial failure. The legal rules governing liquidation or rehabilitation of an insolvent multinational enterprise must be accompanied by efforts to harmonize global proceedings. This panel will include an overview and comparison of insolvency laws in Japan and the U.S., using the recent Takata bankruptcy case as a case study. It will also examine significant asset sales in Takata and other cross-border cases.</p> <p>Panel Chair: William H. Schrag, Thompson Hine LLP, New York</p> <p>Panelists: Shin-Ichiro Abe, Kasumigaseki International Law Office, Tokyo David A. Rosenzweig, Norton Rose Fullbright US LLP, New York Tomohiro Okawa, Nagashima Ohno & Tsunematsu, Tokyo Gavin Westerman, Weil, Gotshal & Manges LLP, New York</p>	<p>PANEL 11 Sakura 2 Cross-Border Protection of Design</p> <p>The panel will discuss design law and related IP rights in Japan, China, UE, US and Central America and how to obtain best crossborder protection. Panelists will focus on its legal definition, what can be protected, means of protection and registration process, validity requirements, scope of protection, licensing and transfer issues, infringement and litigation. And, finally, best practices for design protection.</p> <p>Co-Chairs: Takashi Hirose, Oh-Ebashi LPC & Partners, Tokyo Mary Fernández, Headrick Rizik Alvarez & Fernández, Santo Domingo</p> <p>Panelists: Pierodavide Leardi, Studio Leardi - Intellectual Property Management, Milan Mitsuko Miyagawa, TMI Associates, Tokyo Oren J. Warshavsky, BakerHostetler, New York Lili Wu, Han Kun Law Offices, Beijing</p>	<p>PANEL 12 Aoi Competition Enforcement of Digital Platforms in the US, Japan and Other Jurisdictions</p> <p>The panel will explore how current competition law is being applied to technology platforms, particularly those focused on e-commerce, advertising, social networking and digital goods. The panel will consider the adequacy or appropriateness of using traditional antitrust rules to regulate digital platforms, taking into account economic and societal factors that can be or should be analyzed to answer critical competition questions. The panel will also discuss recent trends and future developments.</p> <p>Co-Chairs: Yuichi Oda, Oh-Ebashi LPC & Partners, Tokyo Jeffrey C. Bank, Wilson Sonsini Goodrich & Rosati, PC, New York</p> <p>Panelists: Prof. Kensuke Kubo, Keio University, Tokyo Bernard A. Nigro, Jr., Principal Deputy Assistant Attorney General, Department of Justice, Antitrust Division, Washington, D.C. Jay Himes, Labaton Sucharow, NYC Charles Whiddington, Steptoe & Johnson LLP, Brussels Youngjin Jung, Kim & Chang, Seoul</p>

12:15–1:50 pm

Lunch | Diversity: Bringing It All Together Roundtable Discussion led by Diane O’Connell, International Section Chair, NYSBA



