



MEMBER

Partners

- Ahmad Fikri Assegaf
- Ahmad Maulana
- Bono Daru Adji
- Chandra M. Hamzah
- Eko Ahmad Ismail Basyuni
- Eri Hertiawan
- Eri Raffaera Budiarti
- Ibrahim Sjarief Assegaf
- Putu Suryastuti
- Tunggul Purusa Utomo
- Yanu Wiriasmoko
- Yogi Sudrajat Marsono

Associates

- Ari Juliano Gema
- Asep Ridwan
- Kanya Satwika
- Mohammad Renaldi Zulkarnain
- Agnes Maria E. Wardhana
- Anggarara Cininta Pratiwi Hamami
- Ahmad Fikri Harahap
- Aisyah Rahmarani Siregar
- Alvin Sukmana Ambardy
- Angelica Ayu Maharani
- Archie Michael Hasudungan
- Arini Dyah Septiana
- Christine Tambunan
- Derry Patra Dewa
- Dian Bella Ester
- Diptanala Dimitri
- Edwin Prasetya
- Felix Vincent Wahyudi Wijayanto
- Harun Willan Ngantung
- Heru Pamungkas
- Ichsan Montang
- Imanuel Rumondor
- Inda Nur Arifiani
- Indira Yustikania
- Intan Paramita
- Jesconiah Siahaan
- Kharis Sucipto
- Lidzikri Caesar Dustira
- M. Yusuf Fadlullah Hafidz Nasution
- Made Grazia Valyana Ustriyana
- Maraya Novarazka
- Muhammad Kamal Fikri
- Muhammad Iqsan Sirie
- Muhammad Reza Rizky
- Paulanie Wijaya
- Raden Ichsan
- Rantie Septianti
- Rasyad Andhika



A partner at AHP, Bono obtained his LL.M from Monash University, Melbourne, Australia, in 1995 and has been practicing law in Indonesia since 1997, focusing on foreign direct investment, mergers and acquisitions, and capital markets.

After a brief spell at another of Jakarta's premier law firms, Bono joined AHP in 2002, where he quickly developed a reputation for being at the cutting edge of Indonesian commercial law.

In the banking and finance arena, Bono earned his spurs during the effort to bring order to the chaos that reigned following the virtual collapse of the Indonesian economy in the wake of the 1997/98 Asian financial crisis. Among the significant mandates he worked on at that time were advising Bank Danamon and the Indonesian Bank Restructuring Agency (IBRA) on the merging of nine major domestic banks that were in danger of imminent collapse.

In his capital markets practice, Bono has been intimately involved in a long list of high-profile public offerings, most recently those of PT Garuda Indonesia Tbk, PT Berau Coal Energy Tbk, PT Tower Bersama Infrastructure Tbk, PT Bank Tabungan Negara (Persero) Tbk, PT Elnusa Tbk and PT Bank Tabungan Pensiunan Nasional Tbk. He also played a leading role in a series of rupiah and US-dollar bond issuances by PT Indosat Tbk.

In the M&A arena, Bono represented PT Recapital Advisors in its acquisition of a 90% stake in PT Berau Coal, Rabobank Netherlands in its acquisition of PT Bank Haga and PT Bank Hagakita (and the central bank's related fit-and-proper process), Telenor in its proposed acquisition of a major telecommunications company in Indonesia, PT Excelcomindo Pratama Tbk in its proposed disposal of telecommunications towers, and the Coca Cola Company in its acquisition of PT Ades Waters Indonesia. Meanwhile, in the debt restructuring field, Bono represented ING as financial adviser in an exchange offer for USD Notes issued by PT Davomas Abadi Tbk. More recently, he advised Baring Private Capital Asia on its acquisition of a 41.65 percent stake in PT Cardig Air Services from PT Menara Nusantara through a call option.

A member of the Indonesian Bar Association (Peradi), Indonesian Association of Capital Market Legal Consultants (HKHPM) and the Aviation Law Society (*Masyarakat Hukum Udara*), Bono is recommended for Capital Markets, Corporate / M&A and Banking & Finance by the 2011/2012 edition of *Legal 500*, while the 2012 edition of *Chambers Asia* names him a "Leading Individual" in Capital Markets and Corporate/M&A, and quotes a client lauding him as someone "who really knows his stuff on capital markets," and another client referring to him as "a go-to person" in Corporate/M&A. Bono has also been named a "Leading Lawyer" in M&A and Capital Markets by the 2012 *IFLR Indonesia Annual Review*.



- Rosdianthy Rais
- Sessa Putri
- Simon Barrie Sasmoyo
- Teddy Trianto Antono
- Theodora Pritadianing Saputri
- Tracy Tania

AREA OF PRACTICE



General Corporate/M&A

Our General Corporate/M&A practice provides advice on corporate governance, compliance, negotiating and drafting agreements, transaction structure, management and succession, legal due diligence reporting, formation of new entities, preparation of internal corporate documents and approvals, and completion of regulatory filings. With a wealth of experience amassed over the years in a wide variety of industries, we are strategically placed to provide you with everything you need to satisfy your corporate or M&A needs. [more »](#)



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ASSEGAF HAMZAH
PRAKTIK HUKUM

Mark H. Alcott has spent his professional career at Paul, Weiss, Rifkind, Wharton & Garrison LLP in New York City, 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. His diverse caseload has ranged from antitrust class actions to complex securities and commodities cases, from domestic to cross-border arbitrations and mediations, from major constitutional litigation to mass tort actions, from high stakes commercial disputes to pro bono civil rights litigation. His clients have ranged from preeminent financial institutions to top government officials, from global mega firms to vulnerable individuals, from household name performers to leading cultural institutions.

Mr. Alcott served as lead counsel for the grain industry in the epic class actions alleging price-fixing in the sale of American wheat to Russia; represented several lead defendants in the complex class and regulatory litigations stemming from the silver market collapse; and defended one of the country's biggest producers in the massive broiler chicken antitrust class actions. He represented the selling shareholder in the multiple securities and fraudulent conveyance actions resulting from the leveraged buyout of a major international corporation; defended a large, nationally-known law firm in significant litigation brought against it by the FDIC after the collapse of its banking client; represented a major oil company in contesting zoning legislation that outlawed its large petroleum off-loading facility; and represented a member of one of America's wealthiest families in one of the largest equitable distribution cases ever tried. He defended the New York State Comptroller in constitutional litigation against the Governor, represented the New York Legislature in reapportionment litigation and represented a major party presidential candidate in election law litigation. He has played a principal role in mass tort cases, including the explosions of the world's largest grain elevator in Louisiana and a Japanese-owned petrochemical plant in Puerto Rico. He has handled many cases involving the alleged breach of substantial commercial contracts, with damage claims reaching into the high nine figures.

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 and four terms as Chair of the College's International Committee. He is cited for excellence in litigation in *Guide to the World's Leading Litigation Lawyers*, *The Best Lawyers in America*, *Benchmark Litigation*, *Super Lawyers* and the other leading peer review guides. He has written and lectured extensively on litigation issues, and is frequently invited to argue model cases at legal conventions and meetings.

Mr. Alcott has been a leader in the field of alternative dispute resolution. He has received extensive training, and has broad experience, in arbitration and mediation, and has served in more than 100 ADR cases as counsel, arbitrator or mediator. Mr. Alcott has represented major clients in substantial arbitration and mediation proceedings; he has served as lead counsel in ICC, AAA, ICDR and NASD matters in the

United States and abroad. 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*, and by *The Best Lawyers in America* for listing among the country's top ADR practitioners – all on the basis of extensive peer review. By designation of the chief judge of the U.S. District Court, Southern District of New York, he has served for almost 20 years as a federal mediator pursuant to that court's mandatory mediation program. He has served for more than 15 years as a mediator in the Commercial Division of the New York State Supreme Court. He is a special master in the Appellate Division of the Supreme Court, First Department, by designation of the presiding justice; a special master in the Supreme Court, New York County, Commercial Division, by designation of the administrative judge; a court-designated arbitrator in the fee dispute resolution program; and an arbitrator in the Civil Court.

In addition to his substantial client responsibilities, Mr. Alcott served for several years as partner in charge of the Paul Weiss Public Matters Committee, which oversees the firm's extensive pro bono and public service efforts. He has handled major pro bono matters for such high profile institutions as Lincoln Center for the Performing Arts, the NAACP Legal Defense Fund, the National September 11 Memorial and Museum at the World Trade Center Foundation, and the Lower Manhattan Development Corporation. A fund to promote pro bono work has been created in his honor at the New York Bar Foundation.

A leader in professional circles, Mr. Alcott served as President of the New York State Bar Association. As such, he was a national spokesman for the profession, leading the fight for independence and diversity of the bench and the bar, and against discrimination in the profession. His many initiatives included proposals to reform judicial selection procedures, develop a new civil rights agenda, and enhance opportunities for lawyers in transition between positions, including those who temporarily leave the profession to care for children or other family members and those who leave involuntarily because of adverse economic conditions. He initiated and led the effort to end mandatory, age-based retirement policies in the profession - a proposal that won endorsement by the American Bar Association and led to significant favorable changes in this practice. He created the highly successful Empire State Counsel program that promotes free legal services for the poor, and he advocated an extensive reform agenda. He also chaired the Association's House of Delegates, where he was widely praised for sensitively and skillfully overseeing the debate on the legal rights of same sex couples.

Mr. Alcott was then elected by the 36,000 New York members of the American Bar Association to serve as the State's leader in that national organization. He serves on the ABA's Nominating Committee, including its Steering Committee, and sits in the Association's House of Delegates. He is the second ranking member of the ABA's delegation to the United Nations, where he represents America's legal profession to the international community. Previously, Mr. Alcott served as chair of the New York State Bar Association's Commercial and Federal Litigation Section. He chaired the Section's

task force which proposed the creation of a statewide commercial court, and then served on the committee established by Chief Judge Judith Kaye to implement that proposal. His efforts led directly to the creation of the Commercial Division of the New York State Supreme Court. He is a member of the Commercial Division Advisory Committee, designated by the Chief Administrative Judge. He has chaired numerous other major professional committees and groups.

Mr. Alcott has been active in civic and philanthropic affairs. He sits on the Greater New York Region Board of the American Friends of Hebrew University of Jerusalem, and the board of directors of the Brain and Behavior Research Foundation, the world's leading non-profit organization supporting mental health research. He is the winner of the American ORT Jurisprudence Award "for his lifetime commitment and distinguished service to the legal profession;" of NYSBA's Haig Award for outstanding public service; of the Lawyer Assistance Committee's Special Recognition Award for his efforts on behalf of lawyers suffering from alcoholism and depression; of the Hebrew University's Founders Award for his work on behalf of that institution; and of the annual award of the Historical Society of the New York Courts.

After many decades as a partner at Paul, Weiss, Mr. Alcott has become of counsel to the firm, where he concentrates on arbitration, mediation, professional activities and pro bono cases.

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



Haike Manning has been New Zealand's Ambassador to Viet Nam since October 2012. Haike joined the Ministry of Foreign Affairs in 1996, having earned university degrees in Law and Arts respectively from Victoria University of Wellington. Haike's previous postings have been as Deputy Head of Mission to India and Deputy Head of Mission to Brazil, as well as serving briefly as Acting Consul-General in Shanghai. This reflects his deep interest in New Zealand's emerging, evolving, relationships with large developing countries. Haike's career focus in Wellington in recent years has been on trade policy and trade negotiations. Prior to taking up his role in Viet Nam, Haike was Deputy Director in the Ministry's Trade Negotiations Division, which involved senior negotiating roles in both the WTO and Trans Pacific Partnership negotiations.



Kala ANANDARAJAH

Equity Partner: Competition & Antitrust; Trade; Regulatory; Employment; Environment; Corporate

In her own words

"The law is about the right people doing the right thing in the right way! This is an idealism which has kept me passionate about this profession. This, plus the fact that I practice in niche areas and always at the cutting edge, coupling innovative business and commercial structures in a practical and solutions focused manner, makes my practice a joy, not work!"

Get in touch

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Cited as **Top 100 Women in Antitrust in the World** by the Global Competition Review 2013 (the only external counsel in Singapore), Kala Anandarajah has over two decades of experience and practices in the field of Competition (her primary focus taking up 80%), Trade, Corporate, Corporate Governance, Employment, and Environmental Laws. The AsiaPacific Legal 500 notes that '*Kala Anandarajah ... is a leading authority in corporate governance, compliance and competition issues ...*' and is '*responsive, helpful and commercial*'. The Who's Who of Leading Practitioners Singapore describes her as '*very knowledgeable*', '*highly active and very good*' and an '*acknowledged authority in this field*'. She is cited as amongst the **Best of the Best - Women in Business Law 2010, 2012 and 2014** for her work in Antitrust and Competition Law and for Corporate Governance, and nominated at the end of 2011 and again for 2012, the only one in Singapore for two years running, for her work in competition and antitrust for the **Asia Women in Business Law Award** by the Euromoney Leading Lawyers. Also cited as a leading lawyer in Competition & Antitrust for nearly a decade in international peer reviewed ranking journals such as International Who's Who of Leading Lawyers and Euromoney Experts Guide to the World's Leading Competition & Antitrust Lawyers.

Kala is very widely written, including the first books on Competition & Antitrust laws and Corporate Governance & Director Duties, with many of her books referred to as authorities. Her recent books include ASEAN Competition Law, which she is Co-General Editor of and Corporate Governance - Practice & Issues, which she is sole author of.

Kala, who heads the Competition & Antitrust, Trade practice, also holds the following positions:

- Board Member, Building & Construction Authority
- Council Member, Workplace Safety & Health Council, where she chairs its Engagement & Outreach Committee
- Board Member, Singapore Institute of Legal Education Board, where she co-chairs the Committee on Compulsory Professional Development
- Board and Council Member, Singapore Institute of Directors
- Member of the Transplant Ethics Committee (Lay-Persons) appointed by the Ministry of Health.



Patrick Ang

Deputy Managing Partner

Qualifications

LLB (Hons) (2nd Upper) National University of Singapore
Advocate and Solicitor, Supreme Court of Singapore

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Patrick Ang is the Deputy Managing Partner of Rajah & Tann LLP, which is Southeast Asia's and Singapore's largest law firm with 420 lawyers. He was previously the Head of the firm's Restructuring and Insolvency Department, which is the largest such specialised department in Singapore and the region.

Patrick has 23 years of experience. His experience in corporate restructuring and insolvency involves acting for financial institutions and companies in many major and publicised cases. Some of his recent restructuring cases included Lehman Brothers (acting for liquidators of the Lehman Singapore entities), Nortel Networks (acting for the company in its Asia Pacific Restructuring), and recent publicly listed companies which underwent restructuring including China GaoXian Holdings, Asia Water Technology, Ferrochina, AEM Holdings and WesTech Electronics.

He was engaged as lead counsel by China Aviation Oil Corporation to represent the company in its highly publicised and successful debt and equity restructuring involving debts of more than US\$600 million in 2005 and 2006. This case was significant for being the first successful restructuring of a public company owned by a Chinese State Owned Enterprise and was also the largest debt restructuring in Singapore. The deal won Asian Legal Business Singapore Deal of the Year Award in 2005 and 2006.

Patrick has been consistently recognised as a leading lawyer internationally, in Asia and in Singapore in his field in consecutive years by Asian Legal Business Legal Who's Who Singapore, AsiaLaw Leading Lawyers, Asia Law & Practice, Asialaw Profiles, International Who's Who of Insolvency and Restructuring Lawyers, Euromoney Guide To The World's Leading Insolvency and Restructuring Lawyers, International Financial Law Review 1000, Asia Pacific Legal 500 and Chambers Global - The World's Leading Lawyers.

Patrick is also a member of the Singapore Ministry of Law Working Committee dealing with legislative reform in Singapore in relation to corporate insolvency and personal bankruptcy law.

He was a Founder-Director of the Insolvency Practitioners Association of Singapore. He is also the Subject Co-ordinator for the Insolvency Practice Law course and a lecturer in Civil Procedure at the Postgraduate Practice Law Course. He is an independent director on the Esplanade Theatre. He is also independent director on the Singapore Deposit Insurance Corporation Ltd, a body accountable to the Monetary Authority of Singapore. He also sits on the Board of Directors of three Singapore listed companies, including SMRT Corporation Limited, which is the largest public transport operator in Singapore.

He was an elected Council Member of the Law Society of Singapore for 6 years from 1999 to 2002 and from 2011 to 2012. He has been and continues to serve as a member of the Inquiry Panel of the Law Society of Singapore, and chairs disciplinary hearings involving lawyers. His experience in the area of ethics and

professional conduct extends to his being on the Disciplinary Panel of CPA Australia, and a member of the Ethics Committee of the Institute of Certified Public Accountants of Singapore and the Ethics Committee of the Insolvency Practitioners Association of Singapore.



Héctor Arangua

Partner

Héctor specializes in capital markets, structured finance and M&A.

He is an expert in securities and regularly advises both private and public companies on issuances in the local market. He has also developed niche expertise in CKDs (development capital certificates), a new type of security instrument recently introduced in Mexico.

Héctor's structured finance practice is focused on providing advice to lenders on structuring complex bankruptcy-remote payment structures.

Héctor has developed expertise in the oil sector, in which he has continuously been advising on finance and M&A matters.

Héctor has strong international experience. He is licensed to practice in New York and regularly advises US and other international clients on transactions in Mexico.

Recent work highlights include:

- Advised Axis on the structuring and issuance of CKDs placed in the Mexican Securities Exchange for US\$500 million.
- Advised Axis on the establishment of a joint venture with Temasek and Ares to create Oro Negro, a Mexican oil services company providing services to PEMEX, with equity investments over US\$450 million.
- Advised Bulltick as placement agent in Proteak Uno's MxP\$ 790 million IPO. Proteak was the first entity chartered under the SAPIB legal regime and the first green company to issue stock on the Mexican Securities Exchange.
- Advised Navix on the structuring and issuance of CKDs (capital development certificates) placed on the Mexican Securities Exchange in excess of MxP\$ 4 billion.
- Advised Navix on granting various credit facilities in excess of MxP\$ 1.5 billion to finance certain borrowers' portfolio of consumer loans and the obligations of certain borrowers under public construction and/or services agreements, mainly in the oil sector, which were secured through administration and source-of-payment trusts.
- Represented Caja de Ahorros del Mediterráneo in the acquisition of 100% of the stock of Crédito Inmobiliario.
- Represented Coöperatieve Apollo Global Netherlands in the acquisition of 100% of Universidad Latinoamericana.

Héctor obtained his LL.M from the University of Michigan Law School, having graduated as a lawyer from the Instituto Tecnológico Autónomo de México.

Salvo Arena

Salvo is the resident partner of the New York office of Chiomenti Studio Legale.

Salvo advises on all aspects of Italian corporate law including mergers and acquisitions and private equity, and he primarily represents domestic and multinational clients in acquisitions and sales of public and private companies, asset acquisition and disposition transactions, in leveraged buyouts in a variety of industries. Salvo worked as associate at the Shearman & Sterling Mergers and Acquisitions Group in the New York office from 2000 to 2003 prior to joining Chiomenti.

Salvo serves as First Vice-President on the Executive Committee of the Harvard Law School Association (HLSA), as Vice President of the Harvard Law School Association of Europe, and as Co-Chair of the European Law Section of New York State Bar Association. Salvo is also member of the Council for the United States and Italy, member of the NIAF (National Italian American Foundation), and member of the Italy America Chamber of Commerce.

Salvo earned a J.D. summa cum laude and a Ph.D. from the University of Catania (Italy) and an LL.M. from Harvard Law School. Salvo was a member of the University of Catania Faculty where he served as Assistant Professor on Corporations. Salvo is member of the New York Bar Association and member of the Italian Bar Association.

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Jonathan P. Armstrong practices in the area of corporate law with a concentration in technology and compliance. Mr. Armstrong's practice includes counseling multinational companies on matters involving risk, technology and compliance across Europe. He has handled legal matters in more than 60 countries involving emerging technology, corporate governance, ethics code implementation, reputation, internal investigations, marketing, branding and global privacy policies. Mr. Armstrong has counseled a range of clients on breach prevention, mitigation and response. Mr. Armstrong has also been particularly active in advising multi-national corporations on their response to the UK Bribery Act 2010 and its inter relationship with the U.S. Foreign Corrupt Practices Act (FCPA).

Mr. Armstrong is one of the hosts of TechLaw10, a 10-minute audio podcast update on technology law issues. He also is one of three co-authors of the LexisNexis definitive work on technology law, *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 addition to being a lawyer, Mr. Armstrong is a Fellow of The Chartered Institute of Marketing. He has spoken at conferences in the U.S., Canada, China, Brazil and across Europe. Mr. Armstrong qualified as a lawyer in the UK in 1991 and has focused on technology, risk and governance matters for almost 20 years.

Mr. Armstrong is a graduate of the University of Leeds.

Areas of Practice

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

Representative Matters

- Represented SJR Group LLC, a digital marketing and strategy company, in the sale of substantially all of its assets to a subsidiary of WPP plc, the world's largest communications services group.
- Working with one of the world's largest chemical companies on their certification under the U.S. Department of Commerce's EU Safe Harbor program. The work involved managing a global program of audit, risk reduction and training to improve global-privacy, data-protection and data-security compliance.
- Advising a French multinational on the launch of a new technology offering in 37 countries and coordinating the local advice in each.
- Advising a well-known retailer on product safety and reputation issues.
- Advising an international energy company in implementing whistleblower helplines across Europe.
- Advising a number of Fortune 100 corporations on strategies and programs to comply with the UK Bribery Act 2010.
- Advising a U.S.-based engineering company on its entry into the United Kingdom, including compliance issues across the enterprise. Areas covered in our representation include structure, health and safety, employment, immigration and contract templates.
- Assisting an industry body on submissions to the European Commission (the executive function of the EU) and UK government on next-generation technology laws. Our submissions included detailed analysis of existing law and proposals on data privacy, cookies, behavioural advertising, information security, cloud computing, e-commerce, distance selling and social media.
- Helping a leading pharmaceutical company formulate its social media strategy.
- Served as lead counsel to N Brown Group plc, a UK listed retailer and fashion group, in its acquisition of Figleaves Global Trading Limited, which trades as Figleaves.com, an Internet-based retailer of lingerie.
- Advising a leading U.S. retailer on its proposed entry into Europe, including advice on likely issues in eight countries.
- Assisted the Computer & Communications Industry Association on its response to the Information Commissioner's Consultation on UK data-protection law.
- Working with a leading UK retailer on its proposed expansion into the United States, including advice on online selling, advertising strategy and marketing.
- Dealing with data export issues with respect to ediscovery in ongoing court and arbitration proceedings.
- Advising a number of Fortune 250 businesses on the legality of whistleblower helplines set up to comply with the Sarbanes-Oxley Act of 2002 (SOX) and obtaining statutory registrations for those schemes in various European countries, including Sweden, France and the Netherlands.
- Advising a dual-listed entity on an FCPA investigation in Europe.
- Acting for a U.S.-listed pharmaceutical company in connection with a fraud investigation of its Europe subsidiaries.
- Acting for a well-known sporting-goods manufacturer on setting up its mobile commerce offerings in Europe.
- Comprehensive data protection/privacy projects for a number of significant U.S. corporations, including advice on Safe Harbor.
- Risk analysis for an innovative software application.
- Assisting a major U.S. corporation on its response to one of the first reported data breaches.
- Work on the launch of an innovative new online game for an established board game manufacturer in more than 15 countries.
- Advice on the setting up of Peoplesoft and other online HR programs in Europe, including data protection and Works Council issues.