Track 1 Disputes	Track 2 Corporate/Transactional	Track 3 Special Interest
<p>PANEL 13 Sakura 1 Japan, China, Korea & the U.S.: Contrasts in Workplace Law & Culture</p> <p>The relationship between Japan, China, and Korea – the three greatest economies and powers of Asia – has sometimes been contentious. But how do their workplace practices, work ethic, employee rights, treatment of women and minorities, and codes of conduct compare? How do these practices affect their global cultural influence? And finally, how do they compare with U.S. employment? Japanese, Chinese, Korean and U.S. attorneys will consider these vital issues in an illuminating roundtable setting.</p> <p>Co-Chairs: Hironobu Tsukamoto, Nagashima Ohno & Tsunematsu NY LLP, New York Philip Berkowitz, Littler Mendelson, P.C., New York</p> <p>Panelists: George A. Pierce, SVP and General Counsel, Toyota Tsusho (America) Inc., New York Lucy Lu, Partner, King & Wood Mallesons, Shanghai Alan Wong, SVP and Head of Human Resources, Bank of China, New York Branch, New York Hoin Lee, Senior Foreign Attorney, Kim & Chang, Seoul Richard Goldstein, Goldstein & Lee, P.C., New York and London</p>	<p>PANEL 14 Sakura 2 The Global Expansion of Shareholder Activism <i>Generously Sponsored by Wachtell, Lipton, Rosen, & Katz</i></p> <p>Shareholder activism, in which investors purchase shares of a company and agitate for some sort of strategic shift – buy back of shares, sell assets, sell the company, etc. – is a growing phenomenon globally. This panel will discuss trends in shareholder activism in various jurisdictions, including Japan, the United States, China and Europe. The topics of discussion will include the tactics used, demands typically made, the legal regimes applicable to activism, and the defenses available to target companies.</p> <p>Co-Chairs: Gregory Ostling, Wachtell, Lipton, Rosen & Katz, New York Carl-Olof Bouveng, Cirio Advokatbyrå, Stockholm</p> <p>Panelists: Gaku Ishiwata, Mori, Hamada & Matsumoto, Tokyo Nels Hansen, White & Case, Tokyo Andreas W. Mayr, Dorda Rechtsanwälte GmbH, Vienna Jianwei Zhang, JunHe, Beijing Hernán Pacheco O., EY Law S.A., San José, Costa Rica</p>	<p>PANEL 15 Aoi Cyber and Data Security: What to Do When Your Company or Your Client is Hacked</p> <p>This session will focus on cross-border data breach issues identifying</p> <ul style="list-style-type: none"> - the regional threat landscape; - the risks and obligations that arise in the event of a data breach involving multi-jurisdiction data (US, EU, Asia and Latin/South Americas); - best practices for effective handling, including, <ul style="list-style-type: none"> + incident preparedness and response + technical investigations + crisis communications <p>Co-Chairs: Scott A. Warren, Squire Patton Boggs, Tokyo Jonathan Armstrong, Cordery Legal Compliance, London</p> <p>Panelists: Alejandro Maria Massot, Estudio Randle Abogados, Buenos Aires Jonathan Crompton, RPC, Hong Kong Paul Jackson, Managing Director and APAC Cyber Risk Practice Leader, Kroll, Hong Kong Shinichi Tanaka, President, Fleishman Hillard, Japan</p>



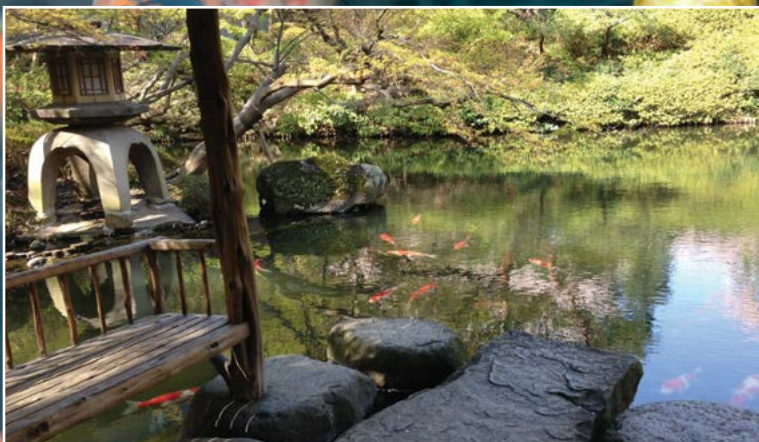
3:30–5:00 pm 1.5 MCLE Credits in Areas of Professional Practice or Ethics

Track 1 Disputes	Track 2 Corporate/Transactional	Track 3 Special Interest
<p>PANEL 16 Sakura 1 Chasing Plunder Restitution of Ill-Gotten Gains in Different Fora</p> <p>This panel will explore the use of U.S.-based recovery mechanisms for the return of funds wrongfully obtained, whether by actions taken in the U.S., or outside the U.S. The recovery mechanisms which would be discussed by our panel are the following: international arbitration, mediation, litigation in federal, bankruptcy and state courts.</p> <p>Co-Chairs: Hiroyuki Tezuka, Nishimura & Asahi, Tokyo William G. Primps, Locke Lord LLP, New York</p> <p>Panelists: Yuri Sugano, Nishimura & Asahi, Tokyo James Dubow, Alvarez & Marsal, Hong Kong Ron Thompson, Alvarez & Marsal, Hong Kong Mark Alcott, Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York</p>	<p>PANEL 17 Sakura 2 Ethical Issues for Lawyers and Law Firms Concerning Cybersecurity</p> <p>A vibrant discussion of ethical considerations raised by multinational cybersecurity and data privacy issues in law practice. Is compliance enough? Is it an IT issue? A professional issue? Both? What must a lawyer understand about law practice technology? What are the risks to your firm and to your clients? Do lawyers' and law firms' responsibilities vary from nation to nation?</p> <p>Co-Chairs: Atsushi Okada, Mori Hamada & Matsumoto, Tokyo Andre R. Jaglom, Tannenbaum Helpert Syracuse & Hirschtritt LLP, New York</p> <p>Panelists: Diane O'Connell, PriceWaterhouseCoopers LLP, New York Jonathan Armstrong, Cordery, London Mary Fernández, Headrick Rizik Alvarez & Fernández, Santo Domingo, Dominican Republic Scott A. Warren, Squire Patton Boggs, Tokyo</p>	<p>PANEL 18 Aoi Asian/North American Estate Planning for the Coming Decade</p> <p>This panel will consider the challenges and opportunities for wealth planning preservation and transfer for individuals, families and family trusts and companies with ties particularly with Japan, China, Korea, the United States and Canada, with a particular focus on the civil law of succession in Asia and relevant tax treaties.</p> <p>Co-Chairs: Glenn Fox, Baker McKenzie, New York Tomoko Nakada, Hokusei Law Office, Tokyo, Japan</p> <p>Panelists: Michael Shikuma, Shikuma Law Office, Tokyo Rachel Blumenfeld, Aird & Berlis LLP, Toronto Takashi Saida, Nagashima Ohno & Tsunematsu, Tokyo Soo-Jeong Ahn, Yulchon LLC, Seoul Jane Yuan, Zhong Lun Law Firm, Shanghai Michael W. Galligan, Phillips Nizer LLP, New York</p>

6:00 pm Bus transfers from Hilton Tokyo to Happon Gardens

7:00 pm **Gala Reception and Dinner at Happon Gardens | 1 Chome-1-1 Shirokanedai, Minato City, Tokyo**

11:00 pm Bus transfers from Happon to Hilton Tokyo



Lawyer Assistance Program 800.255.0569



Q. What is LAP?

A. The Lawyer Assistance Program is a program of the New York State Bar Association established to help attorneys, judges, and law students in New York State (NYSBA members and non-members) who are affected by alcoholism, drug abuse, gambling, depression, other mental health issues, or debilitating stress.

Q. What services does LAP provide?

A. Services are **free** and include:

- Early identification of impairment
- Intervention and motivation to seek help
- Assessment, evaluation and development of an appropriate treatment plan
- Referral to community resources, self-help groups, inpatient treatment, outpatient counseling, and rehabilitation services
- Referral to a trained peer assistant – attorneys who have faced their own difficulties and volunteer to assist a struggling colleague by providing support, understanding, guidance, and good listening
- Information and consultation for those (family, firm, and judges) concerned about an attorney
- Training programs on recognizing, preventing, and dealing with addiction, stress, depression, and other mental health issues

Q. Are LAP services confidential?

A. Absolutely, this wouldn't work any other way. In fact your confidentiality is guaranteed and protected under Section 499 of the Judiciary Law. Confidentiality is the hallmark of the program and the reason it has remained viable for almost 20 years.

Judiciary Law Section 499 Lawyer Assistance Committees Chapter 327 of the Laws of 1993

Confidential information privileged. The confidential relations and communications between a member or authorized agent of a lawyer assistance committee sponsored by a state or local bar association and any person, firm or corporation communicating with such a committee, its members or authorized agents shall be deemed to be privileged on the same basis as those provided by law between attorney and client. Such privileges may be waived only by the person, firm or corporation who has furnished information to the committee.