- Advising a leading fashion retailer in its blogging strategy.
- Advising one of the world's largest media companies on its data-retention strategy.
- Advising a multinational software company on the marketing, development and positioning of its products in Europe.
- Assisting in the establishment of an innovative dispute resolution scheme to assist U.S. corporations in cross-border data transfers covered by Safe Harbor.

Professional Activities

- New York State Bar Association
- Vice-Chair, International Section, 2005-present
- Fellow, Chartered Institute of Marketing
- Special Advisor to the Corporate Executive Programme, 2009-present
- National Computing Centre Legal Panel
- Member of the Advisory Board & Faculty, Georgetown University Advanced eCommerce Institute, Washington, D.C., 2002-2005
- Board of Editors, *The Corporate Counselor*

Admissions

- England and Wales

Education

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

Experience

- Duane Morris LLP
- Partner, 2009-present
- Eversheds LLP
- Partner, 2000-2009
- Keeble Hawson
- Technology and Litigation Lawyer, 1996-2000
- Smith & Graham
- Partner, 1989-1995

Civic and Charitable Activities

- Sheffield Business Club
- Chairman, 1999-2000
- 1994-1995 President, Hartlepool Junior Chamber (JCI)
- Advisor, Prince's Youth Business Trust, 1993-1995

Honors and Awards

- Listed in *U.K. Super Lawyers*, 2013
- Listed in *Legal Experts*, 2002-present
- Featured in the *International Who's Who of Internet and Ecommerce Lawyers*
- Chartered Institute of Marketing, Alan Brownley Award Winner, 2008
- Regional Finalist, dti/ISI Awards for Innovation in e-commerce, 2000
- Regional Finalist, dti/ISI Awards for Innovation in e-commerce, 1999
- University of Leeds Bedford Cup Winner, 1987
- University of Leeds Bedford Cup Runner-Up, 1986
- University of Leeds Bedford Cup Winner, 1985

Selected Publications

- Co-author, "Serious Fraud Office Issues Draft Code of Practice on Deferred Prosecution Agreements," *Duane Morris Alert*, July 3, 2013
- "EU Debate over Cybersecurity Laws," *Duane Morris Alert*, June 20, 2013
- "Progress Report on the Revision of New European Data Laws," *Duane Morris Alert*, June 17, 2013
- "The Challenges of eDiscovery and Cloud Computing," *NYSBA International Law Practicum*, Autumn 2012
- Co-author, "Tougher Revised UK Bribery Act Policies," *The Corporate Counselor*, December 2012
- Quoted in "Judge Scheindlin Helps Demystify Foreign E-Discovery," *Law Technology News*, December 10, 2012
- "Website Cookie Laws Bring Compliance Issues Across Europe," *Compliance & Ethics Professional*, November/December 2012
- "Anti-Corruption and Bribery Compliance: U.S., UK, EU, Prague: How Does It All Fit Together? The UK Perspective," *NYSBA New York International Chapter News*, Fall 2012
- Co-author, "Serious Fraud Office Issues Tougher Revised UK Bribery Act Policies," *Duane Morris Alert*, October 9, 2012
- "Lloyds to Pay up for Failing to Meet the 40-Day SAR Deadline," *Privacy Laws & Business*, September 2012
- "A Special Event Taking Over Your City?" *The Corporate Counselor*, July 2012
- Interviewed in "New Bribery Act: Nelsonian Ignorance May Backfire on Companies," *Patria Online*, April 25, 2012 (also available in Czech)
- "UK Cookies Update: New Laws on Cookies and E-commerce," *Duane Morris Alert*, April 25, 2012
- "European Commission Issues New Data Protection Proposals," *Duane Morris Alert*, January 25, 2012; updated February 16, 2012
- "On Your Marks for the Olympics," *Duane Morris Alert*, January 25, 2012
- Quoted in "From the Streets to Cyberspace: U.S. Gangs Turn to White-Collar Crime," *Fox Business*, October 28, 2011
- "European Union Confirms 'Get-tough' Approach on Cookies," *Duane Morris Alert*, August 31, 2011
- "The UK Bribery Act 2010," *The Complete Compliance and Ethics Manual*, Society of Corporate Compliance and Ethics, 2011
- "United Kingdom's New Laws on Cookies and E-commerce," *Duane Morris Alert*, May 23, 2011
- "The New UK Bribery Act: What You Need to Know," *The Corporate Counselor*, May 2011
- "UK Bribery Act's Impact on Private Equity," *Duane Morris Alert*, April 8, 2011

- "UK Bribery Act, Effective 1 July 2011, to Impact Businesses Large and Small," *Duane Morris Alert*, April 7, 2011
- Quoted in "U.K. Bribery Act Could Mean Prosecution of Law Firm Practices" by Gina Passarella, *The Legal Intelligencer*, April 4, 2011
- "Chinese Whispers: How to Tackle the Regulatory Risks of Social Media," *Managing Partner*, April 2011
- "UK Ministry of Justice Confirms Delay with Bribery Act Guidance," *Duane Morris Alert*, February 1, 2011
- "The UK Bribery Act 2010," *New York State Bar Association International Chapter News*, Winter 2010, Volume 15, No. 2
- "Bribery Act Has Data Protection Implications in UK and Abroad," *Privacy Laws & Business*, November 2010
- "UK Clarifies Wide-Ranging Bribery Laws and the Impact on the Non-UK Companies," *Duane Morris Alert*, October 7, 2010
- Co-author, "Impacts of the US Financial Reform Act on International Business," *Duane Morris Alert*, September 14, 2010
- "Data Protection Regulator for Germany's Schleswig-Holstein Calls for European Review of FTC's Safe-Harbor Program," *Duane Morris Alert*, August 6, 2010
- "UK Updates Guidance for Data-Protection Legislation with Online Code of Practice for Personal Information," *Duane Morris Alert*, July 12, 2010
- Co-author, "The Challenges of Cross-Border Information Flows," *New York State Bar Association International Law Practicum*, Spring 2010
- "UK to Focus Efforts on Regulating Online Advertising," *Duane Morris Alert*, June 8, 2010
- "German Privacy Regulators Issue Decision on Data Protection and Safe-Harbor Self-Certification of US Companies," *Duane Morris Alert*, June 1, 2010
- Interviewed in "What's Next: The Bulletproof Interview – Jonathan Armstrong on the UK Bribery Act" by Larry Smith, *Bulletproof Blog*, April 26, 2010
- "Technical Difficulties," *Managing Partner Magazine*, April 23, 2010
- "Tougher Bribery Legislation Passes in the UK," *Duane Morris Alert*, April 19, 2010
- "Tougher Penalties for Breach of UK Data Protection Laws," *Duane Morris Alert*, January 13, 2009
- "The Beginning of the End for Online Tracking?" *Computer Weekly*, December 14, 2009
- Co-author, *Managing Risk: Technology & Communications*, published by LexisNexis
- "Information—the New Trade War?" *Managing Partner*, June 2009
- "Modern Leadership Techniques Hinder Crisis Management," *Computer Weekly*, July 2008
- "Reputation: The New Agenda in Europe," *Metropolitan Corporate Counsel*, October 2007
- "Who Steals My Name: The US and EU Response to Data Security Breach," *ACC Docket*, June 2006
- "Unlawful SOX Helplines," *The Corporate & Regulatory Newsletter*, September 2005
- Co-author, *Personal Data Protection, Policy and Practice in the EU Accession and New Member States*, Centre for Policy Modernisation, Bulgaria, 2005
- "Privacy in Europe: The New Agenda," *Journal of Internet Law* published by Aspen Publishers, Inc., November 2004
- "Paid for Placement," *e-law Review*, August 2003
- "A Year in eCommerce—Developments in the UK and the rest of Europe 2002," *Journal of Internet Law* published by Aspen Publishers, Inc., March 2003
- Co-author, "Corporate Governance & Information Assurance: What Every Director Must Know," published by Information Assurance Advisory Council, October 2002

- "A War in Cyberspace," *The European Lawyer*, September 2002
- "Banking and the Internet," *e-law Review*, April 2002
- "Internet Security," *International Journal of e-Business Strategy Management*, February/March 2001
- "What's New on the Net," *Law in Business*, Winter 2000
- "An Overview of E-Commerce Litigation in England & Wales," *International Journal of e-Business Strategy Management*, August/September 2000
- "The Companies Act 1985 and the Internet," *On Line In Print*, 1998

Selected Speaking Engagements

- Co-host, "Safety For Lawyers In The Cloud," TechLaw10 Podcast, July 2013
- Co-host, "As The Cookies Crumble," TechLaw10 Podcast, July 2013
- Speaker, "Anti-Corruption and Bribery," Lexis Webinar, June 28, 2013
- Speaker, "The UK Bribery Act 2010—The Toughest Anti-Corruption Standard in the World?" Society of Corporate Compliance and Ethics Webinar, June 26, 2013
- Co-host, "Obama Administration Seeks To Grapple With Online Monitoring Fallout," TechLaw10 Podcast, June 2013
- Co-host, "DDoS Attacks, Be Afraid, Be Very Afraid!" TechLaw10 Podcast, June 2013
- Co-host, "The Most Expensive Tweet In History?" TechLaw10 Podcast, June 2013
- Speaker, "Current Cross Border Compliance Trends," ACT Knowledge Event, Frankfurt am Main, Germany, June 4, 2013
- Panelist, "Data Privacy for M&A Lawyers—How the Comprehensive Information Requirements of Due Diligence Collide With Limited-Purpose Processing Demands of Modern Data Privacy Laws," American Bar Association, International Law Section and German Bar Association, International Section, Successfully Navigating Hazardous Waters: The Third Conference on Transatlantic Deals and Disputes, Frankfurt, June 3, 2013
- Co-host, "Lawyer Crackberry Addict Recovers To Become iPhone Junkie," TechLaw10 Podcast, May 2013
- Speaker, "Cross-Border eDiscovery: Insight from the Trenches," InsideCounsel Webinar, May 22, 2013
- Guest, "What if your favorite pro team gets relegated to the minors? – Promotion and Relegation in Global Soccer," SportsLaw10 Podcast, May 2013
- Co-host, "EU Data Privacy Regulations—Current Status," TechLaw10 Podcast, May 2013
- Co-host, "Facebook Complaints Do Not Justify Employer Termination of Employees, NLRB Rules," TechLaw10 Podcast, May 2013
- Panelist, "Conflicts between Compliance Programs and Privacy Rights," Anti-bribery: International Update - Important Recent Developments for Brazil, Sao Paulo, April 16, 2013
- Panelist, "How the past year's developments have changed the face of corporate compliance; the most important cases," Anti-bribery: International Update - Important Recent Developments for Brazil, Sao Paulo, April 16, 2013
- Co-host, "Postcard From Brazil: Challenges of Data Review," TechLaw10 Podcast, April 2013
- Co-host, "The Power of Apps," TechLaw10 Podcast, April 2013
- Co-host, "Court Voids Web Site Limitation of Liability Clause," TechLaw10 Podcast, March 2013

- Panelist, "New Developments in the FCPA and U.K. Anti-Bribery Laws," Metropolitan Black Bar Association and the New York State Bar Association's Corporate Counsel Committee of the International Section, New York City, March 25, 2013
- Co-host, "Supply Chain Compliance Issues - The Fashion Industry As A Case Study," TechLaw10 Podcast, March 2013
- Panelist, "Protecting Brand-Specific Investments in International Distribution," New York State Bar Association International Section, European Regional Meeting, Bergamo, Italy, March 8, 2013
- Co-host, "Cyberwarfare, Here and Now?," TechLaw10 Podcast, March 2013
- Co-host, "Lessons Learned From Media Cyber Attacks," TechLaw10 Podcast, February 2013
- Co-host, "Social Media & Legal Ethics and Concerns," TechLaw10 Podcast, February 2013
- Co-host, "Mapping Out The Ambit Of The Attorney-Client Privilege," TechLaw10 Podcast, January 2013
- Co-host, "FTC Resolves Some Competition Issues With Google; Will Europe Follow Suit?," TechLaw10 Podcast, January 2013
- Featured on "Jonathan Armstrong on Global Regulatory Cooperation," Levick Daily Video Interview, January 3, 2013
- Panelist, "First, Do No Harm: Preserving and Admitting Foreign ESI," Georgetown University's 9th Annual Advanced eDiscovery Institute: Process, Paradigms, and Pragmatism, McLean, Virginia, December 6-7, 2012
- Co-host, "Brave New World of e-Discovery," TechLaw10 Podcast, December 2012
- Co-host, "Proposed Two-Year Ban on Internet Legislation – Really?," TechLaw10 Podcast, December 2012
- Co-host, "The Petraeus Affair – Loose "Saved Email" Lips, Sink Ships," TechLaw10 Podcast, November 2012
- Co-host, "UK Case Shows Potential Criminal Consequences For Tweeting," TechLaw10 Podcast, November 2012
- Interviewed on "Today" on BBC Radio 4, November 6, 2012
- Co-host, "Lessons Learned From Hacking of Educational Institution," TechLaw10 Podcast, October 2012
- Co-host, "Dangers to Going Mobile," TechLaw10 Podcast, October 2012
- Co-host, "Social Media In Corporate Crises," TechLaw10 Podcast, September 2012
- Co-host, "Cybercrime and Its Severe Impact," TechLaw10 Podcast, September 2012
- Co-host, "Privacy For Mobile Devices?," TechLaw10 Podcast, September 2012
- Co-host, "When Harry Met Camera Phone," TechLaw10 Podcast, August 2012
- Co-host, "Tech Lessons Learned From London 2012 Olympics," TechLaw10 Podcast, August 2012
- Featured on "States Investigate JPMorgan, Citigroup, and Others over LIBOR," American Public Radio *Marketplace Morning Report*, August 16, 2012
- Co-host, "Olympics' Tweets Show Limits Of Proper Internet Speech," TechLaw10 Podcast, July 2012
- Co-host, "Government Interest In Monitoring Social Media Communications," TechLaw10 Podcast, July 2012
- Co-host, "Cybersecurity for Lawyers and Law Firms," TechLaw10 Podcast, July 2012
- Speaker, "Anti-Corruption & Bribery Compliance: Compliance Solutions to Prevent Damage to your Business and Reputation," The Canadian Institute, Calgary, June 20-21, 2012
- Co-host, "School Girl's Blog Gives Organizations Food For Thought," TechLaw10 Podcast, June 2012
- Co-host, "The LinkedIn Hack and Lessons Learned," TechLaw10 Podcast, June 2012

- Co-host, "Jubilee Special: How the World of Technology Has Changed Since 1952," TechLaw10 Podcast, June 2012
- Speaker, "Maintaining & Transferring International Employee Data: U.S. Disclosure Requirements & Non-US Privacy Mandates," American Bar Association, Section of International Law, Teleconference, May 30, 2012
- Co-host, "Music: Storage, The Cloud and Disaster Recovery," TechLaw10 Podcast, May 2012
- Co-host, "Olympic IT Concerns For London 2012," TechLaw10 Podcast, May 2012
- Co-host, "Beware So Tweets Do Not Come Back To Bite You, As Ched Evans Furor Shows," TechLaw10 Podcast, May 2012
- Featured on "The Legal Perils of Twitter," BBC Radio 4 Today, April 24, 2012
- Co-host, "New Developments In E-Discovery: US and EU Potential Conflicts," TechLaw10 Podcast, April 2012
- Co-host, "British Big Brother To Watch Your Email?," TechLaw10 Podcast, April 2012
- Co-host, "Cybersquatting and Domain Name Disputes on the Rise," TechLaw10 Podcast, March 2012
- Co-host, "Sweet Success For Mars In Twitter Case," TechLaw10 Podcast, March 2012
- Co-host, "Obama U.S. Privacy Proposal & Potential European Reaction," TechLaw10 Podcast, March 2012
- Co-host, "Is Big Brother Watching Your Online Social Media Communications?," TechLaw10 Podcast, March 2012
- Co-host, "Cloud Computing and the Cultural Clash of Privacy Regulation," TechLaw10 Podcast, February 2012
- Co-host, "New EU Data Rules, Facebook, and Some Canada," TechLaw10 Podcast, February 2012
- Co-host, "GPS Supreme Court Ruling, UK Juror Jailed For Online Conduct and New York Tech News," TechLaw10 Podcast, February 2012
- Panelist, "What to Do When Your Organization is the Subject of an Investigation," The Canadian Institute's Anti-Corruption and Bribery Compliance Conference, Toronto, Ontario, January 31, 2012
- Panelist, "US, UK, EU, Canada: How Does it All Fit Together?" The Canadian Institute's Anti-Corruption and Bribery Compliance Conference, Toronto, Ontario, January 30, 2012
- Co-host, "Are You Being Watched Online?," TechLaw10 Podcast, January 2012
- Co-host, "GPS Supreme Court Ruling, UK Juror Jailed For Online Conduct and New York Tech News," TechLaw10 Podcast, January 2012
- Co-host, "2012: Tech Firing On All Cylinders!," TechLaw10 Podcast, January 2012
- Co-host, "The Naughty & Nice Tech Year In Review," TechLaw10 Podcast, December 2011
- Co-host, "Regulatory Authorities Crack Down On False Internet Claims," TechLaw10 Podcast, December 2011
- Co-host, "Staying Safe Online Over The Holidays," TechLaw10 Podcast, December 2011
- Co-host, "How Not To Become An Accidental Cyber Outlaw," TechLaw10 Podcast, November 2011
- Co-host, "Global HR Systems – Quick Compliance Tips," TechLaw10 Podcast, November 2011
- Co-host, "eDiscovery Limitations on the Horizon in U.S. Courts?," TechLaw10 Podcast, November 2011
- Co-host, "YouTube Hack Attack of Sesame Street," TechLaw10 Podcast, October 2011
- Co-host, "Internal Investigations In New Cloud Era," TechLaw10 Podcast, October 2011
- Co-host, "U.S. Appellate Court Protects Email of Foreigners On Domestic Servers," TechLaw10 Podcast, October 2011

- Co-host, "Information Technology Overload – Time To Turn Off And Unplug?" TechLaw10 Podcast, October 2011
- Co-host, "FTC Seeks To Protect Personal Data In Bankruptcy Proceedings," TechLaw10 Podcast, September 2011
- Co-host, "Privacy Spanning The Globe," TechLaw10 Podcast, September 2011
- Speaker, "The Future of UK and EU Data Protection Compliance and Security-related Regulations: A Whirlwind Tour of Where It's All Going and the Implications," e-Crime Mid-Year Meeting, London, September 15, 2011
- Co-host, "FTC Spots False Internet Claims and Puts Skin In the Game," TechLaw10 Podcast, September 2011
- Co-host, "Cyber Crime Costing Companies Big Time," TechLaw10 Podcast, September 2011
- Co-host, "EU Shows Cookie Intolerance," TechLaw10 Podcast, September 2011
- Co-host, "Unplugging Social Networking and Cell Phone Use to Prevent Civil Disobedience?," TechLaw10 Podcast, August 2011
- Co-host, "E-Discovery Summer School," TechLaw10 Podcast, August 2011
- Co-host, "Email Summer School: Tips on Creating and Sending Email," TechLaw10 Podcast, August 2011
- Co-host, "Don't Shower With Your Laptop: Internet Privacy Concerns," TechLaw10 Podcast, July 2011
- Co-host, "Phone Hacking, Murdoch and News of the World," TechLaw10 Podcast, July 2011
- Co-host, "Watch Your Step When Using Google Maps," TechLaw10 Podcast, July 2011
- Speaker, "Cloud Computing and the Law: How to Protect Your Data," BrightTALK webcast, June 16, 2011
- Co-host, "Heightened Regulatory Enforcement Of Information Security," TechLaw10 Podcast, June 2011
- Speaker, "Cloud Computing & the Law: How to Protect Your Data," BrightTalk Webcast, June 26, 2011
- Co-host, "Court Orders Loser to Pay eDiscovery Costs," TechLaw10 Podcast, June 2011
- Co-host, "WeinerGate: Mountain or Mole Hill?" TechLaw10 Podcast, June 2011
- Co-host, "Gmail Hack – Be Afraid, Be Very Afraid," TechLaw10 Podcast, June 2011
- Co-host, "Another Bite at Cookies," TechLaw10 Podcast, May 2011
- Co-host, "How Free Is Internet Speech?" TechLaw10 Podcast, May 2011
- Speaker, "Everything You Need to Know About the Bribery Act 2010," REDTRAY™ and Duane Morris LLP joint webinar, May 19, 2011
- Co-host, "How Super Are Super Injunctions?" TechLaw10 Podcast, May 2011
- Co-host, "Online Dating & Litigation - A Match Made In Heaven?" TechLaw10 Podcast, April 2011
- Co-host, "Snakes, the End of Pravda and the New Europe," TechLaw10 Podcast, April 2011
- Co-host, "Beware the FTC When It Comes To Privacy Violations," TechLaw10 Podcast, April 2011
- Keynote Speaker, "International Practice: Expectations and Practice in the International Business Community," American Chamber of Commerce in Hungary Transparency Conference, Budapest, Hungary, April 2011
- Co-host, "The Potential Scope of Internal Electronic Investigations ," TechLaw10 Podcast, March 2011
- Co-host, "Natural Disasters in the Internet Era," TechLaw10 Podcast, March 2011
- Speaker, "UK Bribery Act and U.S. Foreign Corrupt Practices Act: Why Your World Could Change," British American Business Council seminar, Philadelphia, March 2011

- Co-host, "Will Cookies Crumble? Why the New European Laws Cause Confusion," TechLaw10 Podcast, March 2011
- Co-host, "Requiring Zip Codes with Credit Card Transactions Violates the Law," TechLaw10 Podcast, March 2011
- Co-host, "Airport Body Scanners Revealing Too Much?," TechLaw10 Podcast, February 2011
- Co-host, "On the Internet, Others May Find Out That You Are A Dog," TechLaw10 Podcast, February 2011
- Co-host, "Transparency for Data Security Breaches," TechLaw10 Podcast, February 2011
- Panellist, New York State Bar Association Annual Meeting, New York, January 2011
- Co-host, "The Dangers of Twitter," TechLaw10 Podcast, January 2011
- Co-host, "The Influence of Social Media and the Internet on Jury Trials," TechLaw10 Podcast, December 2010
- Co-host, "Wikileaks," TechLaw10 Podcast, December 2010
- Keynote Speaker, Association of International Business Lawyers (AIBL), Geneva, Switzerland, November 26, 2010
- Co-host, "Military Cyber Defense," TechLaw10 Podcast, November 2010
- Co-host, "Online Tracking and Cookie Technology," TechLaw10 Podcast, November 2010
- Co-host, "How Long Should Our Digital Footprints Live On?" TechLaw10 Podcast, November 2010
- Co-host, "Data Security," TechLaw10 Podcast, October 2010
- Co-presenter, "Dodd-Frank, Bounties, Whistleblowing and the Future of Compliance," BrightTalk Webcast, October 13, 2010
- Co-host, "E-Discovery," TechLaw10 Podcast, October 2010
- Co-host, "Cloud Computing," TechLaw10 Podcast, September 2010
- Speaker, "Case Study: Duane Morris - Data Security and the perfect storm - The Reality of Emerging Data-Protection Laws and What You Need to Know ," IDC's IT Security Conference 2010, London, September 2010
- Speaker, "Protection and FTC's Safe Harbor Data Protection Agreement," Global Risk Round Table Meeting, London, September 2010
- Co-host, "Social Networking issues in the U.S. and UK," TechLaw10 Podcast, August 2010
- "Pushing Product Online: Blogs, Bugs and Behavioral Ads," BrightTalk Podcast, August 12, 2010
- Panelist, "Foreign Corrupt Practices Act," New York State Bar Association, International Section, Swedish Chapter, Stockholm, April 26, 2010
- Panelist, "Compliance Symposium: Ethics in Financial Services, Data Privacy, Anti-Money Laundering and the Foreign Corrupt Practices Act," 2010 New York Venture Summit, June 17, 2010
- Speaker, "Current Issues for U.S. Corporations Doing Business in Europe and Asia," Duane Morris Seminar, New York City, March 24, 2010
- Speaker, "Top Tips: Avoid Falling into Legal Black Holes of Cloud Security," IT GRC Forum Webinar, March 2010
- Speaker, "Data Protection, Data Security and Privacy Law—Recent Developments," BrightTALK webinar, February 2010
- Speaker, "Data Privacy for Multinationals: New Challenges for International Business," Law Seminars International TeleBriefing, February 2010
- Panel Co-Chair, "Discovery v. Privacy in International Arbitration," New York State Bar Association Meeting of the International Section, January 2010
- Speaker, "2010—The Global Compliance Agenda," BrightTALK webinar, January 2010

- Speaker, "Information Wars—The Challenges of E-Discovery in Europe," BrightTALK's E-Discovery: Global and in the Cloud Summit, December 2009
- Speaker, ISACA Information Security and Risk Management Conference Europe, Amsterdam, November 2009
- Speaker, "Control Risks Whistleblowing Program," London, June 2009
- Panelist, Global Corporate Executive Program, May 2009
- Alan Brownley Award Acceptance Lecture, Chartered Institute of Marketing, Sheffield, November 2008
- Speaker, Retail Events, London, January 2009
- Guest Speaker, "nothing.but.the.net," Law Society of Scotland, Glasgow, September 2008
- Panelist, "Global Challenges Facing In-House Counsel: Compliance, Class Actions and Costs," New York State Bar Association International Section Fall Meeting, Stockholm, September 2008
- Speaker and Co-Chair, "High Stakes and Big Challenges-Improving Compliance in Europe," European Company Lawyers Association, Geneva, June 2008
- Speaker, American Bar Association Global Business Law Conference, Frankfurt, May 2008
- Panelist, "International Ethics: Legal Privilege vs. Professional Secrecy - Cross-Border Implications," New York State Bar Association International Section Fall Meeting, Stockholm, September 2008
- Panel Chair, "Meeting the Challenges of Global Compliance: Are We There Yet?" Association of Corporate Counsel and Metropolitan Corporate Counsel, New York, October 2007
- Panel Chair, "Meeting the Challenges of Global Compliance: Are We There Yet?" Association of Corporate Counsel, Livingstone New Jersey, October 2007
- Speaker, "Crisis Management," Tallinn, October 2007
- Speaker, New York State Bar Association International Law & Practice Section Fall Meeting, Shanghai, October 2006
- Speaker, "Model Data Breach Notification Procedure and Payment Card Industry Information Security Standards," American Bar Association, Tampa, April 2006
- Speaker, New York State Bar Association International Law & Practice Section Fall Meeting, London, October 2005
- Speaker, Personal Data Protection, Policy and Practice in the EU Accession and New Member States, Centre for Policy Modernisation, Sofia, April 2005
- Speaker, "Managing paper trails: in-house counsel best practice and pitfalls," International Bar Association Corporate Counsel Conference, Amsterdam, February 2005
- Speaker, Association of Corporate Council Europe Annual Meeting, Dublin, June 2003
- Speaker, 4th Annual Georgetown University Advanced e-Commerce Institute, Washington, D.C., November 2002
- Speaker, Global Corporate Counsel Association Annual Meeting, Versailles, June 2002

GOURAB BANERJI

SENIOR ADVOCATE

ACADEMIC QUALIFICATIONS

M.A. Cantab (Law Tripos), 1st Class; Bundy Scholar, Norah Hunter Dias Prize in law; Magdalene College, Cambridge University; Fellow of the Cambridge Commonwealth Society.

PROFESSIONAL QUALIFICATIONS

Senior Advocate (designated in 2003); practicing mainly in the Supreme Court; Barrister-at-Law of the Hon'ble Society of Lincoln's Inn.

APPOINTMENTS

- Additional Solicitor General of India, Supreme Court of India [2009 onwards]
- Former Senior Additional Advocate General, State of Haryana (S.Ct.) [2008-09]
- Former Additional Advocate General for the State of Uttarakhand (S.Ct.) [2002-2007]
- Member, National Legal Services Authority (NALSA) [2004-2008]

AREAS OF SPECIALISATION

- Arbitration [Including International Commercial Arbitration]
- Taxation [Income Tax, VAT, Sales Tax, Customs & Excise]
- Constitutional and Writ Matters

MEMBERSHIPS

- Supreme Court Bar Association, Delhi High Court Bar Association, Calcutta Bar Library Club.
- Oxford and Cambridge Society of India, Inns of Court India Society, Association of British Scholars.

PUBLICATIONS

Contributor, Law of Partnership for "Halsbury's Laws of India", besides various articles

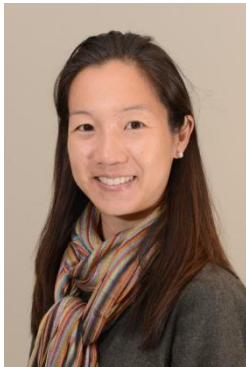
NOMINATIONS

- Nominated by the Hon'ble Chief Justice of India to represent the Supreme Court as a Delegate for the Indo-British Legal Forum Meets, 2003 and 2008, Indo-Canadian Legal Forum 2001 & 2008; and in the Indo-US Legal Forum Meet, 2001.
- Represented India in the 55th Session of the United Nations Commission on International Trade Law (UNCITRAL) Working Group-II, Vienna [October 2011].

<u>ADDRESS</u>	<u>CHAMBERS</u>
G-19, Maharani Bagh, New Delhi-110065 E-mail : gkbanerji@gmail.com	<ul style="list-style-type: none">• AB-19, Tilak Marg, New Delhi-110001• 229, M.C. Setalvad Chambers, Bhagwan Dass Road, New Delhi-110011.



香港國際仲裁中心
Hong Kong International
Arbitration Centre



Chiann Bao

Secretary-General

Hong Kong International Arbitration Centre

Secretary-General of the Hong Kong International Arbitration Centre (HKIAC). Ms Bao functions as the chief executive officer of the HKIAC and oversees the administration of a full range of ADR support services. Ms Bao is a Councillor of the International Federation of Commercial Arbitration Institutions (IFCAI). In addition, she serves as a board member of the Practical Law Company, the Association of Corporate Counsel's International Advisory Board and the Asian Dispute Review's Editorial Board. A New York qualified lawyer, Ms Bao practiced at an international law firm in New York before joining the HKIAC in 2010. Ms Bao is a Cornell University graduate and a Fulbright Scholar of China. She obtained a Juris Doctor from the University of Wisconsin and a Master of Arts in Arbitration and Dispute Resolution from the City University of Hong Kong.

Robert C. Bata**Founder WarwickPlace Legal, LLC**

Robert C. Bata founded WarwickPlace Legal, LLC, after more than thirty years of practice, including some twenty years as an international partner at leading U.S. and U.K. law firms. In the course of his career as a practicing lawyer, Bata established, managed and successfully grew offices throughout Central and Eastern Europe, in China and the United Kingdom. WarwickPlace Legal is a consultancy exclusively focused on international strategy and advises law firms around the world on mergers, acquisitions, strategic partnerships and alliances and other creative approaches to maximize opportunities in the global market for legal services. Bata received his B.A. in Russian and East European Studies from Yale University, and his J.D. from the University of Texas School of Law.

BIOGRAPHICAL DATA FOR JOHN BENTLEY (2013)

John Bentley is an independent legal consultant residing in Vietnam who primarily advises and assists international donor projects and their Vietnamese State Agency counterparts and specializes in law and legal system development in developing and transition economy countries. From 1 December 2002 to 03 July 2012, John Bentley served full-time as the Chief Legal Advisor for the *USAID STAR Vietnam* Project. USAID STAR-Vietnam was a project funded by the United States Agency for International Development (USAID) that provided professional technical assistance to Vietnamese State agencies in support of their efforts to implement legal and institutional reforms required to meet commitments under the U.S.-Vietnam Bilateral Trade Agreement (BTA) and the WTO Agreements. Prior to that time, Mr. Bentley served in Vietnam for 8 years, from 1994-2002, as the Resident International Legal Advisor at the Ministry of Justice under projects established by the Government of Vietnam in cooperation with the United Nations Development Programme (UNDP) to strengthen legal capacity in Vietnam and assist Vietnam's efforts to build the rule of law and develop a market economy.

During the period April 2001 – December 2002, Mr. Bentley also served as the UNDP - World Bank International Legal Advisor at the Ministry of Justice assisting with a comprehensive Legal Needs Assessment (LNA) carried out by key Vietnamese State Legal Agencies including the Ministry of Justice, Supreme People's Court, Supreme People's Procuracy, Office of the National Assembly, Office of the Government, Internal Affairs Commission of the Central Committee of the CPV, and the Ministry of Planning and Investment. The LNA created the basis for formulating the Judicial Reform and Legal System Development Strategies embodied in Politburo Resolutions 48 and 49 of 2005 for the development of Viet Nam's judicial legal system to 2020. In February, 2003, the Minister of Justice decorated Mr. Bentley with the "Cause of Justice Medal" for his contributions to the development of Vietnam's legal system.

John Bentley has had 40 years of experience as a practicing lawyer in Los Angeles, California and Cairo, Egypt, primarily in the field of international investment and business transactions and as a legal advisor to a number of governments of transition and developing economy countries including those of Indonesia, Egypt, Saudi Arabia, Oman, Yemen and, currently, Viet Nam. His legal advisory work for these governments usually has focused on the overall legal framework for investment and economic development under programs funded variously by the Ford Foundation, USAID, the Foreign Investment Advisory Service, the World Bank, UNDP and UNIDO.

In addition, from time to time, he has taught law as an adjunct professor at American University, Cairo and as a member of the Faculty of Law at the National University of Singapore. On occasion, he has lectured at Harvard Law School on foreign investment and law development issues. While living in Egypt, Mr. Bentley was a co-founder and the first elected President of the American Chamber of Commerce in Egypt in 1983 and served as Chairman of the American Business Lunch Group in Cairo during 1989 - 1994. For 10 years from 1982-1992, he served on the Board of Directors of Cairo American College, a K-12 international school, including 7 years as Chairman. During 1962-63 and 1966-67, Mr. Bentley worked as a Legislative Assistant to a U.S. Congressman on Capitol Hill in Washington, D.C.

John Bentley holds a Bachelor of Arts degree with honors in government from Harvard University (1962) and a Juris Doctor degree from the School of Law of the University of California at Berkeley (1968) where he was Managing Editor of the *California Law Review*.

James E. Berger is a partner in the Global Disputes practice at King & Spalding LLP, resident in the firm's New York office. Mr. Berger represents clients in commercial disputes before courts and arbitral tribunals, with a focus on cross-border and multi-jurisdictional proceedings and matters involving state-owned enterprises and sovereigns. He has significant experience litigating matters arising under the Convention on Recognition and Enforcement of Foreign Arbitral Awards, the Foreign Sovereign Immunities Act, and other statutes having particular application in international disputes. Mr. Berger has also served as global lead counsel in several multijurisdictional disputes.

Mr. Berger writes and speaks regularly on international dispute resolution topics. He has given numerous presentations on international arbitration, disputes involving states, and other U.S. litigation issues to corporate and foreign governmental in-house counsel. He has served as a guest lecturer on international dispute resolution at Renmin University of China School of Law, Fordham University School of Law, and New York Law School. In addition, he is the editor (and a contributing author) of the forthcoming American Bar Association treatise entitled *International Aspects of U.S. Litigation*, and a contributing author to the "Point of Law" column in the *South China Morning Post*.

Mr. Berger is admitted to practice in New York and the District of Columbia. He is a member of the bars of the United States Supreme Court, the United States Court of Appeals for the Second, Ninth, and District of Columbia Circuits, and the United States District Courts for the District of Columbia and the Northern, Southern, Eastern, and Western Districts of New York. He is a member of the Litigation and International Law Sections, and the International Litigation and China Law Committees, of the American Bar Association, and currently represents the International Litigation and International Arbitration Committees on the Section of International Law's Steering Committee. He is also a member of the International Commercial Disputes Committee of the Association of the Bar of the City of New York.



DR MARK N BERRY
CHAIRMAN, COMMERCE COMMISSION

Dr Mark Berry was appointed Chairman in April 2009. He previously held the position of Deputy Chair between 1999 and 2001. Mark has specialised in competition law and economic regulation. He is a former partner of law firm Bell Gully and former consultant with Chapman Tripp. Since 2002 he has been in practice as a barrister sole. Mark holds a doctorate from Columbia University, New York. He has taught Contract Law, Competition Law and Securities Regulation at Otago University Law School, and is a member of the International Advisory Board at the Institute for Consumer Anti-trust Studies at Loyola University Chicago School of Law. Mark was also appointed an Associate Member of the Australian Competition and Consumer Commission for a three year term effective 1 December 2010.

February 2013



Mark D. Bloom

Greenberg Traurig, P.A.

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Miami, FL 33131

Phone: (305) 579-0500

Fax: (305) 579-0717

bloomm@gtlaw.com

Mark D. Bloom is a Shareholder and Co-Chair of the National Business Reorganization & Bankruptcy practice. His diverse experience spanning over 25 years includes all areas of financial restructuring, reorganization and bankruptcy, both in and out of bankruptcy court. Mark was inducted as a Fellow in the prestigious American College of Bankruptcy in 1998, and currently serves as its Vice President. A frequent speaker on many insolvency topics in the U.S. and abroad, Mark has been listed in *The Best Lawyers in America* since 1993. He is also listed in both *The Chambers USA Guide to America's Leading Business Lawyers* and *The K&A Restructuring Register* of America's Top 100 Restructuring Professionals. In 2012 he had the honor to serve as co-chair of the INSOL Annual Regional Conference in his home city of Miami.

Recent Articles

- Co-Author, "Chapter 15: The US Cross-Border Insolvency Law," *PLC Cross-border Restructuring and Insolvency Handbook*, Practical Law Company, 2007/2008
- Co-Author, "Reforming Latin American Insolvency Law," *PLC Cross-border Restructuring and Insolvency Handbook*, Practical Law Company, 2006/2007

Selected Lectures and Speaking Engagements (International)

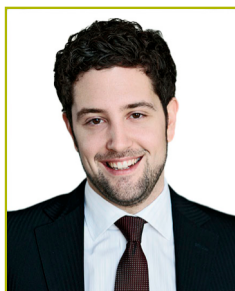
- Speaker and Panelist, "Retail: The King is Dead - Long live the King!" Ninth World Quadrennial Congress, INSOL International, The Hague, May 19-22, 2013
- Speaker, "A Funny Thing Happened to Me on the Way to the BVI: Lessons in the Restructuring and Sale of a Multinational Business," INSOL International Fellows Meeting, May 2012
- Speaker, "Prepackaged Insolvencies Under U.K. Law," INSOL Mexico City Seminar, April 2010
- Speaker and panelist, "The Evolution of Bank Insolvencies," ABI Caribbean Insolvency Conference, Boca Raton, Florida, February 2010
- Speaker, "Chapter 15 of the Bankruptcy Code: Cross-Border Restructurings and Insolvencies," NYSBA International Section Seasonal Meeting, Singapore, October 2009
- Speaker, "United States Bankruptcy Law: Chapter 11 Reorganizations," FIDE Insolvency Conference, Madrid, Spain, October 2009
- Panelist, "It's a Small World After All: Cross Border Insolvency and Chapter 15," AIRA Bankruptcy & Restructuring Conference, Orlando, June 2009
- Speaker, "Sale and Assignment of Assets Under U.S. Bankruptcy Law," INSOL Rio de Janeiro, April 2009
- Speaker, Restructuring and Investing Conference, Association of Insolvency & Restructuring Advisors, Shanghai, China, September 2008/October 2007
- Speaker and moderator, "Tracing and Recovering Assets Across Borders," INSOL New York, June 2007
- Panelist, "Negotiating Out - A Turnaround Lesson," Harvard Business School Turnaround Symposium, April 2007
- Panelist, "Increasing Diversity of Stakeholders," INSOL Annual Conference, Cape Town, South Africa, March 2007
- Speaker, "Recent Changes in U.S. Bankruptcy Law," ALI-ABA Lecture Series and Clinics on American Law and Practice, Beijing and Shanghai, China, June 2006
- Speaker, "The United States Court System and Bankruptcy Jurisdiction," and "United States Bankruptcy Law - The Chapter 11 Reorganization Process," ALI-ABA Conference on U.S. Commercial Law & Litigation, Shanghai, China, June 2005
- Panelist, "Hot Topics," American College of Bankruptcy, Washington, D.C., March 2004
- Speaker and moderator, "Issues in Cross-Border Turnarounds: Dorothy, We're Not Just in Kansas Anymore!" Turnaround Management Association Annual Conference, 2001

Professor Charles D. Booth
Carlsmith Ball Faculty Scholar &
Director, Institute of Asian-Pacific Business Law
William S. Richardson School of Law, University of Hawai'i at Manoa

Professor Booth (BA, Yale University, 1981, *summa cum laude*; JD Harvard Law School, 1984, *cum laude*), teaches at the William S. Richardson School of Law at the University of Hawai'i and is the Founding Director of the Institute of Asian-Pacific Business Law. He taught in the Faculty of Law at the University of Hong Kong from 1989 to 2005 and served as the Director of the Asian Institute of International Financial Law from 2000-2005. He is Co-Developer and, Co-Director of the Diploma in Insolvency Course run by the Hong Kong Institute of Certified Public Accountants.

Prof Booth's primary research interests are in comparative and cross-border insolvency and commercial law, Hong Kong and Chinese insolvency law reform, and the development of insolvency and commercial law infrastructures in Asia, the Pacific, and Europe. He has co-authored A GLOBAL VIEW OF BUSINESS INSOLVENCY SYSTEMS (2010), the HONG KONG PERSONAL INSOLVENCY MANUAL (2nd ed, 2010), and the HONG KONG CORPORATE INSOLVENCY MANUAL (2nd ed, 2009), and authored *The 2006 PRC Enterprise Bankruptcy Law: The Wait is Finally Over*, 20 SINGAPORE ACADEMY OF LAW JOURNAL SPECIAL ISSUE (INSOLVENCY LAW) (2008).

He is a Fellow in the American College of Bankruptcy, a Founding Member of the International Insolvency Institute, and a member of the International Academy of Commercial and Consumer Law. He has served as a consultant on insolvency and commercial law reform projects for many international organizations including the World Bank, the Asian Development Bank, the European Bank for Reconstruction and Development (EBRD), the OECD, the ABA-UNDP, the International Development Law Organization (IDLO), the International Republican Institute, and the International Insolvency Institute. He has been involved in projects in China, Hong Kong, Vietnam, Mongolia and Vanuatu, and in Europe and Asia generally. Over the last couple of years, he has co-authored a Report for the EBRD evaluating its Legal Transition Programme for the period 2001-10 and the Report on the Treatment of the Insolvency of Natural Persons for the World Bank. He was recently appointed as the Insolvency (Bankruptcy) Expert for an IDLO/EBRD Commercial Law Training Program in Mongolia.



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Practice description

Filip Boras specializes in international commercial and investment arbitration. He frequently advises individuals and corporations in cases arising from all major industry sectors. Filip has an expertise in disputes related to the western Balkans.

Practice focus

International Arbitration

Representative clients, cases or matters

- Acting as lead counsel for an Austrian investor in the first ever ICSID arbitration against the Republic of Croatia (*Gavrilović v. Croatia* ICSID Case No. ARB/12/39).
- Acting as lead counsel for a state-owned oil company from CEE against a Turkish oil supplier in an ICC arbitration on the termination of a long-term supply agreement.
- Representing an Austrian Bank against an insolvent credit institution from the Baltics under the Vienna Rules.
- Acting for a Malaysian copper producer in a post M&A arbitration against an Austrian investor.
- Represented a major Russian gas company in contract price revisions under the ICC and Vienna Rules.
- Acted for a German gas importer in an arbitration under the Vienna Rules regarding the price revision of a long-term gas transportation deal.
- Advised a US company in the settlement of a multinational product liability dispute.

Professional affiliations

- UNCITRAL Working Group II (Arbitration & Conciliation) on the transparency in investor-State arbitration
- Young Austrian Arbitration Practitioners (YAAP) – Member
- New York State Bar Association (International Section) – Member
- International Association of Berkeley Law Alumni – Member

Education and admission

Filip Boras joined Baker & McKenzie as associate in 2012. Before joining Baker & McKenzie he was working in the international arbitration practice of a Vienna based firm. Filip is a member of the New York Bar and has obtained an LLM at the University of California at Berkeley (Boalt Hall) in 2009. He graduated from the University of Vienna in 2007 and spent a term at the University of Copenhagen.

Languages

English, German, Serbian, Croatian



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LINDAHL

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

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

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

Recent representative representation includes:

- Battery Ventures in public offer for Jeeves Information Systems, and ad-on acquisitions
- Target and bidders, respectively, in relation to current public offers
- Electronic Arts in various acquisitions and reorganizations
- Accel and Barings Vostok in restructuring of investment in Avito in Russia and Ukraine
- Insurance company in portfolio transfer and run-off

Education

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

Career

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

Brad Roach

Brad Roach is a partner in Gibson Dunn's Singapore office and a member of the firm's Energy and Infrastructure, Mergers and Acquisitions and Global Finance Practice Groups. Mr. Roach has more than 18 years' experience advising clients in the energy, infrastructure and project finance industry throughout Asia, the Middle East and Europe, and has been based in Singapore since 1996.

Mr. Roach advises developers of infrastructure projects, with an emphasis on the upstream and downstream sectors of the petroleum industry. He has extensive experience advising companies acquiring and divesting interests in energy and infrastructure projects. He is recognized as one of the world's leading lawyers advising on LNG projects having advised sponsors of four greenfield LNG projects, including three in Indonesia, the Tangguh LNG project, the Bontang LNG project and the Donggi-Senoro LNG project.