Q. How do I access LAP services?

A. LAP services are accessed voluntarily by calling 800.255.0569 or connecting to our website www.nysba.org/lap

Q. What can I expect when I contact LAP?

A. You can expect to speak to a Lawyer Assistance professional who has extensive experience with the issues and with the lawyer population. You can expect the undivided attention you deserve to share what's on your mind and to explore options for addressing your concerns. You will receive referrals, suggestions, and support. The LAP professional will ask your permission to check in with you in the weeks following your initial call to the LAP office.

Q. Can I expect resolution of my problem?

A. The LAP instills hope through the peer assistant volunteers, many of whom have triumphed over their own significant personal problems. Also there is evidence that appropriate treatment and support is effective in most cases of mental health problems. For example, a combination of medication and therapy effectively treats depression in 85% of the cases.

Personal Inventory

Personal problems such as alcoholism, substance abuse, depression and stress affect one's ability to practice law. Take time to review the following questions and consider whether you or a colleague would benefit from the available Lawyer Assistance Program services. If you answer "yes" to any of these questions, you may need help.

1. Are my associates, clients or family saying that my behavior has changed or that I don't seem myself?
2. Is it difficult for me to maintain a routine and stay on top of responsibilities?
3. Have I experienced memory problems or an inability to concentrate?
4. Am I having difficulty managing emotions such as anger and sadness?
5. Have I missed appointments or appearances or failed to return phone calls?
Am I keeping up with correspondence?
6. Have my sleeping and eating habits changed?
7. Am I experiencing a pattern of relationship problems with significant people in my life (spouse/parent, children, partners/associates)?
8. Does my family have a history of alcoholism, substance abuse or depression?
9. Do I drink or take drugs to deal with my problems?
10. In the last few months, have I had more drinks or drugs than I intended, or felt that I should cut back or quit, but could not?
11. Is gambling making me careless of my financial responsibilities?
12. Do I feel so stressed, burned out and depressed that I have thoughts of suicide?

There Is Hope

CONTACT LAP TODAY FOR FREE CONFIDENTIAL ASSISTANCE AND SUPPORT

The sooner the better!

1.800.255.0569

NEW YORK STATE BAR ASSOCIATION

JOIN OUR SECTION

- I wish to become a member of the New York State Bar Association and the International Section. I enclose both my Association and Section payment.
- As a member of the New York State Bar Association, **I enclose my payment of \$35** (payable in U.S. dollars) **for International Section dues. Law student rate is \$12.50.**
- I am a Section member — please consider me for appointment to committees marked
- I am a Section member — please consider me for appointment to chapters marked
- I wish to join the additional Sections checked on page 4
- Do you want to be enrolled as a member of the Foreign Lawyers Committee? (For foreign lawyers residing in New York State).

Name _____

Address _____

City _____ State _____ Zip _____

The above address is my Home Office Both

Please supply us with an additional address.

Name _____

Address _____

City _____ State _____ Zip _____

Office phone (_____) _____

Home phone (_____) _____

Fax number (_____) _____

E-mail address _____

Date of birth _____ / _____ / _____

Law school _____

Graduation date _____

States and dates of admission to Bar: _____

Please return this application to:

MEMBER RESOURCE CENTER,

New York State Bar Association, One Elk Street, Albany NY 12207

Phone 800.582.2452/518.463.3200 • FAX 518.463.5993

E-mail mrc@nysba.org • www.nysba.org

JOIN AN INTERNATIONAL SECTION COMMITTEE

Please designate in order of choice (1, 2, 3) from the list below, a maximum of three committees in which you are interested. You are assured of at least one committee appointment, however, all appointments are made as space availability permits.