Mr. Roach has extensive experience advising exploration and production companies on asset and corporate acquisitions, gas and LNG sale and purchase agreements, joint operating agreements, farmout agreements, production sharing contracts, concession agreements, unitization agreements and joint study and bidding agreements. He has also advised developers of power projects in various countries throughout Southeast Asia.

Mr. Roach gained his Bachelor of Laws (First Class Honors) and his Bachelor of Commerce from the University of Melbourne in 1992. He is admitted to practice in England and Wales and is a member of Association of International Petroleum Negotiators (AIPN), the Southeast Asia Petroleum Exploration Society, and a director of the AIPN.

Representative Experience

Representative transactions include:

LNG Project Development and Financing

- **PT Medco Energi Internasional Tbk.** on the development and financing of a US\$2.8 billion, 2.1 million tonne LNG project in Sulawesi, Indonesia, including:
 - the Shareholders' Agreement entered into with Mitsubishi Corporation and an affiliate of PT Pertamina (Persero) to establish the project company, PT. Donggi-Senoro LNG;
 - the Gas Sales Agreement for the supply of 250 mmscfd of feedstock gas to PT. Donggi-Senoro LNG from the Senoro-Toili production sharing contract; and
 - the LNG HOAs and SPAs with Chubu Electric, Kyushu Electric and Korea Gas Corporation.*
- **BG International Limited** in connection with Egypt LNG, a US\$900 million LNG export project in Idku, Egypt, including advising on the terms of the concession agreements with EGPC, domestic gas sales agreements, and LNG sale and purchase agreements.*
- **BG International Limited** on the development of the Tangguh LNG project in Papua, Indonesia including:
 - the joint venture agreement and unitisation agreement between the partners in three production sharing contracts to provide for the unitisation of 14.4 trillion cubic feet of proved reserves and the development of the Tangguh LNG project; and
 - the terms of the Fujian LNG Sale and Purchase Agreement between the participants in the Tangguh LNG Project, BPMIGAS and Chinese National Offshore Oil Corporation (CNOOC) and the Fujian Investment Development Corporation, and LNG Sale and Purchase Agreements with SK Power Limited and POSCO in South Korea.*
- **Korea Gas Corporation** in respect of an equity investment and LNG offtake arrangements in respect of a proposed LNG project in Bayelsa State, Nigeria.
- **The East Kalimantan Producers** and **PT Pertamina (Persero)** on the replacement of the trustee, and amendment of the financing agreements, for various trustee borrower financings of the Bontang LNG Plant, Indonesia.*
- **LNG Japan Corporation** on the development and financing of the Tangguh LNG project.*

Oil & Gas

- **Murphy Oil Corporation** in connection with its negotiations with PetroVietnam and PVEP on the Block 144 and 145 and Block 11/2-11 production sharing contracts in Vietnam and a production sharing contract in Equatorial Guinea.*

- **Talisman Energy Inc.** in connection with the unitisation of oil fields in Malaysia and Vietnam, various joint bidding and study agreements and joint operating agreements in Indonesia, and the acquisition of an interest in the Block 133 and 134 PSC in Vietnam.*
- **Mitra Energy Limited** in connection with a farmout of a 75% participating interest in Service Contract No. 56 in the Philippines to Total E&P Philippine B.V.*
- **PT Medco Energi Internasional Tbk.** in connection with the acquisition of a 21.25% participating interest in Block 9 Yemen from Reliance Exploration & Production DMCC for a consideration of US\$90 million and its operations in the Area 47 Exploration and Production Sharing Agreement in Libya.*
- **ExxonMobil** in connection with certain of its operations in Malaysia.*
- **PT Medco Energi Internasional Tbk.** in connection with the sale of a 20% interest in the Senoro-Toili PSC in Indonesia to Mitsubishi Corporation for a consideration of US\$260 million.*
- **A bidder** on its due diligence and bid to acquire ExxonMobil's interests in the Block B and NSO Block PSCs in Aceh, Indonesia.*
- **Murphy Oil Corporation** in connection with the first exercise by PT. Pertamina (Persero) of its right to back-in to a 15% Participating Interest in connection with the Semai II PSC located offshore Papua, Indonesia.*
- **PT Medco Energi Internasional Tbk.** in connection with the Area 47 Exploration and Production Sharing Agreement (EPSA) in Libya.*
- **PT Medco Energi Internasional Tbk.** on an exploration joint venture agreement with Anadarko Petroleum Corporation in relation to 13 production sharing contracts located in Indonesia.*
- **Salamander Energy plc** in connection with a proposed farm-in to two production sharing contracts in Indonesia, and its bid and participation in the South East Sangatta PSC, East Kalimantan.*

Power

- **PT Medco Energi Internasional Tbk.** on the development of the US\$1.5 billion 330MW Sarulla geothermal power project, Indonesia.*
- **The Bechtel Group, Inc.** and **Royal Dutch/Shell** on the sale of the shares of InterGen N.V. to AIG and the Ontario Teachers' Pension Plan Board for US\$1.75 billion.*
- An affiliate of **Tenaga Nasional Berhad** in connection with the development of a 2,000MW coal-fired power station in Malaysia.*

**Indicates experience gained prior to joining Gibson Dunn.*

Accolades

Mr. Roach is consistently recognized as a leading lawyer in his fields of practice. Recent awards include:

- *Chambers & Partners Global: Projects & Energy (International Firms): Indonesia and Singapore – Band 1 (2008-2013);*
- *Chambers Global: Leaders in Their Field (Corporate/M&A, Projects and Energy) (2012-2013);*
- *The International Who's Who of Oil and Gas Lawyers (2007-2013);*
- *The International Who's Who of Project Finance Lawyers (2008-2011);*
- *Legal Media Group's Guide to the World's Leading Energy & Natural Resources Lawyers (2005-2013);*
- *Legal Media Group's Guide to the World's Leading Project Finance Lawyers (2008-2011); and*
- *Asia Pacific Legal 500: Leading Individual (Projects and Energy) (2006-2012), Tier 1 (2012).*

<p>BUN Youdy, LL.M., MSIArb</p> <p>T: +855 (0) 12 817 817</p> <p>E: bun@bun-associates.com</p> <p>Bun & Associates 29 St. 294, P.O. Box 2326 Phnom Penh, Cambodia</p>	
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Practice Areas: Managing Partner, Practice Leader of the Corporate, Banking & Finance and Commercial Litigation practices. Particular expertise in investment and market entry, complex financing and business licensing, as well as business expansion and acquisition, especially for international companies. Work includes representing large manufacturers with their multi-million dollar investment projects, establishing the first electronic large-scale mass-production facility worth USD 65 million, assisting Cambodia's largest conglomerates in the acquisition of a large brewery plant worth USD 60 million, and advising a foreign fund in a transaction for the partial debt assignment of the largest loan ever granted in the telecommunications sector.

Professional Memberships: Member and Former Secretary-General of the Bar Association of the Kingdom of Cambodia. Commercial arbitrator for Cambodian National Arbitration Center. Member of the Singapore Institute of Arbitrators. Executive Board Member of the Cambodian National Arbitration Center.

Publications: The Banking Regulation Review (Law Business Research, 3rd & 4th Editions, 2012-2013). Cambodia Country Guides: Securities and Banking (Accelus, Thomson Reuters, 2011). Cambodia Country Guides: Anti-Money Laundering (Accelus, Thomson Reuters, 2010).

Personal: Attended University of Michigan (USA), University of Lyon 3 (France), Royal University of Law and Economics (Cambodia).

Language Proficiency: Fluent in Khmer (Cambodian), English, French.

Frederick R. Burke

Mr. Fred Burke is the Managing Partner of Baker & McKenzie in Vietnam. Recognised as one of Vietnam's most prominent lawyers, Mr. Burke has extensive experience in International Trade, WTO and Customs, M&A, Foreign Investment & Securities, Banking & Finance, International Employment, Real Estate, Construction/Projects, Taxation and Dispute Resolution.

Having served in the Firm's offices in New York, Shanghai and Hong Kong, Mr. Burke came to Vietnam in 1991, where he became the first American to study at the University of Ho Chi Minh City after 1975. He helped found the American Chamber of Commerce in Vietnam, has served as Chairman and Board member of its Ho Chi Minh City chapter for many years. He serves on the Prime Minister's Advisory Council on Administrative Reform, he co-chairs the Manufacturing & Distribution Working Group of the Vietnam Business Forum, and he was recognized by the Ministry of Justice in 2003 for his "Many active contributions in the field of International Law."

Among his many other publications, Mr. Burke is the co-author of the *Bloomberg/BNA Business Operations Portfolio for Vietnam* (2013), the author of the *Guide to Vietnam Banking & Finance Law* (2000), and the editor of the *Indochina Law Quarterly* (since 1991).

Mr. Burke is a graduate of Stanford University (B.A., with honors, 1981) and Columbia University's School of Law and School of International Affairs (M.I.P.A., 1986, J.D., 1987), and is admitted to the Bar in New York and Washington, D.C. He speaks English, Mandarin and Vietnamese.

ADVISER PROFILE



NAME: JÉRÔME BUZENET

POSITION: Partner; Managing Director, Vietnam;
Head of Regional M&A Practice Group

LOCATION: Ho Chi Minh City, Vietnam

EXPERIENCE: over 10 years

NATIONALITY: French

CURRICULUM VITAE

Membership in Professional Societies:

Registered lawyer with Vietnam's Ministry of Justice
 European Chamber of Commerce in Vietnam (EuroCham)
 Australian Chamber of Commerce in Vietnam (AusCham)
 Canadian Chamber of Commerce in Vietnam (CanCham)
 American Chamber of Commerce in Vietnam (AmCham)
 French Chamber of Commerce in Vietnam (CCIFV)
 Editorial Board of the International Financial Regulation Review (IFIN)

Key Qualifications:

Jérôme qualified as a French Lawyer (Avocat) and studied at Oxford University (St Peter's College LL.M program in English law). Prior to that, he obtained a postgraduate Master's Degree in Business and Tax Law at La Sorbonne-Paris I. Before joining the firm Jérôme was with Freshfields Bruckhaus Deringer LLP in Hanoi for over six years. He started his career at internationally renowned CMS Bureau Francis Lefebvre and then worked as a business lawyer for Linklaters LLP in Paris, where he advised on a variety of corporate issues, offshore funds and other collective investment schemes. Jérôme is amongst the very few lawyers with an active Vietnam securities practice and he is recognized as a leading practitioner by each of Chambers, Asia Pacific Legal 500 and IFLR 1000.

Education:

- 2000-2001—One-year LL.M program, Law (University of Oxford)
- 1999—Avocat practicing certificate (CAPA), Paris Bar School
- 1998—Master's Degree (DESS in International Business and Tax Law, Université Panthéon Sorbonne - Paris I)

Employment Record:

- **DFDL, Hanoi, Vietnam** (Jan 2012 – Present)
Partner; Managing Director – Vietnam; Head of Regional M&A Practice Group
 Areas of practice include M&A, capital markets and investment funds work.

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- **FRESHFIELDS BUCKHAUS DERINGER LLP**, Hanoi, Vietnam (2005 – 2011)
Counsel, Head of Vietnam Capital Markets practice
 Areas of practice included leading capital markets practice for Vietnam and advice to a number of leading international financial institutions. Jérôme's experience included various high-profile public company M&A transactions and major securities/capital markets and investment fund matters.
- **LINKLATERS LLP**, Paris, France (2001 – 2003)
Lawyer
 International Tax Law Department
 Areas of practice included M&A, capital markets and investment funds work.
- **CMS BUREAU FRANCIS LEFEBVRE**, Neuilly-sur-Seine, France (1998 – 2000)
Lawyer
 Direct Taxes Department

Details of Major Projects Undertaken:

Focus on various sectors

M&A AND PE EXPERIENCE

Mekong Brahmaputra Clean Development Fund LP on its investment in a Vietnamese hydro power company in Vietnam

Mizuho on its 15% equity investment in **Vietcombank**

Australia and New Zealand Banking Group Limited (ANZ) in relation to (i) acquisition by ANZ of RBS's business in Vietnam; (ii) an acquisition of a 10% strategic interest in Saigon Securities Incorporation (**SSI**); (iii) the follow on acquisition in SSI to 17%; and (iv) most recently, its proposed sale of its stake in Sacombank

Avenue Capital on various of its proposed investment in various Vietnamese companies

Dai-ichi Mutual Life Insurance Company on the acquisition of 100% of Bao Minh CMG Life Insurance Company Limited

Texas Pacific Group (TPG) and **Intel Capital** in relation to an acquisition as strategic partners of an interest in **FPT Corporation**, a major IT, telecom and distribution group

Ciments Français on its proposed acquisition of a controlling interest in a cement company in Vietnam

Texas Pacific Group (TPG) on its proposed acquisition in **Masan** and other high-profile target companies in Vietnam

Morgan Stanley in relation to its acquisition of Vietnam Gateway Securities to form **Morgan Stanley Gateway Securities**

Vietnam Oman Investment Fund on its proposed acquisition in a major food company in Vietnam

Heidelberg Cement Group on the proposed acquisition of a controlling interest in a cement company in Vietnam

GPM Coal Investment Ltd in relation to its acquisition of Amigo Mineral JSC, a Vietnamese mining company

PepsiCo on its proposed purchase of 100% of a soft drinks company

Deutsche Bank in relation to various proprietary investments in Vietnam

A number of investors on various proposed **private-to-public and public-to-private takeovers**

Société Générale in relation to the acquisition of a strategic interest in South East Asia Bank (**SeABank**)

Colas on its acquisition of bitumen assets from **Total Vietnam**

Focus on various sectors

Acuatico Pte Ltd. (a water-focused asset manager invested by the **Avenue Capital group**) in relation to its purchase of substantial minority interests in two water production and distribution subsidiaries of Vietnam Construction and Import-Export Joint Stock Corporation (**Vinaconex**), a major former SOE construction company

Citibank, N.A. in relation to its minority equity interest acquisition in **Horizon Capital Securities**

Various institutional investors on their **auction process run exits** of their controlling and minority investments in Vietnamese companies

CAPITAL MARKETS/SECURITIES EXPERIENCE

Numerous offshore institutional investors including **Morgan Stanley**, Nomura, **Deutsche Bank**, **Citibank**, **HSBC**, **Barclays Capital**, **JP Morgan** and various **hedge funds**, on their investments in the Vietnamese stock markets including **pre-IPO** and **IPO-stage investments** in the form of **equity**, **structured equity-related instruments** and **bonds**

Investment banks and **offshore investment funds** on their Vietnam investment-related **securities and derivative dealings**

Proprietary investors and **asset managers** of offshore investment funds on **distribution and listing issues**

Various offshore institutional investors including **investment managers** and **investment banks** on the feasibility of **offshore listings** of Vietnamese companies

Institutional investors on their **auction process run exits** of their controlling and minority investments in Vietnamese companies

A number of investors on **private-to-public and public-to-private takeovers**

INVESTMENT FUNDS EXPERIENCE

A **major foreign invested fund management company** in Vietnam on the proposed establishment and fund raising in Vietnam of two open-ended investment funds under new and untested securities regulations (ongoing)

Mekong Capital in respect of offshore securities compliance matters

Dragon capital's Mekong Brahmaputra Clean Development Fund LP on its investment in a Vietnamese hydro power company in Vietnam, the fund's first investment in Vietnam

BIDV-Vietnam Partners Investment Management (BVIM) on the establishment of the **Vietnam Investment Fund** (the largest domestic Vietnam fund by the time of its establishment) and the launch of a new fund, and prior to that on the establishment of **BVIM** itself between **BIDV** and **Vietnam Partners**

BIDV-Vietnam Partners Investment Management (BVIM) on the establishment of its offshore investment fund (**VIF2**) and thereafter the reorganisation of **VIF2**

Prudential in relation to the reorganisation of its fund management structures in Asia

Mekong Capital in respect of the reorganisation of its operations offshore and in Vietnam

The Board of Mekong Capital's **Vietnam Azalea Fund** on investors-related matters

Horizon Capital and **Bridger Management LLC** on the establishment of an onshore advisory structure and an offshore private equity management structure for investment into Vietnam

NederlandseFinancierings-Maatschappij voor Ontwikkelingslanden N.V. (FMO), on the acquisition of a stake of **Vietnam Growth Investment Fund**, a local investment fund managed by the local joint venture asset management company of **Dragon Capital**

Vietnam Pioneer Partners in relation to the proposed establishment of an offshore Vietnam-focused investment fund

Vietnam Holding Asset Management on Vietnam regulatory matters and fund raising issues

Focus on various sectors

Dragon Capital on numerous fund-related matters including most recently the establishment of the **Mekong Brahmaputra Clean Development Fund LP**

FINANCIAL INSTITUTIONS EXPERIENCE

Securities companies: the investment of **ANZ**, **Morgan Stanley** and **Citibank** in respectively the following Vietnamese securities companies: **SSI**, **Vietnam Gateway Securities** and **Horizon Capital Securities**, and other foreign investments in less visible securities companies. The proposed establishment of a local presence in Vietnam by various offshore investment banking groups

Insurance companies: the acquisition by **Dai-ichi** of the joint venture insurance company Bao Minh CMG, the management of the equity holding of **HSBC** in Bao Viet Insurance, and the transfer of an equity investment between two Japanese investors in a joint venture insurance company in Vietnam

Asset management companies: the establishment of **BIDV Vietnam Partners Fund Management Company** (the first 50/50 joint venture fund management company in Vietnam), **Prudential's** reorganization of its fund management structures in Asia, the structuring of the presence in Vietnam of numerous offshore asset managers, the restructuring of **Mekong Capital's** onshore and offshore management structures. The proposed establishment of a local presence in Vietnam by various offshore asset management groups, and the US securities compliance matters for **Mekong Capital**

Banks: the equity holding of **HSBC** in **Techcombank** and **Jardines** in Asia Commercial Bank (**ACB**), the investment and divestment of **IFC** in Asia Commercial Bank (**ACB**) and **Sacombank**, the restructuring and divestment of **ANZ** equity holding in **Sacombank**, the investment of **Société Générale** in SeABank, the restructuring of **Deutsche Bank's** investment in **Habubank**, and the acquisition by **Mizuho** of 15% in **Vietcombank**, and various proposed investment by major international banks in Vietnamese banks. The proposed establishment of a local banking presence in Vietnam by various offshore banking groups

Finance companies: the establishment of **Société Générale's** finance company in Vietnam (VietFinance), the restructuring of **Prudential's** finance company in Vietnam, the restructuring of **ANZ's** investment in ANZ V-Trac Leasing Co, and the proposed establishment in Vietnam of various foreign insurance companies

Regulatory: regulatory and compliance advice to numerous offshore and foreign-invested **financial institutions** on all aspects of their activities in Vietnam

REORGANIZATIONS/RESTRUCTURINGS EXPERIENCE

Colas on the reorganization of its operations in Vietnam

BIDV–Vietnam Partners Investment Management (BVIM) on the reorganization of its offshore investment fund (**VIF2**)

Prudential in relation to the reorganization of its fund management structures in Asia

Mekong Capital on the restructuring of onshore and offshore management structures

Morgan Stanley on the integration and management of its investment in its Vietnam securities company joint venture (**Morgan Stanley Gateway Securities**)

ANZ on the restructuring of its investment in **ANZ V-Trac Leasing Co.**

Prudential on the restructuring of its finance company in Vietnam

Contributions:

Jérôme is recommended as a leading lawyer in Vietnam by Chambers, Legal 500 and IFLR 1000. He frequently presents at conferences in Vietnam and elsewhere in Asia on matters related to the Vietnamese capital markets and M&A. Jérôme is also a member of the legal committee of the European Chamber of Commerce in Vietnam (EUROCHAM) as well as a contributor of the Capital Markets working group of the Vietnam Business Forum (consultative group, sponsored by the World Bank and the IFC, promoting reforms to the Vietnamese governmental authorities). He also sits on the Editorial Board of the International Financial Regulation Review (IFIN).

Recognition:

Jérôme Buzenet is a "recommended lawyer" (Legal 500 Asia Pacific 2013), and described as a "very strong negotiator" and is praised for his in-depth knowledge of regulations (Chambers Asia 2012).

"Jérôme Buzenet [, who] is 'smart, organised and provides quick turnaround'" (Asia Pacific Legal 500 2012, Vietnam, Banking and Finance, Corporate and M&A) "Jérôme Buzenet provides 'good knowledge and practical advice on securities and stock exchange matters'" (Asia Pacific Legal 500 2012, Vietnam, Capital Markets)

Languages:

	Speaking	Reading	Writing
FRENCH	Excellent	Excellent	Excellent
ENGLISH	Excellent	Excellent	Excellent
ITALIAN	Fair	Fair	Basic
VIETNAMESE	Basic	Basic	Basic

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Luca Castellani

Mr Castellani is currently the Head of UNCITRAL's Regional Centre for Asia and the Pacific (RCAP), based at Incheon in the Republic of Korea, where he has been active in promoting the adoption of uniform trade law texts throughout the Asia-Pacific region. He has been a legal officer in the UNCITRAL Secretariat since 2004, where he has had particular involvement with Working Group IV (Electronic Commerce) and with the promotion of the adoption and uniform interpretation of UNCITRAL texts relating to sale of goods and electronic commerce. After graduating in law in the University of Torino, he received a doctoral degree in comparative law from the University of Trieste and a Master in International Law from New York University. He has published in the fields of international trade law and comparative law, dealing, in particular, with sale of goods, electronic commerce and trade law reform in developing countries.

Timothy D. Castle (Co-Chair)

Mr. Castle has practiced law in Sydney, Australia for 27 years principally in commercial litigation as a barrister and solicitor. He has also served as a Senior Executive at the Australian Securities and Investments Commission and a range of other public service, law firm and corporate counsel roles. He is also Chapter Secretary of the Australian Chapter of the NYSBA International Section, has represented NYSBA at a meeting of the CISG Advisory Council in Wellington New Zealand in 2012 and has recently provided a report to UNCITRAL's Regional Centre for Asia and the Pacific in relation to strategic initiatives that could be undertaken by Australia to assist UNCITRAL in South East Asia and South Pacific.

Michelle Chen

Michelle Chen's practice focuses on structured finance, in particular project finance and pre-export finance in the energy sector. She has two decades of notable experience, having worked on more than 20 project finance transactions worldwide, and several significant pre-export finance transactions exceeding US\$25 billion in aggregate.

Prior to joining Jones Day in 2012, Michelle advised China Development Bank Corporation on numerous transactions, such as its US\$900 million loan to a Korean company in relation to a project in Myanmar that will supply more than seven percent of China's future gas needs and its US\$8 billion pre-export financing with Venezuela. She also has advised the Asian Development Bank for more than 10 years, including on the first transmission project financing in India. Michelle regularly advised Tata Communications, including on its US\$108 million credit agreement with The Royal Bank of Scotland, guaranteed by USEXIM, relating to the construction of its submarine cable system linking India, Oman, the United Arab Emirates, Qatar, Bahrain, and Saudi Arabia.

Michelle has received numerous accolades from leading legal directories and has been praised for her good negotiating skills and technical knowledge.

Dr. Rudolf F. Cölle

Present Position: Owner, Law Office Dr. Cölle

Office: Frankfurt, Germany (D-60323 Frankfurt, Oberlindau 15)

Profession: Rechtsanwalt (attorney-at-law), Licensed Foreign Legal Consultant
(New York, N.Y.)

Languages: German, English

Practice Area: Corporate and M&A

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www.coelle.com

Experience:

German and international M&A and corporate transactions. Areas of practice include mergers and acquisitions, joint ventures, cooperations, corporate governance and general corporate advice, including transactions related to general labour law and co-determination law. Reference matters include:

- Advising Dow Chemical on the restructuring of its German and European operations
- Advising Kali + Salz on the acquisition of Compo's Münster-based manufacturer of fertilizer
- Advising Akzo Nobel on the acquisition and restructuring of a specialty pharmaceutical business
- Advising a privately owned telecom company in its M&A activities (1998 - 2003)
- Advising a Japanese multinational in its acquisition plan for privately owned German companies (2006 – 2008)
- Advising Australian companies and investors on their European projects (2007 until today)

- Advising a Dutch investor and his companies on his investments in Germany (2008 until today)
- Advising a private owner in the sale of its media business to a Dutch multinational (2006, 2007)
- Advising a private investor in its acquisition plans for a financial institution (2008-2011)
- Senior European Counsel to a Korean multinational (2008 until today)
- Advising East European companies on German projects (2009 until today)

Education:

1968	II. Juristisches Staatsexamen (Second Legal State Examination)
1968	University of Cologne, Dr. jur. (legal thesis)
1964 – 1968	Referendariat (legal traineeship), Cologne and Berlin
1964	I. Juristisches Staatsexamen (First Legal State Examination)
1960 – 1964	Universities of Cologne, Geneva and Münster, Law Studies

Career to Date:

2007 – to date	Owner, Law Office Dr. Cölle, Frankfurt
2006 – 2007	Partner, Dewey Ballantine, Frankfurt
2001 – 2004	German Senior Partner, Linklaters Oppenhoff & Rädler, Frankfurt
1974 – 2005	Partner, Linklaters Oppenhoff & Rädler and predecessor firms in the Cologne, Berlin and Frankfurt offices
1988 - 1991	Resident Partner, New York Office
1972 – 1973	Rechtsanwalt, Boden Oppenhoff & Schneider, Cologne
1970 – 1972	Rechtsanwalt, Mueller Weitzel Weisner, Frankfurt
1969 – 1970	Foreign Associate, Cravath Swaine & Moore, New York, N.Y.

Professional and other Offices:

1994 – to date	Chair (Co-Chair), New York State Bar Associations, Frankfurt Chapter
1991 – 1997	Officer, subsequently Chairman of Committee P (Employment and Industrial Relations) of the International Bar Association

- 1990 – 1996 Member of the Advisory Board of Glyco KG (subsidiary of Federal-Mogul)
- 1990 – 1991 Board Member, German American Chamber of Commerce in New York, N.Y.
- 2004 – to date Member of the Kuratorium of Kronberg Academy Foundation and former Board Member of the Kuratorium of Young German Philharmonic, Frankfurt

August, 2013

FRANCIS G. CONRAD

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EXPERIENCE

- 2002 – Present **Business Strategy Advisors of Vermont (BSA)**
Principal in this multi-disciplinary practice firm that provides strategic services to lawyers, accountants, courts, foreign governments, startup and troubled companies, including CRO and Director Services. Bankruptcy, debtor/ creditor representation, asbestos and commercial arbitration, mediation and trust representation, and multinational case representation, restructuring and turnarounds.
- 2002 – Present **Jager Smith PC, Boston, MA, of counsel.** International representation in Insolvency and arbitration.
- 2009 – Present **Bederson and Company, LLP, Certified Public Accountants**
Partner in the Insolvency Practice providing restructuring and financial advisor and expert testimony services.
- 2005 – 2009 **Weiser LLP,**
Partner in the bankruptcy restructuring group providing debtor and creditor financial advisor representation.
- 1999 - Present **Professor, St. John's University law school** in the LLM program in bankruptcy.
- 1999 - 2002 **Director - PricewaterhouseCoopers, LLP, Business Regeneration Group**
Performed bankruptcy consulting services, risk management, and educational programs to staff and Served as the U.S. liaison for cross-border bankruptcies.
- 1985 - 1999 **United States Bankruptcy Judge for the District of Vermont**
Bankruptcy Appellate Panel Judge (1996-1999). Served in the Southern and Eastern Districts of New York, 1988-1999.
Extensive work overseas facilitating the privatisation and modernization of economies and drafting and revising debtor-creditor/insolvency laws including Albania, Bulgaria, China, Croatia, Lithuania, Philippines, Romania, Russia, Thailand, and Ukraine. Continued this work with PwC and BSA.
- 1967 - Present **Law School and College Professor**
Full-time (1973-1982) and adjunct faculty at several colleges and universities in New York and New England. Specifically teaching finance, accounting, business law, management and ethics.
- 1978 - 1985 **Attorney at Law**
Partner, Law Offices of Dick, Hackel & Hull, Rutland, Vermont. (1979-1985).
Practice areas included taxation; commercial acquisitions; sales; malpractice defense and bankruptcy. Deputy County Attorney and Public Defender for Putnam County, New York (1978-1979).
- 1970 - 1985 **Certified Public Accountant**
Senior Accountant, Peat, Marwick, Mitchell & Co. (KMPG) (1970-1974).
Self Employed (1974-1985). Practice areas included federal taxation of Americans overseas; not for profits; restructurings; and small business organisations.
Tax Editor for Research Institute of America.
Chairperson of Vermont State Board of Accountancy (1980-1988).
- 1968 - 1970 **United States Army**

EDUCATION

- 1977 **Fordham Law School - J.D.**
- 1972 **John G. Hagan Graduate School of Business - M.B.A., financial management**
- 1967 **Manhattan College - B.B.A., accounting and economics**
- 2009 **Pursuing LLM in Taxation at Washington Institute for Graduate studies.**

PROFESSIONAL CERTIFICATIONS AND ASSOCIATIONS

- 1970-Present Member of Bar: New York, Massachusetts, Vermont, Supreme Court of the United States, several Federal Courts, Tax Court and the 2nd Circuit Court of Appeals.
Certified Public Accountant; Certified Insolvency and Restructuring Adviser, Certified Turnaround Professional (awaiting certification), and Certified Fraud Examiner.
Significant professional activity and Chairmanships in several professional organizations.
Significant professional speaking engagements and publications

OTHER RELEVANT EXPERIENCE

Labor Negotiator (1973-1982).
CEO of dot.com startup (1999-2002).
Prefect (full time) for emotionally disturbed and criminally involved juveniles (1963-1967) (1970).
Teacher in the Vermont Prison School (1997- 98).
Fire fighter; Emergency Medical Technician; Fire and EMT Instructor (1970 - present).
Published Poet.

Giles T. Cooper, Partner (Email: gtcooper@duanemorris.com)

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Saigon Tower
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Giles Cooper is branch director for Duane Morris' Ho Chi Minh City office. Giles practices in the area of corporate, commercial law with a focus on international law in South East Asia. Giles has over a decade's experience helping foreign investors in Vietnam particularly with major projects and construction, mergers and acquisitions, securities, contract negotiation, banking and finance, and employment law matters.

Giles is a graduate of Victoria University in Wellington, New Zealand, and the University of Canterbury in Christchurch, New Zealand. He is a barrister and solicitor of the High Court of New Zealand and a registered foreign lawyer in Vietnam. Giles is a board member of the Australian Chamber of Commerce in Hanoi.

Areas of Practice

- International commercial and corporate law
- Major projects and construction law
- Energy law
- Mergers and acquisitions
- Labor law

Professional Activities

- Member of New York Bar Association
- Member of New Zealand Law Society
- Executive Board member of Australian Chamber of Commerce, Hanoi, Vietnam
- Member of American Chamber of Commerce, Hanoi, Vietnam
- Member of European Chamber of Commerce, Hanoi, Vietnam

Admissions

- New Zealand
- Vietnam (Registered Foreign Attorney)

Experience

- Duane Morris LLP
 - Partner, 2009-present
 - Special Counsel, 2007-2008
- Baker & McKenzie
 - Associate, 2000-2007
- Rudd Watts and Stone (now Minters Ellison)
 - 1998-1999

Denny Cowger, Special Counsel

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Denny Cowger is a special counsel at Duane Morris's Ho Chi Minh City office. Mr. Cowger practices in the area of corporate and commercial law, focusing on foreign investment into Vietnam. Since coming to Vietnam in 2008, the majority of Mr. Cowger's practice has related to energy, mergers and acquisitions, banking, and employment matters.

Mr. Cowger is a 2001 law graduate of the University of Cincinnati and is licensed to practice law in the District of Columbia and the State of Hawaii in the United States of America. He is also registered as a foreign lawyer in Vietnam. In addition to his native English, Mr. Cowger has advanced Danish, Chinese (Cantonese and Mandarin) and Japanese skills and is conversational in several other European and Asian languages.

Areas of Practice

- International Commercial and Corporate Law
- Energy Law
- Labor Law

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Lawrence A. Darby, III is the principal counsel of the Law Offices of Lawrence A. Darby, III, and also Senior Advisor at Peridot Asia Advisors, LLC.

In his legal practice, Larry Darby is principally engaged in advising clients in international securities, banking and mergers and acquisitions law matters. He has represented many industrial and natural resources companies and large financial institutions and private equity financial sponsors in establishing operations and the purchase and sale of businesses in the United States and overseas. As part of his mergers and acquisitions practice, he advises on compliance with foreign corrupt practices and national security law compliance matters. He has advised global companies in listing both equity and debt securities in the United States and other global capital markets and has assisted many technology and emerging growth companies in venture capital financings and public offerings in the United States. He has also advised both financiers and project sponsors on project finance transactions, including the financing of power plants, mining operations, pipelines, transportation equipment and environmental facilities. In addition, he has assisted clients in restructurings of several large financial institutions, and he regularly advises broker-dealers and private equity and hedge funds on federal securities and derivatives regulation.

Peridot Asia Advisors is a strategic transactions advisory firm Larry founded with his wife, Mary Wadsworth Darby. Peridot advises clients seeking to make acquisitions or investments, find partners for strategic alliances or raise capital in cross-border transactions involving the Asia-Pacific region, mainly China. The firm advises clients on market-opening and market-expansion strategies and assists clients in conducting due diligence and negotiating dispute resolution. Peridot's clients include Fortune 100 companies headquartered in the US, Europe and the Middle East, private equity and hedge funds interested in investing in China and emerging growth companies in Asia seeking to globalize their operations.

Larry has written for various legal publications on the regulation of financial derivatives and capital adequacy regulation of financial institutions, and he lectures at bar association conferences and similar forums on various legal topics. He is currently Chair of the Committee on the Asia-Pacific Region of the New York State Bar Association

International Section and a member of the Executive Committee of the Business Law Section where he represents the Derivatives and Structured Finance Committee.

For many years he was a partner in the law firm Kaye Scholer LLP and was resident in that firm's Hong Kong and New York City offices. Before that, he was a founding partner of the law firm Howard, Darby & Levin, with offices in New York City and Melbourne, Australia. He also practiced with Sullivan & Cromwell in New York City. He has an A.B. degree from Harvard College, an M.B.A. from Harvard Graduate School of Business Administration and a J.D. degree from Tulane University School of Law.

Joseph William Davids is *of counsel* with the Studio Legale Ghia in Rome, Italy where his practice focuses on cross-border transactions, trademark protection, consultations regarding applicable law and jurisdiction, and advisory work for sovereign entities. He also won a fellowship at Università, La Sapienza where he conducts research in international criminal law focusing on state jurisdiction. He previously taught a course on international law at the Phoenix School of Law in Phoenix, Arizona and has published articles on international criminal law issues.

Joseph earned his LL.M. from the Universiteit van Amsterdam in International and European Law where he studied the structure of the international legal order and particular areas of law such as human rights and international criminal law. During his post-graduate studies he worked with a team to draft a report on Economic, Social and Cultural Rights in the post-colonial context. The report outlined the evolution of state human rights obligations ranging from the 1950's to the present.

After obtaining his LL.M. he worked for Trial Chamber I at the International Criminal Tribunal for the Former Yugoslavia as an intern/law clerk where he served as a full member of the Chamber's staff responsible for drafting legal decisions, portions of the Chamber's Judgment and communicating with the Clerk's Office and the parties. He was responsible for giving one-on-one briefings to the Judges on issues before the Chamber and presenting draft decisions for their approval and signature.

Joseph earned his J.D. from the Benjamin N. Cardozo School of Law with a concentration in International Law. He is admitted to practice in New York State and Arizona in the United States of America.

Jose Ignacio De Santiago.

Profile.

Mr. De Santiago is the founding partner and director of the De Santiago Firm in Mexico City as of 2013, handling mostly intellectual property matters including patents, trademarks, copyrights and related litigation as well as administrative law. Prior to founding his own firm, Mr. De Santiago was a partner with the Mexican firm Olivares & Cia for 17 years. He was formerly Deputy Legal Director with the Mexican Financial Group Bital (thereafter HSBC) and prior he was an in-house with Grupo Zapata, one of the leading companies in the bottling and canning industry in Mexico.

He graduated from the Universidad Iberoamericana in 1990, holding a J.D. degree, and has completed several postgraduate diplomas from Universities in Mexico, Spain and the United States. Mr. De Santiago is currently preparing a paper to obtain a PhD from Universidad Panamericana. He has participated in the negotiation workshop program at Harvard University and received a diploma in Industrial and Intellectual Property Law at Universidad Panamericana, among others.

Mr. De Santiago has published a number of articles and reports. Has lectured at several conferences and was part of the Board of the Asociación Mexicana para la Protección de la Propiedad Intelectual (AMPPI) – branch of the AIPPI in Mexico - as Vice-president from 2008 to 2010. He is also member of the International Trademark Association (INTA), American Industrial Property Legal Association (AIPLA) and the Association Internationale pour la Protection de la Propriété Intellectuelle (AIPPI).

Mr. De Santiago has received a personal recommendation from the Guide to the World's Leading Trademark Experts and Latin Lawyer.

Publications:

"Taxing Franchise Agreements in Mexico", revista Managing Intellectual Property, Euromoney Publications PLC, Reino Unido, Octubre de 1998.

"Amparo Suits in Mexico", revista Managing Intellectual Property, Euromoney Publications PLC, Reino Unido, Marzo del 2000.

"Damages Recovery In "Cybersquatting" Cases In Mexico", revista International Internet Law Review, Euromoney Publications PLC, Reino Unido, Septiembre del 2000. (En coautoría con Lic. Juan Carlos Villaseñor Díez).

"How to succeed in appealing an IMPI decision" revista Managing Intellectual Property, 2001 Litigation Yearbook, Euromoney Publications PLC, Reino Unido, Noviembre 2001.

"Patentability of Business Methods in Mexico" International Law Practicum, International Law & Practice Section/New York State Bar Association, Estados Unidos de América, Vol. 14, number 2, (Fall Meeting 2001).

"When you can test unexpired patents" revista Managing Intellectual Property, Euromoney Publications PLC, Reino Unido, Abril 2002.

"Problems of reclassification." revista Managing Intellectual Property, Euromoney Publications PLC, Reino Unido, Febrero 2004. (En coautoría con Lic. Juan Carlos Villaseñor Diez).

"Passing on good advice" Revista The World Intellectual Property Review 2007, Newton Media Limited, Reino Unido, 2007

"Anticounterfeiting issues in Mexico" Revista World Trademark Review Global Guide to Anti-Counterfeiting, World Trademark Review, Reino Unido, Marzo 2008.

"Patent Prosecution Highway in Mexico" Managing Intellectual Property, Euromoney Publications PLC, Reino Unido, Junio 2011.

Lectures.

"General aspects of Trademarks in Mexico", Case Western Reserve University, Cleveland, Ohio, E.U.A., 27 de octubre de 2000.

"Overview of the "Amparo" Claim in Mexico", The Ohio Hispanic Bar Association – The Cuyahoga County Bar Association – The Cleveland Bar Association, Marshall College of Law, Cleveland, Ohio, E.U.A., 28 de octubre 2000.

"Overview of Trademark Litigation in Mexico", The Ohio Hispanic Bar Association – The Cuyahoga County Bar Association – The Cleveland Bar Association, Marshall College of Law, Cleveland, Ohio, E.U.A., 28 de octubre 2000.

"Patenting Business Methods in Mexico", International Chapter New York State Bar Association, Hotel Copacabana Palace, Río de Janeiro, Brasil, 6 de octubre, 2001

"Procedimientos Contencioso-Administrativos en Materia de Propiedad Industrial", Especialidad de Derecho Intelectual, Ilustre y Nacional Colegio de Abogados de México, Ciudad de México, México, 2002 a 2010.

"Casos prácticos sobre infracción de Marcas", Universidad Iberoamericana, Departamento de Comunicación, Ciudad de México, México, Marzo 11, 2003.

“Evolución del Rol del Agente de Marcas ante los Regímenes Comunitarios.”

Asociación Argentina de Agentes de la Propiedad Industrial (AAAPI), Hotel Marriott Plaza, Buenos Aires, Argentina, 1 de septiembre, 2003.

“Outlook for the adoption of the Madrid System by Latin American countries”,

International Chapter New York State Bar Association, Hotel Ritz, Santiago, Chile, 8 de octubre, 2004.

“Anticounterfeiting in Mexico”, International Trademark Association,

Anticounterfeiting Forum, Hotel Fairmont, Washington, D.C., E.U.A., 8 de febrero de 2005.

“Marco Jurídico Nacional en materia de Propiedad Intelectual”, Universidad Juárez

Autónoma de Tabasco, Villahermosa, Tabasco, Febrero 5, 2010

“Cross Border Patent Infringement in Latin America”, International Patent Forum,

Managing Intellectual Property, Renaissance London Chancery Court Hotel, London, United Kingdom, April 5, 2011.

“Los grandes retos del Sector Salud ante los nuevos actores Investigación, Desarrollo e Innovación Farmacéutica” Asociación Mexicana de Industrias de Investigación

Farmacéutica, Hotel Four Seasons, México, D.F., Octubre 2012.



**Biog: Michael Dean,
Maclay Murray and Spens LLP, London**

Michael heads up his firm's market-leading Competition & Regulatory practice. Michael's career involved criminal law before specialising in competition law. Michael and his colleagues in the 11 strong unit cover all proceedings by authorities in the UK in respect of competition law, the provision of advice and compliance programmes to a range of clients including financial institutions; anti-bribery law and other aspects of corporate governance and corporate investigations. The team has been engaged in European Court proceedings and also private damages actions. The practice also encompasses distribution issues and public procurement advice and court challenges. In addition to bribery and competition compliance, Michael has also been advising a range of companies on EU export control to sanctioned countries. Michael has experience of mediation in the US, litigation in the UK and other jurisdictions.

He has handled dawn raids by UK and European Competition authorities, proceedings; merger inquiries at both phase 1 and phase 2. In 2010, Michael led the only successful challenge to a UK Phase 2 merger decision on grounds of rationality. Michael is a member of the International Association of Defence Counsel.

Michael's practice is UK-wide with clients in the US, Scandinavia and Continental Europe.

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

Gabriele Della Morte, researcher in International Law at the Law Faculty of the Catholic University of Milan, was Adjunct Professor in "International regimes - the institutions and rules" at the same university (academic year 2007-2008, 2008-2009, 2009 - 2010, and 2010-2011)

Chargé de cours at the Académie de droit international humanitaire et des droits de l'homme in Geneva (aa 2007-2008), was a lecturer at the Faculty of Political Science of the University of Naples L'Orientale (aa 2004-2005 and 2005-2006).

PhD, since 2003, at the University of Palermo and at the University of Paris 1 Panthéon-Sorbonne (his thesis was accepted in France with mention très honorable avec du jury félicitations). In 1998, he received his law degree at the University of Naples Federico II (with a score of 110 cum laude).

Lawyer, former Advocate at the Appeals Chamber of the International Criminal Tribunal for Rwanda of the United Nations (2003-2004), was a law clerck at the Office of the Prosecutor of the UN International Criminal Tribunal for the former Yugoslavia (2000) and a member of a government delegation during the Plenipotentiary Conference for the establishment of the international Criminal Court (1998).

Author of a monograph and co-editor of two anthologies in cooperation with international research groups, he has written several articles in Italian and foreign legal journals, and was awarded, in 2004, the prize of the Italian Society of International Law for the best article (ie Award SIDI).

Dr Dalma Demeter LLM, SJD

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A law academic at the University of Canberra (UC, Australia) and founding partner of the Australasian Dispute Resolution Centre (ADRC), Dalma has a truly international background, encompassing both civil law and common law education and practice, with an SJD and LLM from the Central European University; an Emory World Law Institute certificate and a Total Law Diploma in Advanced European and Global Legal Practice. Currently also completing a Graduate Certificate in Tertiary Education, Dalma is teaching and researching in international arbitration, international sales law and mooting, while also being the manager of UC's state-of-the-art e-Court. She is an arbitrator at the Willem C. Vis International Commercial Arbitration Moot in both Hong Kong and Vienna, a member of the International Chamber of Commerce (ICC) Australia, of the Law Council of Australia International Division, of the Australian Centre for International Commercial Arbitration (ACICA), of the Institute for Arbitrators and Mediators Australia (IAMA), of the International Network of Women in Dispute Resolution (ArbitralWomen) and of the Romanian Bar Association. Joining three of the leading ADR professionals in Australia, Dalma is also a founding partner to the recently established ADRC, created to provide 'one-stop shop' type services including conflict avoidance and management, case consultancy, a wide range of dispute resolution methods, and education in ADR.

RAGHUNATH PETER DORAISAMY**Director**

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Raghunath Peter Doraisamy graduated with an LL.B. (Hons) from the University of Nottingham and received an LL.M. (Maritime Law) from the National University of Singapore.

Peter has extensive civil litigation experience with a focus on maritime and commercial disputes. He regularly engages in advisory work and dispute resolution in shipping and maritime law (including charterparty and bill of lading disputes, shipbuilding/repair, collisions and arrest), insurance (including marine insurance), international trade, company law, insolvency and arbitration.

His non-contentious matters usually involve advisory work and drafting in relation to joint ventures, mergers and acquisitions, construction, repair, conversion, sale & purchase and chartering/operations/management of ships and onshore/offshore drilling platforms, ship finance and registration.

Admissions

- Singapore

Representative Matters**Wet/Dry Shipping**

- Acted for P & I Club in actions brought by cargo interests and a container terminal for damage to cargo and containers caused by an explosion and resulting fire in the container terminal.
- Acted for P & I Club and hull underwriters in actions brought by cargo interests for loss and damage in excess of US\$5 million arising from an explosion and resulting fire on board member's container vessel.
- Acted for owners in arbitration proceedings against bunker suppliers for substantial damage to the vessel's main engines arising out of the supply of off-specification fuel oil.
- Acted for owners in relation to the 2010 sinking of a tugboat off Pedra Branca.
- Acted for owners in an Singapore International Arbitration Centre (SIAC) arbitration involving a US\$85 million claim for breach of a long-term charterparty of a floating warehouse.
- Acting for a contractor in a High Court suit facing a claim from vessel owners and engine manufacturers for damages in excess of S\$2 million resulting from an engine room fire.