- Asia & the Pacific Region (ILP1300)
- Awards (ILP4600)
- Central & Eastern Europe (ILP1400)
- Committee on Africa (ILP6000)
- Committee on Europe (ILP3500)
- Committee on U.S.-Canada (ILP3400)
- Corporate Counsel (ILP3600)
- Cross Border Legal Practice (ILP6400)
- Foreign Lawyers (ILP5200)
- Immigration & Nationality (ILP1800)
- Inter-American (ILP2800)
- International Antitrust & Competition Law (ILP4800)
- International Arbitration & ADR (ILP2000)
- International Art Law, Art Funds and Art Finance (ILP6800)
- International Banking Securities & Financial Transactions (ILP1900)
- International Contract and Commercial Law (ILP6500)
- International Corporate Compliance (ILP6200)
- International Creditors Rights (ILP6600)
- International Criminal Law (ILP7100)
- International Cross Border M&A and Joint Ventures (ILP5400)
- International Distribution, Sales & Marketing (ILP2700)
- International Employment Law (ILP2100)
- International Energy and Natural Resources (ILP5600)
- International Entertainment & Sports Law (ILP4400)
- International Environmental Law (ILP2200)
- International Estate & Trust Law (ILP2300)
- International Family Law (ILP2600)
- International Human Rights (ILP2400)
- International Insolvencies & Reorganizations (ILP2900)
- International Insurance & Reinsurance (ILP5500)
- International Intellectual Property Protection (International Patent Copyright & Trademark) (ILP2500)
- International Investment (ILP1600)
- International Law Practice Management (ILP5700)
- International Litigation (ILP4000)
- International Microfinance and Financial Inclusion (ILP6700)
- International Privacy Law (ILP4300)
- International Pro Bono (ILP6100)
- International Real Estate Transactions (ILP4100)
- International Tax (ILP3200)
- International Trade (ILP1500)
- International Transportation (ILP1100)
- International Women's Rights (ILP6300)
- Latin American Council (ILP7000)**
- **Involvement requires additional member assessment fee.
- Middle East (ILP5900)
- Publications - Editorial Board (ILP3100)
- Public International Law (ILP3000)
- United Nations & Other International Organizations (ILP3300)
- Women's Interest Networking Group (ILP4200)

International Section Network of Chapters

Chapter Assignment Request

Please choose any Chapter in which you are interested in participating.
You are assured of at least one Chapter appointment as space allows.