Shipbuilding, Repair and Conversion

- Acted for a Singaporean shipyard in a claim for loss and damage brought by owners for alleged negligence in the conversion of their vessel to enable her to perform cable-laying works.
- Acted for owners in an arbitration proceedings against an United Arab Emirates-based builder for damages arising from delay and negligence in the construction of an offshore platform.
- Acted for owners in a claim against a manufacturer of controllable pitch propellers for loss and damage arising from defects in design.

International Trade/Trade Finance

- Acted for a Japanese logistics company in its defense of six separate High Court actions brought by international trade finance banks for losses in excess of US\$100 million arising from the alleged fraudulent issuance of warehouse receipts for nonexistent cargo.
- Acted for a commodities trader in its claim amounting to US\$3 million brought by way of International Chamber of Commerce (ICC) arbitration for non-delivery of sulphuric acid.
- Acted for a commodities trader in arbitration proceedings involving a claim for failure to deliver cargo valued at US\$2.4 million.
- Acted for palm-oil trader in a High Court suit involving a claim in excess of US\$1.7 million involving allegations of conspiracy to defraud.

Other Litigation/Arbitration

- Obtained on behalf of a German-based claimant various injunctive orders, which saved claimant an estimated \$5 million, in the High Court of Singapore against a Singapore-based accredited domain name registrar.
- Acted for a listed company in mediation proceedings for claims in respect of a failed joint venture to own and operate a vessel valued at US\$130 million.
- Acted for a shipyard contractor in a Singapore Ministry of Manpower prosecution involving an industrial accident at a local shipyard.
- Acted for an engineering contractor in arbitration proceedings facing a claim of gross alleged negligence in the construction of offshore-rig-related equipment.
- Acted for a U.S.-based information technology company as claimant in an Singapore International Arbitration Centre (SIAC) arbitration against a local listed company involving a US\$2 million dispute in relation to the establishment of an enterprise resource planning (ERP) system.
- Acted for a claimant company in a High Court suit (and appeal to the Court of Appeal) against a financial institution for breach of a letter of offer.
- Acted for liquidators in the winding up of regional container shipping line with debts in excess of US\$30 million.

Non-Contentious Matters

- Acted for an Indonesian-listed company in the purchase of a mobile offshore oil production unit for US\$35 million; advised on the terms of the memorandum of agreement and other sale documents entered into by the parties.
- Acted for buyer in relation to three new building contracts for self-propelled jack-up barges for construction at a shipyard in the United States at a contract value of US\$170 million.
- Acted for a buyer in relation to a construction contract for a Friede & Goldman Super M2 design jack-up rig to be built in an United Arab Emirates-based yard at a contract price of US\$150 million.
- Acted for a purchaser in its acquisition of an offshore jack-up drilling unit damaged by Hurricane Katrina.
- Acted for a Singapore-listed company in the sale and lease back of an oil tanker valued at US\$18 million.
- Acted for a purchaser in its US\$80 million acquisition of an Oslo OT-listed company active in the provision of management services, operation and supply of on and offshore drilling and accommodation units.
- Acted as Singapore counsel for a U.S.-based fund and its manager in a proposed US\$300 million investment in a Singapore-based venture to acquire, operate and/or charter a large fleet of small tankers.
- Acted as Singapore counsel for a U.K.-based subsea oil and gas services group in its acquisition of a well intervention services provider.
- Acted for a Singapore-listed company in its tripartite joint venture to supply offshore support vessels for the Gorgon gas project in Western Australia.
- Acted as Singapore counsel for a French-based global player in the energy and transmission business in connection with the restructuring of its worldwide businesses.

Duane Morris LLP is a law firm based in the United States founded in 1904. We use "Duane Morris" to refer to Duane Morris LLP, a Delaware limited liability partnership, and affiliated entities that practice under the name Duane Morris or a similar name. Reference to a "partner" means a person who is a partner, or person with the equivalent standing and qualifications thereto, in the Duane Morris entities.

In Singapore, Duane Morris Singapore LLP and Selvam LLC operate a Joint Law Venture serving clients throughout Asia, Duane Morris & Selvam LLP, pursuant to Licence 2/2010 granted by the Attorney General of Singapore. Selvam LLC lawyers may provide services to clients of Duane Morris & Selvam under secondment from Selvam LLC pursuant to Licence 2/2010.

Dung Lan Pham

Ms. Dung Lan Pham is Professor of International Law at Faculty of International Law, Diplomatic Academy of Vietnam. In her position as Dean of the Faculty, in recent 5 years, she has published an academic book on *Legal and Institutional Aspects of the Security Council: Vietnam's Preparation to Serve in 2008-2009 term*, The gioi Publisher, Hanoi, 2007 (in English) and over 10 scholarly articles on International Studies Journal, IIR as well as other academic journals. Ms. Dung has also broadened her experiences by getting involved in research programs of Ministry of Foreign Affairs of Vietnam as well as many International Legal projects as a team-leader. She has lectured Public International Law, International Treaty Law, The law of the Sea, Legal and Institutional Aspects of the United Nations, International Intellectual Property Law. Dean Dung holds MA degree in Law and Diplomacy, Fletcher School of Law and Diplomacy, Tufts University, US and Diploma in International Law, Moscow State Institute for International Relations, Russia.

MR NGUYEN MANH DZUNG

Managing Partner



DZUNGSRT & ASSOCIATES LLC

A Boutique Shipping & ADR Law Firm

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Website: www.dzungsrt.com/

Mr Nguyen Manh Dzung is the managing partner of Dzung & Associates LLC - a boutique shipping and ADR law firm, whose practice is ranked tier 1 in Shipping Area in Vietnam by Legal 500 Asia Pacific 2013. He is a leading specialist in all areas of maritime law, commercial litigation and international arbitration in Vietnam.

He was a former Vice President of the Pacific International Arbitration Center (the “PIAC”) in Ho Chi Minh City, Vietnam, and is now a member of the Research Council of the Vietnam International Arbitration Center (the “VIAC”). He is also accredited as a Member of the Chartered Institute of Arbitrators (MCI Arb).

He was a key contributing editorial member of the Drafting Committee of Arbitration Legislation of Vietnam. He has presented and lectured extensively on ADR and international commercial arbitration at the Judicial Academy of the Ministry of Justice of Vietnam and the Diplomatic Academy of the Ministry of Foreign Affairs of Vietnam.

Education

- LL.B from Hanoi University of Law (Vietnam) (1990).
- LL.M from Queen Mary, University of London (UK) (2008).

Experience

Mr. Dzung has acted as expert witness and legal counsel in both domestic and international arbitrations conducted under various arbitration rules, such as those of the ICC, SIAC, JCAA and VIAC.

He has also assisted international clients in pursuing enforcement proceedings of a large number of arbitral awards rendered by the ICC, ICA, GAFTA, JCAA, LMAA, SIAC and VIAC in Vietnam.

Professional Associations

- Hanoi Bar Association of Vietnam (Member)
- International Bar Association (IBA) (Member).

Publication

Mr. Dzung has contributed to several publications related to his main areas of practice, including the Vietnam chapters of *Getting the Deal Through - Arbitration* published by Law Business Research LTD (UK) in 2012 & 2013, *World Arbitration Reporter (WAR)* - 2nd Edition (Author: Loukas Mistelis and Laurence Shore) published by Juris Publishing Inc. (US) in 2012; *International Handbook on Commercial Arbitration* published by International Council for Commercial Arbitration in 2013.

Mariana Eguiarte-Morett
Senior Associate – Mexico City
Office
Attorney

meguiarte@sanchezdevanny.com
t. (+52 55) 5029-8523



Practice Areas:

- Tax

Education:

- 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 holder. 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:

Before joining Sánchez Devanny, Mariana 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 one of the most important law firms in Mexico City. She is admitted to practice in Mexico, as well as in the State of New York, USA. **Mariana's** practice is primarily focused on national and international tax issues. She has experience in a variety of tax matters, including mergers and acquisitions, corporate restructurings, legal audits, individual estate planning, and interpretation of treaties for the avoidance of double taxation. Her experience comprises the management of domicile visits, cabinet revisions, tax audit revisions, and other verification procedures executed by the tax authorities, as well as the implementation of defense strategies before tax and judicial authorities. Mariana has advised national and multinational clients in diverse sectors including real estate, energy and air transportation.

Representative Experience:

- Advised a company engaged in the bottling business on defining the most tax efficient structure to hold its existing and future investments in several Latin American jurisdictions.
- Advised on the corporate reorganization of a group formed by Mexican and Latin American entities engaged in the production and distribution of mobile media content to achieve a more efficient global taxation.
- Advised an international retail group on their investment in Mexico, creating a tax efficient structure for the importation, distribution and sale of goods to the final consumer;
- Advised one of the most important worldwide retail sellers of beauty products regarding international tax implications of its expansion into Latin America, and the establishment of a supply chain within Latin America;
- Advised a company engaged in exhibitions assembly for the establishment of a temporal exhibition in Mexico;
- Advised a multinational shoe company in the corporate reorganization of its worldwide subsidiaries, including those in Mexico;
- Advised a brake manufacturing company for the restructure of its operations in Mexico;
- Advised a group of drilling sector creditor companies regarding Mexican tax implications of the execution of guarantees in Mexico;
- Successfully negotiated the acquisition of several confirmations of criteria by tax authorities in national and international matters;
- Supported several foreign banking institutions in the acquisition of corresponding registration before the Mexican tax authorities to claim reduced withholdings from payments received as interests obtained from a Mexican source;
- Supported non-profit companies in the acquisition of authorization to receive deductible donations, as well as in the adequate compliance with tax obligations.

Publications and presentations:

- **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, Hanoi, Vietnam, (2013, pending).
- Participated as Mexican delegate for the establishment of a Latin American Council within the International Law and Practice Section of the New York State Bar Association, Antigua, Guatemala (2013).
- **Speaker, "YIN Moot Court,"** Latin American Regional Congress, International Fiscal Association, Mexico City, Mexico (2013).
- **Speaker, "International Tax Planning for Investment in the European Union",** Seasonal Meeting 2012: Integration and Growth in Europe and the World, International Law and Practice Section of the New York State Bar Association, Lisbon, Portugal (2012).
- Periodic contributor for the update 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 – present).
- Author, **"Utilizing Tax Incentives for Infrastructure Ventures in Latin America: The Mexican Perspective,"** volume 24, number 2 of the International Law Practicum, by the International Law and Practice Section of the New York State Bar Association (2012).
- Collaborator, **"Mexico – Federal Chapter,"** *North American Tax Handbook 2010* and *Latin American Tax Handbook 2010*, IBFD (2010).
- Collaborator, **"Non-Discrimination at the crossroads of international taxation,"** Cahiers du droit fiscal international, Vol. 93a, of the International Fiscal Association (IFA) (2008).
- **Speaker, "Utilizing Tax Incentives for Infrastructure Ventures in Latin America,"** Seasonal Meeting 2011: Latin America as an Engine for Economic Recovery and Growth, International Law and Practice Section of the New York State Bar Association, Panama City, Panama (2011);
- **Speaker, "Dealing with international double taxation and abusive income tax deferral in Mexico,"** Double Tax Treaties: Current developments in Latin America, International Bar Association, Sao Paulo, Brazil (2011).

Affiliations:

- **Founding member of the Studies Committee Young IFA Network ("YIN")** and invited YIN member of the Precedents and Legislation Committee of the International Fiscal Association ("IFA"), Mexico Chapter.
- Member of the New York Bar.
- Member of the Tax Section, the International Section, and the International Taxes Committee 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 NYSBA.

Languages:

- Spanish
- English

Marc Ellis

Marc Ellis was born in Texas. He is Of counsel to the Houston law firm DT Pham & Associates. He is a licensed foreign legal representative in Vietnam & a member of the Louisiana State Bar (20 years) & American Immigration Lawyers Association (16 years), He graduated University of Alabama School of Law. He limits his practice to immigration and nationality law at US consulates & US Citizenship & Immigration Services offices abroad.

Mr. David A. Enterline, LL.M.
Attorney at Law
(Licensed in Oklahoma, U.S.A.)
Of Counsel and Senior Foreign Associate at
WTW – Taipei Commercial Law Firm

David has lived and worked in Greater China since 1993. He began his legal career with the Dallas immigration boutique law firm *Tidwell Swaim & Associates*.

David's professional career has been predominately practicing U.S. immigration law in China, Hong Kong, and Taiwan. Currently a resident of Taipei, Taiwan, David frequently travels and speaks on EB-5 law in China and Asia. He is a member of the *American Immigration Lawyer's Association* and *The Association to Invest In the USA*.

In addition to EB-5 matters, David consults on inbound and outbound investment and immigration matters in Taiwan, regional business development, international commercial agreements, and international dispute resolution. David received his BA and JD degrees from the University of Oklahoma and his Master of Laws degree in Transnational Business from McGeorge School of Law in Sacramento California.

During his career, David has also held several other positions, including serving as the Representative for the Oklahoma International Marketing Office in Taiwan representing the State of Oklahoma Department of Commerce concurrent with his law practice.



HERBERT
SMITH
FREEHILLS



Jessica Fei Partner
Dispute resolution, Beijing
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AREAS OF CONCENTRATION

- Arbitration and ADR
- Complex Commercial Litigation
- Dispute Resolution/ADR
- Commercial, trade, investment, energy, construction, employment and intellectual property disputes

EXPERIENCE

Jessica is an international arbitration and dispute resolution specialist with close to 20 years' experience working with international arbitration institutions and leading firms in New York and Asia. Her practice focuses on large-scale international arbitration, litigation and regulatory investigations in China, Asia, Europe and the US for clients that include Chinese state owned enterprises, multinationals and major regional corporates.

She is qualified in New York State and the P. R. China.

Jessica focuses her practice on international arbitration, litigation and alternative disputes resolution. She represents and assists Chinese, U.S., European, Singaporean and other clients in international arbitrations (including ICC, CIETAC, HKIAC, ICDR, SCC, BAC and SIAC) and litigation matters in and outside China in English and Chinese language. She handles disputes relating to energy, construction, trade, international investment, manufacturing, distribution, intellectual property and employment matters. Jessica also advises clients on commercial contracts, corporate legal issues, intellectual property rights, foreign direct investment, non-performing loans and other matters for avoidance or prevention of disputes, in particular, when the matters involve China/Asia element.

Jessica has been involved in international arbitration work since 1994. She has about eight years of experience working as a case manager with leading international arbitration institutions, including CIETAC in Beijing and the ICDR/AAA in New York, where she administered and coordinated more than 300 international arbitration and mediation cases.

Jessica is listed on the international arbitrator panels of the ICDR, CIETAC, HKIAC, KLRCA, CEAC (Chinese European Arbitration Center, Germany), Shanghai Arbitration Commission, Wuhan Arbitration Commission and Xiamen Arbitration Commission. She sits regularly as arbitrator in commercial arbitration cases. She is on the Language Committee of ICDR, a member of the CEAC Advisory Board and Co-Chair of NYSBA (New York State Bar Association) International Section China Chapter.

Jessica has published many articles on arbitration and speaks frequently on international arbitration.

LANGUAGE CAPABILITIES

- Mandarin Chinese – Native
- English - Fluent
- French - Proficient

EDUCATION

MA, International Policy Studies
Monterey Institute of International
Studies, Monterey, California (GPA
3.82 of 4)

BGS, University of Nebraska at Omaha
at Omaha, Nebraska, Political Science,
Asian Studies (GPA 3.75 of 4)

TECHNICAL TRAINING

US Department of Defense Language
School, Monterey, CA for Indonesian
language rating at professional level for
reading, writing & speaking

Indonesian Army Command and Staff
College, Bandung, Indonesia

US Army Senior Aviator, Special Forces
qualified, War Planning and Operations
Command and Foreign Area Officer –
Southeast Asia

US Department of Defense
Security Assistance Management
Course

US FAA Commercial Rotor and Fixed
Wing Pilot with instrument Certification;
former US Army Helicopter
Standardization Instructor Pilot

Combat experience, Vietnam and Laos,
and military assignments to Federal
Republic of Germany, Thailand and
Indonesia

USPA certified skydiving instructor &
licensed scuba diver

International Basic & Advanced
Arbitration Courses, Singapore

AWARDS

US Army Defense Flying Cross, Bronze
Star, Defense Meritorious Service
Medal, among other awards

US Army Commendation for 2,700
accident free flying hours

PUBLISHED AUTHOR / SPEAKER

Published Author / Speaker
*American Chamber of Commerce
Indonesia*
PACOM Security Management Journal
*EUROCHAM Security Committee
Indonesia*
World Association of Detectives
*Global Credit Solutions Annual
Conference*
INTELLENET

MEMBERSHIPS/ASSOCIATIONS

Governor/SME Committee Chair,
former Treasurer and 2d VP for
American Chamber of Commerce
Indonesia

James D. Filgo SUMMARY OF QUALIFICATIONS

President Director Consolidated Services International, Inc. (CSI)

JAMES (JIM) FILGO holds the position of President Director of Consolidated Services International, Inc. (CSI) and directorships in the three CSI Indonesian subsidiaries. He is a veteran who served 20 years in the U.S. Army with extensive overseas experience in Indochina (veteran Vietnam War), Thailand, Indonesia, and Western Europe in aviation (now commercial pilot license holder), infantry and Special Forces. In 1981, Jim attended the Indonesian Army Command and Staff College in Bandung. Jim subsequently retired from the military while in Jakarta in 1985. Jim is fluent at professional level in the Indonesian language and holds a Master's Degree in International Policy Studies with a minor in Asian Studies. His last military assignment was as an Asian Foreign Area Officer with the U.S. Embassy in Indonesia managing the International Military Education and Training Program (IMET). Since retirement, he has served the commercial world as a government information systems consultant with various donor agencies, i.e. USAID, WB, UNICEF and UNDP. He has had extensive experience as a Security Consultant for many different multinational firms doing business in Southeast Asia.

In October 1991, Jim began providing dedicated support for business information requirements for both multinational and domestic Indonesian companies. Since early 1993, field operations and support requirements increased to the point of being established as a separate "Business Research Center" to handle routine investigation activities. Operational activities now continue to take place under the auspices of local subsidiaries with marketing and external coordination and marketing the responsibility of CSI Group.

In 1997, responding to market demand, CSI established the first international standard debt collection service in Indonesia. Those activities are conducted via PT GCSI, a CSI subsidiary and encompass collection efforts throughout Indonesia via close partnership agreements with local firms, maintaining a cost effective operation.

Jim has provided most of the planning and coordination for investigation activities. He provides direction and training to the field personnel and has supported cases involving litigation support, corporate due diligence, business fraud, data research, anti-counterfeit market surveys, background investigations, missing person searches, security reporting as well as having provided security assessments to corporate leadership. As of October 2000, Jim was been appointed as Area Governor in Indonesia for the World Association of Detectives (WAD). Jim is a Governor and former Chairman of the Intellectual Property Rights Committee and current chair of the Small & Medium Enterprise Committee of the American Chamber of Commerce in Indonesia and a member of the U.S. Embassy sponsored Overseas Security Advisory Council (OSAC) and a member of the Board of Directors for the Indonesian American Friendship Association (PIIA); INTELLENET. He is a published author and speaker on security and debt collection matters.

PROFILE



NAME: JAMES S. FINCH

POSITION: Partner; Managing Director, Myanmar

LOCATION: Yangon, Myanmar

EXPERIENCE: 30+ years

NATIONALITY: American

CURRICULUM VITAE

Membership in Professional Societies:

Member of the Bar: New York, Washington, DC, Vermont

Key Qualifications:

James' experience in the commercial legal field spans three decades and has taken him to the Middle East, Latin America and the Caribbean, where he practiced for extended periods. His work as a partner in the firm of Russin & Vecchi finally took him to Asia, where he began in the Hanoi office of the firm. In 1996 he became the managing partner of the firm's Yangon, Myanmar (Burma) office that has now become DFDL's Yangon office. Since then he has had a varied and active practice in Myanmar, with extensive legal work in the energy, hard minerals, corporate, tax, aircraft leasing, hotel development, banking and finance fields. During this period he also served on Russin & Vecchi's management committee. In 2005, Jim joined DFDL as Senior Of Counsel to establish DFDL's Myanmar practice, as well as to advise clients of the firm in Lao PDR and Cambodia. In 2007 the former Russin & Vecchi office in Yangon changed its name to Myanmar Thanlwin Legal Services Ltd (now DFDL Myanmar).

Education:

- 1974 - Legal: University of California, Hastings College of the Law, San Francisco, California. Degree: JD
- 1971 - Undergraduate: Dartmouth College, Hanover, New Hampshire Degree: BA with a distinction in English literature

Employment Record:

- **DFDL**, Yangon, Myanmar (2005 to present)
Partner; Managing Director - Myanmar
 Head of DFDL's Myanmar practice group, managing a team of almost 20 Myanmar and foreign lawyers. Advises clients on a variety of investments and projects in Myanmar. Also worked in the firm's offices in Lao PDR and Cambodia. For full description of scope of Myanmar advice, please see next entry.

- **RUSSIN & VECCHI, Yangon, Myanmar** (Aug 1996 to 2005)
Resident Partner
 - Represented a number of long-established projects in Myanmar, including hotels, telecommunications and energy projects.
 - Represented one of the partners in the Yadana project, Myanmar's biggest operating natural gas field, on all legal aspects of the project from its inception.
 - Worked closely with various clients supplying services in Myanmar in obtaining benefits under the Myanmar Foreign Investment law.
 - Advised various unincorporated suppliers to oil & gas projects in connection with taxation issues and negotiated in connection with these issues with representatives of the Myanmar Ministry of Finance and Revenue.
 - Represented lenders in commercial and financial transactions, including revolving credit facilities and trade finance.
 - Handled numerous intellectual property matters.
 - Worked on estates and trusts.
 - Handled residential and commercial real property transactions.
 - Provided advice and documentation on numerous corporate matters.
 - Worked on defense team in foreign litigation against foreign upstream energy companies doing business in Myanmar.
 - Did aircraft lease and financing projects, as well as negotiating airline routes.
 - Advised foreign insurers on various issues.
 - Involved in mining projects
 - Advised telecommunications projects and worked on the documentation for these.
 - Worked on satellite communications projects.

- **RUSSIN & VECCHI, Hanoi, Vietnam** (Apr 1995 to Aug 1996)
Resident Partner

Represented numerous foreign businesses in Vietnam, in the energy, financial services and manufacturing sectors. Advised individuals on US investments. Advised on foreign insurance issues. Worked on intellectual property matters. Documented financial transactions.

- **RUSSIN & VECCHI, New York** (Apr 1990 to Apr 1995)
Partner

Continued with Latin America practice, spending about half time in the Dominican Republic. Handled numerous transactions, including real estate finance and hotels. Represented a number of individuals with respect to in-bound banking and investment issues and retirement. Structured and negotiated numerous transactions.

- **RUSSIN & VECCHI, Santo Domingo, Dominican Republic** (May 1986 to Apr 1990)
Partner
 - Elected general partner in the firm May 1988.
 - Represented a wide variety of foreign companies doing business in the Dominican Republic, mainly in transactional matters. These included those manufacturing and processing information in the free zones.
 - Represented a free zone, in all phases of its operations and the Free Zone Council.
 - Represented a large agricultural project, in all phases of its operation.
 - Worked on numerous labor issues, including related litigation.
 - Worked for a number of Dominicans investing in the United States, including both active investments such as forming companies and giving tax advice and passive investments such as REIT's and other financial service products.
 - Represented a number of interests in real estate projects, including lenders to major hotels.
 - Worked on financial transactions of all kinds, including loan and revolving credit facility documentation
 - Worked on upstream energy projects and mineral exploration projects.
 - Represented the state mining company.

- **UNITED STATES FOREIGN SERVICE** (1984 to May 1986)
Foreign Service Officer
 Administrative/General Services Officer, Guayaquil, Ecuador, Buenos Aires, Argentina and Port of Spain, Trinidad.
- **KAPLAN, RUSSIN, VECCHI & KIRKWOOD**, New York City (1979 to 1984)
Associate
 Represented foreign clients doing business in numerous countries, particularly Saudi Arabia. Also worked on several major commercial real estate projects in the US. Represented in-bound investors, particularly with respect to real estate transactions.
- **AGHAYAN AND ASSOCIATES**, Tehran, Iran (1976 to 1979)
Associate
 Represented multinationals in Iran in various sectors, including manufacturing, energy, telecommunications and financial services.
- **VERMONT LEGAL AID**, Springfield, Vermont (1974 to 1976)
Attorney
 Worked on Social Security disability, housing, including landlord-tenant, and numerous basic contractual issues.

Details of Major Projects Undertaken

Focus on Various Sectors	
MYANMAR	
Energy project: advised client on validity and enforceability of service agreements.	2008
Gave advice in connection with a restructuring and divestiture plan.	2008
Provided tax advisory services in respect to an employee stock option plan.	2008
Gave advice to foreign embassy in connection with rights to its real 'property, and worked on human resource management manual.	2007
Worked on a deal between a main contractor in the oil & gas business and a subcontractor who provides oil & gas related services in engineering, construction, fabrication, logistics supports, manpower and equipment supply to customers in Myanmar.	2007
Advised foreign client on Myanmar law in connection with a ship sale transaction.	2006

Recent Publications:

“Legal Aspects of Hydropower Projects in Myanmar,” The International Journal on Hydropower & Dams Volume Fourteen, Issue 1, 2007 at p. 62; “The Law and Regulation of Electricity in Myanmar (Burma), IPBA Journal, March, 2007; Myanmar: Getting the Deal Through: Project Finance , Law Business Research, Ltd., London, page 125 et seq.; Myanmar: Guide to Lending and Taking Security in Asia, Herbert Smith, Hong Kong, page 105 et seq.; Myanmar chapter, Arbitration in Asia, JurisNet LLC, Huntington, NY 2008; Myanmar Law and Investment Guide, DFDL Mekong Legal and Tax Advisers, Bangkok, 2010. Myanmar chapter, Asia Arbitration Guide, Dr. Andreas Respondek, general editor, second edition, Respondek & Fan, PTE, LTD, Singapore, 2011. Myanmar chapter, Employment Terms and Conditions Report—Asia Pacific, Towers Watson, Hong Kong, 2011.

Recognition:



Designated as Leading Lawyer for Financial & Corporate in Myanmar (IFLR1000 2013)

"Affiliated with regional firm DFDL, partner and head of office James Finch is a Myanmar stalwart. Among international law firms, Finch is widely considered one of the leading international lawyers in Myanmar. His lengthy experience as well as on-the-ground knowledge means that his advice is highly respected in areas such as energy, hard minerals and general corporate work." (IFLR 2013)

"Sources describe James Finch as an extremely capable lawyer." (Chambers Asia 2012)

"Is praised by clients for 'providing practical guidance and commercial solutions to complicated problems'." (Chambers Asia 2011)

Languages:

	Speaking	Reading	Writing
ENGLISH	Excellent	Excellent	Excellent
SPANISH	Very Good	Good	Good

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 DHAKA
bangladesh@dfd.com

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 PHNOM PENH
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Professor Mark Findlay

Professor of Law, SMU, and Professor of Criminal Justice, University of Sydney

Mark Findlay is a Professor of Law at Singapore Management University. He was for many years the Director of the Institute of Criminology, University of Sydney, where he retains a professorial association with the Law School at that University and was previously Head of Department of the Law School in 1998-1999, and Pro Dean in 1999. An experienced socio-legal researcher, Mark has worked as a research consultant for international agencies, governments and private consortia in many jurisdictions. He has recently undertaken consultancy work for AusAID, reviewing the law and justice sector in PNG. Professor Findlay was Foundation Head of School at the University of the South Pacific, and earlier assisted in the establishment of the law programme at City University Hong Kong. He has a deep commitment to research and teaching in the Asia-Pacific region.

Mark is the joint chair of the Worldwide Universities Network International and Comparative Criminal Justice Network, which is helping shape the face of international criminal justice. His book *Transforming International Criminal Justice* (2005), *Governing through Globalised Crime* (2008) and *Beyond Punishment: Achieving International Criminal Justice* (2009) are contributing to the reconciliation of retributive and restorative justice paradigms internationally.



Virginia B. Foote

President and CEO

www.bayglobalstrategies.com

Ms. Foote founded Bay Global Strategies providing strategic advisory services to companies and associations doing business in Vietnam. From 2007 to 2011, Ms. Foote was President of Vietnam Partners heading the advisory services division. From 2004 to 2007, Ms. Foote was Executive Vice President of the US-ASEAN Business Council. From 1989 to the present, Ms. Foote serves as President of the U.S.-Vietnam Trade Council which she co-founded in 1989. Ms. Foote has played a leading role in normalization, the U.S.-Vietnam Bilateral Trade Agreement and accession to the WTO, and is working to assist economic relations through the Trans Pacific Partnership (TPP). For efforts to improve the U.S.-Vietnam relationship, Ms. Foote has received commendations including the U.S. Ambassador's Award for Citizen Diplomacy and the President of Vietnam's Medal of Friendship for 20 years of work on U.S.-Vietnam relations.

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Washington

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Tony Foster

Partner

Tony is the managing partner of our Hanoi and Ho Chi Minh City offices.

Practice

Corporate

About

Tony established our Vietnam offices in 1994 and has lived and practised in Hanoi ever since, giving him an unparalleled experience and knowledge of business in Vietnam. He draws on this to assist clients in resolving the complex issues that often arise in transactions, whether originating in the vagueness inherent in Vietnamese legislation or otherwise.

He works closely with our Vietnamese and foreign lawyers whose legal and practical knowledge – combined with international quality standards – produces one of the best legal teams in the country. The team has been together for well over a decade and has successfully assisted foreign clients in many landmark transactions in Vietnam.

As a UK-US dual national, Tony is an ex-Chairman of the American Chamber of Commerce and a Vice-Chairman of the British Business Group in Vietnam. He is also a member of the Executive Committee of the Vietnam Business Forum, the IFC-led organisation of private businesses which meets twice a year with senior members of the government.

‘Tony Foster is one of the most experienced lawyers in Vietnamese matters. He is praised for his reliable technical skills and commercially minded advice, and for his ability to quickly identify potential issues and find solutions.’

Chambers Asia 2011

Awards

Among various awards, Tony was the first foreign lawyer to be awarded a medal by the Vietnamese Ministry of Justice for his contribution to the development of the Vietnamese legal system.

Career to date

Before moving to Vietnam in early 1990s, Tony practised in San Francisco and Tokyo. He has law degrees from both Cambridge and the University of California.

Qualifications and education

State Bar of California.

Registered as a foreign legal practitioner with the Vietnamese Ministry of Justice.

Vietnam

#05-01 International Centre

17 Ngo Quyen Street

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F +84 4 38268 300

tony.foster@freshfields.com

vCard (Download Tony's contact details)



Glenn G. Fox

Partner

New York, USA

Tel: +1 212 626 4689

Fax: +1 212 310 1789

Glenn.Fox@bakermckenzie.com

Global areas of practice

Tax

Baker & McKenzie LLP

452 Fifth Avenue

New York, NY 10018

USA

Practice description

Glenn G. Fox is a partner in the New York office of Baker & McKenzie. He represents domestic and foreign clients with worldwide assets in estate, trust, tax and tax exempt matters. Mr. Fox 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 five years as a New York Super Lawyer in The New York Times. He is chair of the International Section of the New York State Bar Association (NYSBA); a member of the NYSBA Trusts and Estates Section and the New York City Bar Committee on Estate and Gift Tax; and vice chair of the UJA-Federation of New York Trusts and Estates Group.

Mr. Fox's estate planning practice focuses on the use of sophisticated wills, trusts and closely held entities to enable clients to bequeath and gift assets with the imposition of the least amount of transfer taxes. He has significant experience in dealing with closely held business interests, retirement assets, foreign assets, foreign trusts and US and foreign tax exempt (charitable) organizations.

Practice focus

Estate planning; sophisticated wills, trusts and closely held entities; business interests, retirement assets, foreign assets and foreign trusts; US and foreign charitable organizations.

Representative clients, cases or matters

- Represented a university involved in a large estate litigation.
- Represented a family with significant New York real estate holdings.
- Represented heirs of a pharmaceutical manufacturing company in a significant family trust litigation and settlement.
- Represented a royal family from Europe with respect to the restructuring of various US trusts that date back to the 1920s in order to avoid foreign gift taxes.
- Represented a family owning a very successful, closely held business with respect to a business succession planning and possible sale of the company.
- Represented a public environmental charity.
- Represented various charitable foundations with international ties for the purpose of establishing public charity branches in the United States.
- Represented families with significant wealth for purposes of establishing private charitable foundations.



Professional Associations and Memberships

Mr. Fox 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 five years as a “New York Super Lawyer” in the New York Times. He is chair of the International Section of the New York State Bar Association (NYSBA); serves on the NYSBA Trusts and Estates Section and the New York City Bar Committee on Estate and Gift Tax; and is the vice chair of the UJA-Federation of New York Trusts and Estates Group.

Education and admission

Mr. Fox received his J.D. from Albany Law School of Union University in 1990, *cum laude*. He received his B.A. from Cornell University in 1987 and his LL.M. Taxation from New York University in 1994. He is admitted to practice in New York, District of Columbia, Connecticut, and New Jersey.

John Frangos – Bio

John Frangos is a Senior Associate with Limcharoen Co. Ltd., a Thai law firm headquartered in Bangkok and with offices in Vietnam and Indonesia. A native of New York City, John shares his time between the firm's Bangkok and Ho Chi Minh City offices.

John specializes in foreign investment transactions in Vietnam and Thailand. His practice involves setting up joint ventures and wholly foreign owned enterprises; and advising on labor, property and general corporate/commercial matters.

Prior to joining Limcharoen, John worked in Vietnam for a Singaporean firm where he advised on foreign investment, labor, and corporate matters. John also worked for the Ho Chi Minh City office of a Dutch consulting firm, where he advised clients on legal aspects pertaining to implementing renewable energy projects in the North and Central Highlands regions of Vietnam.

John holds a Master of International Affairs from Columbia University's School of International and Public Affairs, where he studied law, politics, and development in Southeast Asia. John also has a J.D. from New York Law School and a B.A. from the State University of New York at Stony Brook. John is admitted to the New York State bar and is admitted to practice before U.S. federal court (Southern District of New York). John has published articles on a variety of legal topics pertaining to Vietnam and Thailand, and is a member of the American Bar Association's Asia-Pacific Committee, as well as the New York State Bar Association.

John Frangos – Bio

John Frangos is a Senior Associate with Limcharoen Co. Ltd., a Thai law firm headquartered in Bangkok and with offices in Vietnam and Indonesia. A native of New York City, John shares his time between the firm's Bangkok and Ho Chi Minh City offices.

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John holds a Master of International Affairs from Columbia University's School of International and Public Affairs, where he studied law, politics, and development in Southeast Asia. John also has a J.D. from New York Law School and a B.A. from the State University of New York at Stony Brook. John is admitted to the New York State bar and is admitted to practice before U.S. federal court (Southern District of New York). John has published articles on a variety of legal topics pertaining to Vietnam and Thailand, and is a member of the American Bar Association's Asia-Pacific Committee, as well as the New York State Bar Association.

Bio of David Franklin

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

NYSBA Activities:

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

Chairman of International Conferences:

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

Lectures and Publications:

David has given lectures in over twenty countries and has written numerous articles on international commercial debt recovery. He has published with Thomson Reuters the following books, "**International Commercial Debt Collection**" 2007, and co-author with Steve Harms "**International Commercial Secured Transactions**" 2010, , and co-author with Martin Franklin of "**Introduction to Quebec Law**", Copp-Clark. And recently published with Thomson Reuters is **Commercial Debt Collection in Canada** (2012).

Law Association and Honours:

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

Academic:

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

Diplomatic Position:

Since 2001, he has been the Honorary Consul of Iceland in Montreal.

Mr. David Franklin, Ad.E.
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Website: www.internationalcollectors.com
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Professor Michael Furmston

Professor of Law, Singapore Management University, Foundation Dean SMU

Michael studied law at the University of Oxford and taught at the University of Birmingham, Queen's University, Belfast and University of Oxford before moving to Bristol in 1978. He was appointed as Dean of the Faculty of Law at the University of Bristol for two terms and also served as Pro Vice-Chancellor from 1986 to 1989 before retiring in 1998. He was appointed Emeritus Professor and Senior Research Fellow at Bristol. Professor Furmston is a member of the UNIDROIT (International Institute for the Unification of Private Law) working group which has produced a set of General Principles for International Commercial Contracts. He sits on the editorial boards of the Journal of Contract Law and Construction Law Journal, amongst others.

Michael was called to the Bar at Gray's Inn in 1960 and has been a Bencher of Gray's Inn since 1989. He was counsel in the leading House of Lords decision on contractual damages in *Ruxley v Forsyth*.

He has been the editor for the last 40 years of Cheshire, Fifoot & Furmston on Contract (currently into its 16th edition, August 2012) and the joint author of Beale, Bishop & Furmston: Cases and Materials on Contract. He has also written books and articles in the fields of Sale of Goods and Construction Law. He is the editor of the Construction Law Reports.

He was awarded the Honorary Degree of Doctor by the Open University.

Michael W. Galligan

Partner

Trusts & Estates Department | Tax, International & Immigration Practices

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Michael W. 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 specializes 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. He advises a wide range of persons, including U.S. and non-U.S. individuals, beneficiaries, corporate and individual fiduciaries, as well as their accountants, investment professionals and legal counsel.

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 Fellow of the American College of Trust and Estate Counsel, an Academician of the International Academy of Estate and Trust Law and a member of the Society of Trust and Estate Practitioners (STEP) and the American Immigration Lawyers Association.

He served as the 2009-2010 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.

He has also for many years co-chaired NYSBA International's Committee on International Estates and Trusts and is a past chair of the Committee on International Estate Planning of the New York State Bar Association Trusts and Estates Section. Mr. Galligan serves as a member of the Council on International Affairs of the New York City Bar Association, a member of the

Advisory Council of the United Nations Association of New York and a member of the Governance Committee of the New York International Arbitration Center.

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

- "U.S. Residence: A Tale of Two (or More) Definitions," *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," *Legal Era*, an Indian-based legal publication (October 2010);
- "International Estate Planning for U.S. Citizens: An Integrated Approach," *Estate Planning*, a Thomson Reuters publication (October 2009);
- "Ties to U.S. and Canada: Differences in taxation of transfers affect bequests and gifts," *New York Law Journal* (September 17, 2007);
- "Buying USA: Ways of minimizing US transfer taxes on US property interests of non-US persons," in STEP USA (June 2007);
- "Modern Inheritance Develops in China: U.S. investments are affected by changes in requirements on ownership and disposition of property," *New York Law Journal* (February 13, 2007);
- "You Must Remember This: Ten key principles to keep in mind when planning for U.S. clients with non-U.S. family or property, and non-U.S. clients with U.S. family or property," *Trusts & Estates* (December 2005);
- "Making Sense of Four Transatlantic Estate Tax Treaties: US-Netherlands, US-Germany, US-France and US-UK," New York State Bar Association International Law Practicum (Spring 2004);
- "International Charitable Giving and Planning Under U.S. Tax Law," *Tax Management Estates, Gifts and Trusts Journal* (May – June 2004);
- "Ten Important Points to Remember About International Estate Planning," New York State Bar Association International Law Practicum (Spring 2003);
- "U.S. Trust Law and the Hague Convention on Trusts," New York State Bar Association Trusts and Estates Section Newsletter (Fall 2000);
- "Foreign Trusts and U.S. Estate Planning: A Client-Centered Analysis," published in the *Journal of Asset Protection* (July/August 1999); and
- "Maintaining a Trust's U.S. Tax Status," *New York Law Journal* (March 24, 1999).

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 Masters Degree in International Affairs from the Columbia University School of Public and International Affairs. He is the author of God and Evil (Paulist Press, 1973).

In 1990, Mr. Galligan was a member of the delegation of the Committee on International Human Rights of the New York City Bar Association to Kosovo. A co-chair of the Committee on

Asylum and Refugees of the American Immigration Law Association from 1989 to 1991, he was the principal author, with the late Arthur C. Helton, of the 1989 publication of the Lawyers Committee for Human Rights, "Immigration Options for Chinese Nationals." With the late Mr. Helton, he drafted, for the Human Rights Committee of the Russian Parliament, a Statement of Principles on Refugee Protection. Mr. Galligan was also a member of the team that developed pioneer legal instruments regarding health care decisions and health care agents for clients of the New York-based Gay Men's Health Crisis [GMHC] during the height of the AIDS crisis in the late 1980's.

Mr. Galligan has been selected as one of the nation's "Best Lawyers in America" from 2009 - 2014 in Trusts and Estates. He has also been selected as a "Super Lawyer" from 2006 - 2012 in Estate Planning & Probate, International and Immigration in the *New York Super Lawyers - Metro Edition*.

HENRY SHUCHAO GAO
Associate Professor of Law
LL.B. (China), LL.M. (London), J.D. (Vanderbilt)

Associate Professor Henry Gao obtained his LLB with the highest distinction from China Youth Politics Institute in Beijing. Upon graduation, he was selected by the All-China Students Federation and the China Youth League as a recipient of the "Genius Power Scholarship"-- the highest honor for university students in China. After that, he pursued his Master of Laws (LLM) at University College London (UCL), University of London as the first UCL/China Scholar. He then went to the United States for his Doctor of Jurisprudence (JD) degree from Vanderbilt University. While at Vanderbilt, He was a Dean's Scholar for all three years. He also served for two terms as the President of International Law Society, and was selected at commencement as the first non-US student in the history of the university to receive the prestigious Raymonde Paul Scholarship in Transnational Law.

Afterwards, Henry worked in Geneva as the first Chinese lawyer at the WTO Secretariat. With stints at both the Appellate Body Secretariat and Trade in Services Division, he assisted the Panel and Appellate Body in several high-profile cases.

In 2003, Henry came back to Hong Kong to teach law. First taught at the School of Law of City University of Hong Kong as a lecturer, he moved to the Faculty of Law of The University of Hong Kong (HKU) as an Assistant Professor, where he also served as the Deputy Director of the highly successful East Asian International Economic Law and Policy (EAIEL) Program, the flagship program for WTO-related activities at HKU. At the end of 2007, Henry left Hong Kong to join the newly-established Law School at SMU as an Associate Professor.

An often-quoted expert in major international media such as the Wall Street Journal, Financial Times, the Economist, CNN, BBC, CNBC and Channel News Asia, Henry has also been invited to speak at key international conferences in the field, including conferences organized by the American Society of International Law, the Asian Society of International Law, the Society of International Economic Law, and the World Trade Forum organized by the World Trade Institute in Bern.

In addition to his scholarly work, Henry has been a consultant to many national governments and international organizations including the WTO, the World Bank, the Asian Development Bank, Inter-American Development Bank and APEC. In 2007 and 2009, for example, he was twice invited by the World Bank to advise the Chinese government on its FTA strategies.

Henry has extensive experience in conducting WTO training programs for government officials. Over the past decade, he has designed and delivered numerous training courses for the governments of China, Hong Kong, Singapore, Canada, Australia, as well as major international donors such as EU, Asian Development Bank and ASEAN. Chief among them is the official three-month Regional Trade Policy Course (RTPC) that the WTO established for senior trade officials

from over thirty developing countries in the Asia-Pacific region. As the Academic Coordinator of the RTPC when it was first launched, he played an instrumental role in establishing the flagship WTO technical assistance program in the region and has been lecturing in the program for nine years.

In 2009, when the WTO established the WTO Chairs Program to promote research, teaching and training activities on WTO issues in leading universities around the world, Henry was invited to join the international Advisory Board. Among the twenty plus members of the Board from all over the world, Henry was the only non-governmental representative from Asia. In early 2012, he was also appointed by the WTO Secretariat as the Reviewer for the two-year review of the three WTO Chair holders in China, Indonesia and Vietnam.

RICHARD GELSKI, PARTNER

Taxation

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A University medallist in law from Sydney University and a Masters graduate from London University, Richard has over 30 years' experience in the areas of taxation, corporate and commercial law. He has particular experience in corporate structuring, cross border investment, tax effective financing, capital raising, mergers and acquisitions and property trust structures. Richard has advised on a wide variety of capital raisings by groups in the tourism industry, banking industry, retail and manufacturing. Structures created by Richard and his team have been used as blueprints for a range of structures and capital raisings by Australian listed companies including banks.

For more than 10 years Richard was an active office bearer in the Taxation Institute of Australia and in 1997/98 he served as the National President of that body. Until 2005 he represented the Institute on the International Tax Reform Committee (with Treasury and Tax Office).

Examples of Professional Experience

Tax and Revenue

- Provided advice to a major mining company on fuel tax rebates. Advised an international financial services group with European headquarters in relation to restructuring proposals. Provided advice to an international IT group on restructuring proposals. Advised an Australian public company on cancellation of international shareholder earn out proposals.
- Engaged by a listed Canadian company to negotiate a unilateral Advance Pricing Agreement (APA) with the tax office.
- Provided advice to a major energy and resources company on the potential implications of the Resources Super Profits Tax.
- Conducted successful litigation that US\$ were not "moneys" for the purposes of Australian Tax Office garnishee powers.
- Conducted successful litigation that converting preference shares were not debt instruments.
- Conducted successful litigation that the Australian Taxation Office had wrongly exercised discretion regarding share option elections.
- Acted on appeal against a private ruling regarding depreciation for the Loy Yang A power station.
- Successfully negotiated product and private binding rulings.
- Advised on tax consequences on a range of intellectual property agreements including availability of depreciation of such intangible assets.
- Advised on Public Private Partnerships.
- Managed some of the most complex and wide ranging taxation audits conducted by the Australian Taxation Office, including Wickenby related audits.