- | | |
|---|---|
| <input type="checkbox"/> Algeria (ILP5367) | <input type="checkbox"/> Malaysia (ILP5364) |
| <input type="checkbox"/> Argentina (ILP5307) | <input type="checkbox"/> Mauritius (ILP5347) |
| <input type="checkbox"/> Australia (ILP5342) | <input type="checkbox"/> Mexico (ILP5321) |
| <input type="checkbox"/> Austria (ILP5335) | <input type="checkbox"/> Morocco (ILP5379) |
| <input type="checkbox"/> Bahrain (ILP5370) | <input type="checkbox"/> Moscow (ILP5388) |
| <input type="checkbox"/> Belgium (ILP5305) | <input type="checkbox"/> Netherlands (ILP5352) |
| <input type="checkbox"/> Botswana (ILP5363) | <input type="checkbox"/> Nigeria (ILP5365) |
| <input type="checkbox"/> Brazil (ILP5331) | <input type="checkbox"/> Ontario Canada (ILP5333) |
| <input type="checkbox"/> British Columbia (ILP5334) | <input type="checkbox"/> Panama (ILP5325) |
| <input type="checkbox"/> Caribbean (ILP5390) | <input type="checkbox"/> Paraguay (ILP5392) |
| <input type="checkbox"/> Chile (ILP5330) | <input type="checkbox"/> Peru (ILP5314) |
| <input type="checkbox"/> China (ILP5303) | <input type="checkbox"/> Phillipines (ILP5320) |
| <input type="checkbox"/> Columbia (ILP5338) | <input type="checkbox"/> Poland (ILP5374) |
| <input type="checkbox"/> Costa Rica (ILP5329) | <input type="checkbox"/> Portugal (ILP5315) |
| <input type="checkbox"/> Cyprus (ILP5308) | <input type="checkbox"/> Quebec Canada (ILP5356) |
| <input type="checkbox"/> Czech Republic (ILP5359) | <input type="checkbox"/> Romania (ILP5371) |
| <input type="checkbox"/> Denmark (ILP5343) | <input type="checkbox"/> Russia (ILP5324) |
| <input type="checkbox"/> Dominican Republic (ILP5391) | <input type="checkbox"/> Shanghai (ILP5383) |
| <input type="checkbox"/> Egypt (ILP5387) | <input type="checkbox"/> Singapore (ILP5358) |
| <input type="checkbox"/> El Salvador (ILP5349) | <input type="checkbox"/> Slovak (ILP5377) |
| <input type="checkbox"/> Ecuador (ILP5327) | <input type="checkbox"/> Southern California (ILP5385) |
| <input type="checkbox"/> Finland (ILP5346) | <input type="checkbox"/> South Korea (ILP5394) |
| <input type="checkbox"/> Florida (ILP5341) | <input type="checkbox"/> Spain (ILP5302) |
| <input type="checkbox"/> France (ILP5326) | <input type="checkbox"/> Sweden (ILP5332) |
| <input type="checkbox"/> Germany (ILP5304) | <input type="checkbox"/> Switzerland (ILP5311) |
| <input type="checkbox"/> Guatemala (ILP5384) | <input type="checkbox"/> Taiwan (ILP5354) |
| <input type="checkbox"/> Gujarat (ILP5386) | <input type="checkbox"/> Thailand (ILP5355) |
| <input type="checkbox"/> Hungary (ILP5306) | <input type="checkbox"/> Toronto Canada (ILP5389) |
| <input type="checkbox"/> Iceland (ILP5340) | <input type="checkbox"/> Tunisia (ILP5369) |
| <input type="checkbox"/> India (ILP5348) | <input type="checkbox"/> Turkey (ILP5313) |
| <input type="checkbox"/> Ireland (ILP5309) | <input type="checkbox"/> United Arab Emirates (ILP5382) |
| <input type="checkbox"/> Israel (ILP5312) | <input type="checkbox"/> United Kingdom (ILP5316) |
| <input type="checkbox"/> Italy (ILP5322) | <input type="checkbox"/> Ukraine (ILP5361) |
| <input type="checkbox"/> Japan (ILP5339) | <input type="checkbox"/> Uruguay (ILP5323) |
| <input type="checkbox"/> Korea (ILP5372) | <input type="checkbox"/> Vietnam (ILP5353) |
| <input type="checkbox"/> Luxembourg (ILP5318) | <input type="checkbox"/> Western NY, U.S. (ILP5336) |

2018 ANNUAL MEMBERSHIP DUES

Class based on first year of admission to bar of any state.
Membership year runs January through December.



ACTIVE/ASSOCIATE IN-STATE ATTORNEY MEMBERSHIP

Attorneys admitted 2010 and prior	\$275
Attorneys admitted 2011-2012	185
Attorneys admitted 2013-2014	125
Attorneys admitted 2015 - 3.31.2017	60

ACTIVE/ASSOCIATE OUT-OF-STATE ATTORNEY MEMBERSHIP

Attorneys admitted 2010 and prior	\$180
Attorneys admitted 2011-2012	150
Attorneys admitted 2013-2014	120
Attorneys admitted 2015 - 3.31.2017	60

OTHER

Sustaining Member	\$400
Affiliate Member	185
Newly Admitted Member*	FREE

DEFINITIONS

Active In-State = Attorneys admitted in NYS, who work and/or reside in NYS

Associate In-State = Attorneys not admitted in NYS, who work and/or reside in NYS

Active Out-of-State = Attorneys admitted in NYS, who neither work nor reside in NYS

Associate Out-of-State = Attorneys not admitted in NYS, who neither work nor reside in NYS

Sustaining = Attorney members who voluntarily provide additional funds to further support the work of the Association

Affiliate = Person(s) holding a JD, not admitted to practice, who work for a law school or bar association

*Newly admitted = Attorneys admitted on or after April 1, 2017

