RICHARD GELSKI, PARTNER

Taxation

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- Provided general taxation advice on a variety of matters including domestic direct tax matters, capital gains tax and international tax (inbound and outbound investment) as well as tax effective financing and issues affecting managed investment vehicles.
- Created and acts for a number of public and private charitable foundations and sits on the board of directors of a number of funds.



Phillip Georgiou

Partner

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Phillip Georgiou represents parties to institutional and ad hoc arbitrations under a variety of international and domestic rules and procedures including UNCITRAL, ICC, AAA, HKIAC, CIETAC, SIAC, JCAA, and the IBA Rules on the Taking of Evidence in International Arbitrations. He also has considerable experience litigating cases before the courts of Hong Kong as well as assisting clients in various forms of alternative dispute resolution including mediation and conciliation.

Phillip regularly represents clients involved in disputes arising out of construction and engineering projects including public infrastructure, power plants, oil & gas pipelines, seaports, airports, and real estate developments. He acts for government bodies, main contractors, independent power producers, and oil and gas companies.

Phillip's experience also includes advising both local and international clients on a full range of multi-million dollar commercial disputes in Asia in relation to contracts, corporate governance, shareholder agreements, joint ventures, corporate finance, distribution agreements, and IT transactions.

In addition, Phillip represents clients at the "front end" of projects including negotiating and drafting contracts for various forms of project delivery including EPC, design and build, target cost, construction management, management contracting, and traditional general contracting arrangements. He has been involved in a number of projects around the world including Asia, the Middle East, and Africa.

Experience Highlights

Representing the distributor of a famous brand of Japanese cosmetics in arbitration proceedings against the Japanese manufacturer for wrongful termination of an exclusive distributorship agreement.

Represented the Government of Laos in a US\$3 billion mining dispute with a Thai developer under UNCITRAL rules in Kuala Lumpur, under the applicable law of New York.

Represented an international civil engineering contractor in arbitration proceedings under the HKIAC Rules claiming prolongation costs caused by unforeseen ground conditions.

U.S. textile manufacturer disputes US\$20 million arbitration with its state-owned Vietnamese joint venture partner

Areas of Focus

Global Disputes

Construction

Energy

Offshore Disputes

Honors & Distinctions

Ranked in *The Asia Pacific Legal 500* (2013) for Hong Kong construction practice

Chambers Asia (2013), Hong Kong leading individual in construction

Languages

English

Education

Monash University, Melbourne, Australia (LL.B. 1993; B.Ec. 1991)

Bar Admissions

Solicitor of the High Court of Hong Kong; Barrister and Solicitor of the Supreme Court of Victoria

MARCUS GORDON

Partner
International Litigation & Arbitration Group
Singapore
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**Summary**

Marcus Gordon has been practicing law in Singapore since November 1999 and is the head of the Watson, Farley & Williams Asia Practice LLP Singapore International Litigation and Arbitration Group.

Marcus specialises in construction and engineering disputes with a particular focus on: oil & gas construction disputes, including in particular FPSO conversion and construction disputes, critical path analyses, liquidated damages claims, delay & disruption claims, cost overrun claims, oil rig operation and construction disputes, oilfield development disputes, heavy equipment failures and shipbuilding disputes. Marcus also has substantial experience, both as counsel and sitting as arbitrator, in commodity and shipping disputes.

Chambers Asia 2013 listed Marcus as a key individual reported that “*Marcus won plaudits for his technical prowess and is lauded by peers as “a tremendously commercially aware and astute operator.” He is noted for his oil and gas expertise.*”

Chambers Asia 2012 listed Marcus as a leading lawyer and a key individual. Chambers Asia 2012 reported that “[*Marcus*] is described by market sources as “an excellent lawyer who understands the technical engineering and commercial aspects of the oil and gas industry as well as the legal ones.” Marcus was also listed as a leading lawyer in the 2012 Practical Law Company “Which Lawyer?” ranking.

Chambers Asia 2011 reported that Marcus is recognised as being “... *construction and engineering disputes expert*...”. In the 2011 Legal 500 Marcus and the WFW team in Singapore were recognised for providing “‘*excellent service and technical know-how*’ in shipbuilding, projects, energy and commodities”. Marcus was endorsed in the 2010 and 2011 editions of Practical Law Company “Which Lawyer?” ranking. Marcus was acknowledged in the 2009 and 2010 Asia Pacific Legal 500, for his “*depth of knowledge and professionalism*” and his “*safe pair of hands*”.

Marcus is a qualified arbitrator and is on the following international panels:

- SIAC International Panel of Arbitrators
- KLRCA International Panel of Arbitrators
- SIAC SGX-DC: Futures Contract Arbitration Panel
- SIAC Emergency Arbitrator Panel

Marcus has been appointed as the sole arbitrator or panel member in 18 ad hoc or institutional arbitrations in the oil & gas sector as well as shipping and commodities.

Marcus is currently sitting as arbitrator in six arbitrations. He has written several arbitration awards.

Marcus is a member of AIPN, SEAPEX and the Society of Construction Law (Singapore). Marcus is also a committee member of the Singapore Institute of Arbitrators.

Recent Experience

Oil & Gas

- Advising a rig owner in relation to the total loss of a rig at sea.
- Advising the owner of a jack-up rig in relation to insurance claims associated with damage to the rig sustained in transit.
- Representing an oil field developer in relation to disputes associated with the delayed mobilisation of a rig to the field and consequent delays to the drilling programme. Advising the oil field developer in relation to damages that could be claimed in connection with delays to the drilling programme.
- Acting for an oil field developer in relation to disputes associated with variations claimed in connection with subsea soil conditions which were alleged to be different to the conditions stipulated in the developers subsea survey.
- Advising a drilling contractor in relation to claims under a rig charter.
- Representing a yard in connection with disputes arising out of the design and construction of a jack-up rig.
- Acting for numerous FPSO owners and operators in relation to delay and disruption claims arising from the conversion or construction of FPSOs as well as poor operation post-completion.
- Acting for an oil field developer in a dispute regarding delay in the provision and mobilisation of an FPSO to the oilfield for operations and the frequent breakdowns caused by the inadequate design of its SALM buoy mooring system.
- Assisting an oilfield developer negotiate the replacement of a SALM buoy mooring system with a turret mooring system.
- Acting for the owner of an FPSO under conversion against a local yard in connection with delay and disruption and cost overrun claims.
- Acting for the contractor supplying topside processing modules for installation of an FPSO in relation to complicated delay and disruption claims as well as cost overrun and liquidated damages claims.
- Representing the buyer of an FPSO in relation to inadequate performance of an FPSO's turret mooring system and swivels.
- Representing the main contractor in adjudication proceedings arising out of the fabrication and installation of topside processing modules onto an FPSO for operations in the North Sea shelf. Successfully securing the release of critical components and final documentation that were being withheld by the yard pending satisfaction of demands for payment. Successfully resisting all the yard's claims in adjudication proceedings.
- Acting for an oilfield developer in an FPSO construction dispute raising issues of critical delay and improper/inadequate design.

- Acting for an oil field developer in connection with disputes with its joint venture partner under a production sharing contract and a corresponding joint operating agreement.
- Acting for oilfield developers in relation to claims under policies of insurance in the High Courts of various jurisdictions.
- Representing an oil field developer in an ICC arbitration, with the parent of its joint venture partner, relating to disputes under a production sharing contract, farmout agreement and parent company guarantee.
- Acting for an oil field developer in relation to disputes arising out of the purchase of a wellhead platform for operations offshore Thailand. Successfully achieving a negotiated settlement in relation to an extremely contentious matter. The client's CEO described the performance of the legal team as being "above and beyond the call of duty", and the outcome as "a surprising and excellent result".
- Acting for the owner of an FPSO in a dispute with its joint venture partner relating to the alleged improper disposal of the asset which was refitted for operations offshore Australia.
- Acting for an oilfield developer in a dispute relating to the delayed supply of an FPSO for operations offshore Thailand.

Banking & Finance

- Advising a consortium of banks in relation to the cancellation of a US\$86 million pre and post delivery loan facility due to an event of default committed by the borrowers.
- Advising a consortium of banks in relation to the cancellation of a loan facility by reason of a material adverse change.
- Advising a major European bank in relation to the arrest and sale of a vessel in Singapore.
- Advising a bank in relation to the termination of credit facilities and the seizure of assets securing loan repayments.
- Advising shipyard in relation to enforcement of claims against a PRC based purchaser that defaulted on its payment obligations. The enforcement was against numerous ships and other assets located primarily in the PRC.

Onshore Power & Energy

- Acting for a small Thai independent power producer in a dispute relating to the failure and explosion of a 10MWe turbine.
- Advising an end-user in relation to a dispute arising from problems encountered with its travelling grate biomass boiler and facilities.
- Representing a multi-national manufacturer in an arbitration relating to the supply of a defective 100 MWe power station to one of its sites in Indonesia.
- Representing a Thai power producer in an ICC arbitration relating to the supply of a defective fluidised bed power station.
- Representing an industrial power producer in an arbitration relating to the supply of a defective 45 MWe power station that suffered from excessive erosion and stoppages.
- Advising Conergy AG, a major German company operating in the renewable energy sector, on the acquisition of an Indonesian solar energy engineering company. Our work involved advising the company on foreign investment regulations, due diligence and drafting the transaction documentation.

- Arranging a project consortium and advising Cambodian company on the implementation of a renewable biomass power station.

Shipping

- Representing the numerous owners/purchasers of 14 ships in shipbuilding disputes in 2009/2010.
- Advising a shipowner in relation to the termination of two 5-year charterparties on the Supplytime 89 form.
- Advising the charterer in relation to a charterparty on the Supplytime 89 form.
- Advising a ship seller's insurers following the buyer's wrongful repudiation of a MOA.
- Advising numerous buyers and yards in relation to the drafting of shipbuilding contracts.

Education and Qualifications

1996 to 1997 Legal Practice Course: College of Law Guildford

1995 to 1996 C.P.E: College of Law Guildford

1990 to 1995 BA Hons (1st class with distinction) from London University

1993 Superior Diploma in French: Tours University (France)

Published Materials

2009 "Singapore – Asia's Hub for Oil & Gas Arbitration?", Singapore Arbitrator October 2009 issue, the Energy Edition (published by the Singapore International Arbitration Centre)

2007 "Witness Conferencing - In Search of Truth", Singapore Arbitrator April 2007 issue (published by the Singapore International Arbitration Centre)

2006 "Singapore Arbitration Powers Forward", Asia Legal Business

Conference Speaker

17 September 2010 Aspects of Energy Construction Contracts, joint conference by the Society of Construction Law (Singapore) in conjunction with the SIAC

26 – 27 October 2009 SIAC Conference (Singapore), "Dispute Resolution in the International Oil and Gas Sector", and co-panellist with Prof Dr Michael Pryles, Daniel Johnston, Mark Kantor and Nicholas Stone

14 – 15 May 2009 T.U.N. International Contract & Tender workshop (Kuala Lumpur, Malaysia), "International Petroleum Contracts"

28 – 30 April 2008 BioEnergy Forum 2008 (Bangkok, Thailand), "Legal and Financial Issues that Arise in Relation to Biomass Power Projects"

22 November 2007 WFW Renewable Energy Seminar (Singapore), "Dispute Resolution in the Renewable Energy sector"

6 November 2007 Britcham Business Presentations (Singapore), "Biofuels – the reality and the opportunity"

8 October 2007 Construction Contracts, Best Practices (Singapore), "Common Mistakes in Construction Contracts"

29 – 30 August 2007 Asia International Sugar Conference 2007 (Bali, Indonesia), "Legal Concerns in Cogeneration Projects"

7th to 10th May 2007 Contract Risk Management Conference 2007 (Kuala Lumpur, Malaysia), "Managing Long Term Risk, Reward and Transparency in Oil and Gas"

Contractual Relationship”

27 – 28
March 2007

World Renewable Energy Summit (WRES) 2007 (Kuala Lumpur, Malaysia), “Recent legal developments affecting Renewable Energy Projects in Asia”

People

[Home](#) > [Partners](#) > Piyush Gupta

PIYUSH GUPTA



Piyush Gupta is a Partner in the Firm. He is a member of the Firm's Competition law practice and is also spearheading the firm's aviation law practice. Piyush has extensive trans-national experience in both these areas of law, having previously worked with leading corporates, both in India and overseas.

Piyush advises on issues relating to anti-competitive agreements, abuse of dominance and regulation of combinations as prescribed under the Indian competition laws. His range of expertise also includes drafting and advising on issues relating to aircraft leasing, negotiating maintenance agreements and contracts relating to purchase of aircraft components and equipments, and other regulatory compliance issues of both passenger, as well as cargo airlines in India.

Education

LL.M, The George Washington University Law School.

LL.B, University of Delhi.

B.Com (H), University of Delhi.

PG Diploma in International Trade and Business Laws, Indian Society for International Laws.

PG Diploma in Environmental Laws, World Wide Fund for Nature - India.

PG Diploma in Cyber Laws, Amity Law School.

Admissions

Admitted to the Bar in 2003.

Member

Delhi Bar Association.

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MAI THI MINH HANG (Partner).

Born Hanoi, Vietnam, 1975; admitted to bar, Hanoi, 2008.

Education: *Hanoi Foreign Trade University (BA in Economics, 1997); Hanoi University of Law (LLB, 2001); Washington State University, USA (MBA, 2003).*

Languages: *Vietnamese and English.*

Practice Areas: *Banking, Finance, Telecommunications, Capital Markets, Foreign Investment.*

E-mail: mtmhang@russinvecchi.com.vn

Nguyen Minh Hang

Dr Nguyen is Vice-Dean of the Faculty of Law, Foreign Trade University in Hanoi, where she has been actively involved in a range of projects related to international commercial law, the application of UNIDROIT principles and the CISG. She is also undertaking a series of research projects for the Vietnam Ministry of Education and Training and the Ministry of Industry and Trade in relation to International Investment Disputes, International conventions on sale of goods and the transport of goods by sea and Vietnam's participation in the Trans Pacific Partnership Agreement. She completed both her Master of International Business Law and her Doctor of Law at the University of Tours in France, and has published extensively in relation to Vietnamese commercial law and to international contract law.

David E. Harrell, Jr., FCIArb

Partner

Named a “Super Lawyer” in Business Litigation by Texas Monthly, David Harrell chairs both Locke Lord LLP’s International Arbitration Practice Group and the firm’s Business Litigation/Arbitration Practice Group. Mr. Harrell’s arbitration and litigation experience covers a broad range of practice areas and industries, including representations of plaintiffs and defendants in contract disputes, energy disputes, fiduciary relationships, real estate litigation, and prosecution and defense of fraud and securities law claims.

Professional Affiliations

- Member, State Bar of Texas: Business Law Section (Chair, 2011-2012); Section of Litigation; ADR Section; Oil, Gas and Energy Law Section; International Law Section
- Fellow, Chartered Institute of Arbitrators (Vice-Chair, Texas Chapter)
- Member, American Bar Association: Litigation Section; International Section
- Member, Houston International Arbitration Club, Inc.
- Member, Houston Bar Association
- Member, Texas Pattern Jury Charge Committee: Business/Consumer/Employment (2008-2010).

Recent Publications & Presentations

- Panelist, “International ArbitrationL Do’s, Don’ts, and Definitely Nots,” (Houston Bar Association International Law Section -- 2013)
- Panelist, “International Insolvency and Creditor’s Rights,” (NYSBA International Law Section, Lisbon – 2012).
- Speaker (with Haigh), “Rock, Paper, Scissors: Arbitrator Selection (Houston, Texas – 2012).
- Author/Speaker (with Robertson), “The (Surprisingly) Complex Art of Drafting Arbitration Clauses” (State Bar of Texas In-House Counsel Course, Dallas, Texas – 2012)
- Panelist, International Investment Arbitration (NYSBA International Law Section, Panama – 2011).
- Speaker, “Drafting Arbitration Clauses” (State Bar of Texas – 2011)
- Speaker, Western Canada Arbitration Roundtable (2011).

Community Involvement

- Local Advisory Board, Cenikor Foundation



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Practices

Business Litigation & Arbitration
Energy Litigation
International Arbitration

Education

J.D., *cum laude*, Southern Methodist
University School of Law, 1995
Order of the Coif
Phi Delta Phi
Research Editor - Southern
Methodist University Law Review

B.B.A., *magna cum laude*, University
of Houston, 1992

Bar Admissions

Texas, 1995

Court Admissions

U.S. District Court for the Southern
District of Texas, 1996
U.S. Court of Appeals for the Fifth
Circuit, 1999



■ **Franz Hepp de Sevelinges**
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Mergers & Acquisitions / Corporate
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Areas of Expertise

A member of the Paris and Berlin Bars, Franz Hepp de Sevelinges is a German Rechtsanwalt (Attorney at Law) and since 2004 he has worked for Gide Loyrette Nouel's Mergers & Acquisitions/ Corporate departments in Paris, Budapest Hanoi and, for the past two years, in Beijing. He regularly advises international groups in the area of business law, joint ventures, restructurings and general matters of corporate and commercial law. His international experience extends across the US, Europe and Asia, including assisting Chinese clients in connection with their outbound investment projects.

Franz has significant personal international experience, having lived and worked for extended periods in Germany, France, the US, Hungary, and, for the past four years, in Vietnam and China.

Franz studied law at the *Humboldt University* in Berlin and the *University of Paris I (Pantheon Assas)*.

Recent Professional Experience

- Advising one of the largest IT and consulting companies in its acquisition of a specialist provider and developer of IT services in China;
- Advising a Tunisian chemical company in its renegotiations of one of China's older joint ventures;
- Advising a large European energy provider in its restructuring of its Asian affiliates;
- A worldwide leader in the production of hot rolled steel tubes on a variety of commercial and distribution related issues;
- A leading French automobile company with its distribution contracts in China;
- A leading international group of laboratories providing a range of testing and support services to the pharmaceutical industries in the negotiations with a Chinese hospital for setting up clinical research;
- A leading Chinese drug and healthcare company in its cooperation agreements with Italian customers related to the development of a substance in China and licensing agreement;
- A major French hypermarket chain on its distribution agreements in China;
- A leader in the cable industry reviewing all commercial contracts and securing legal interests of client;
- A French software provider during the negotiations and drafting of complex cooperation and joint venture agreement with Chinese partners;
- A Chinese distributor within the negotiation of a distribution agreement for Korean high tech products in China.

Professional Affiliations

2004 - 2013 GIDE LOYRETTE NOUEL (GLN)

2011 – 2013: **GLN Beijing** (China)

2010 - 2011: **GLN Paris** (France)



2008 - 2010:	GLN Hanoi (Vietnam)
2005 - 2008	GLN Budapest (Hungary)
2004 – 2005	GLN Paris (France)
2001 - 2003	HAARMANN HEMMELRATH / Berlin (now Dentons LLP)
2000 - 2001	COUDERT BROTHERS / Berlin (Germany)

Qualifications

Registered with the Paris Bar (France), 2010

Admitted to the Berlin Bar (Germany), 2005

Second German State Law Examination, Superior Court of Berlin, 2004

First German State Law Examination, Humboldt University Berlin, 2001

Master Degree in Business Law, University Paris II (Panthéon Assas), 1999

Miscellaneous (Works Published, Professional Associations, etc.)

- Member of the Chinese European Lawyers' Association (CELA)
- Member of the International Bar Association (IBA)
- Member of the German French Lawyers' Association (DFJV)
- Member of the German Institution for Arbitration (DIS)
- Participation and at various conferences on various legal issues in Europe and in Asia:
 - GRI Germany (2008), Euromoney Forum (2008), MIPIM Asia (2010, 2012), IBA Vienna (2008), IBA Singapore (2010)
 - Participation as Chair at the NYSBA International Section Seasonal Meeting In November 2009 and presentation on issues related to „International Distribution Contracts: A Guide to Drafting Key Contract Provisions from a European (and, in Particular, French) Perspective”
- Regularly publishes articles on law issues:
 - *“PLC- Electricity Regulation in China: overview”*, in Practical Law Company (PLC) publication 3/2013
 - *“Chinese Supreme People's Court Clarifies Proceedings involving Sales and Purchase Contract Disputes”*, in Infobrief 1/2013
 - *“CIETAC Arbitration: New rules of arbitration in China as of 1 May 2012”*, in Infobrief 4/2012
 - *„International Distribution Contracts: A Guide to Drafting Key Contract Provisions from a European (and, in Particular, French) Perspective”* New York State Bar Association (NYSBA) International Law Practicum, Autumn 2009 issue
 - *“Doing Business in Vietnam”* in IBRD World Bank Report for 2009
 - *“The International Comparative Legal Guide to Real Estate 2010: Vietnam”*, in Global Legal Group publishing 2009
 - *“Doing Business in South East Asia – A legal Q&A Guide”*, in Practical Law Company (PLC) 2009
 - *„Hungary: setting up of companies will be accelerated”* in bfai Rechtsdatenbank 05/2006
 - *“Internet and E-mail as means of a shareholders' participation”* in BCCG News 04/2002

Languages

French, English, German



BROOKS HICKMAN

Associate

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Education and Honors

J.D., University of Virginia Law
School, 2008
Order of the Coif
Submissions Review Board,
*Virginia Journal of International
Law*

M.Phil, social & political sciences,
King's College, Cambridge, 2003

B.A. (*summa cum laude*),
Washington and Lee University,
2002
Luce Scholar, Singapore
International Arbitration Centre,
2008-2009

Court Admissions and Affiliations

District of Columbia Bar
Virginia State Bar

Concentration

International litigation, dispute resolution and arbitration

Summary

Brooks Hickman's practice primarily focuses on international commercial and investment arbitration. He has represented sovereign and commercial parties in arbitrations under the International Chamber of Commerce (ICC), the Stockholm Chamber of Commerce (SCC), and the UNCITRAL rules as well as companies seeking to challenge arbitral awards in the United States.

Mr. Hickman's practice also extends to U.S. litigation and foreign proceedings involving questions of international law as well as the investigation of alleged corruption under the U.S. and U.K. anti-bribery regimes.

Following law school, Mr. Hickman worked as Assistant Counsel for the Singapore International Arbitration Centre (SIAC), where he administered commercial disputes under the SIAC and ICC Arbitration Rules.

Mr. Hickman has a working knowledge of French and Russian.

Representative Engagements

- Defending U.S. investment funds in an ICC arbitration involving alleged contractual and tort violations under Korean and U.S. law.
- Defending a sovereign State in an SCC arbitration concerning a claim of alleged expropriation under an investment treaty.
- Defending a sovereign State in an UNCITRAL arbitration under the Energy Charter Treaty regarding allegations of expropriation and other ECT violations.
- Defending a third-party in context of discovery proceedings in U.S.

courts pertaining to a dispute over control of U.S. and international assets.

- Defending a not-for-profit organization from defamation and negligence claims in U.S. federal court.
- Assessment of availability of discovery in assistance of foreign court proceedings under 28 U.S.C. § 1782.
- Assessment of potential due process and equality of arms issues under the European Convention on Human Rights in connection with a private commercial dispute in Armenia.
- Assessment of indirect liability under international law for U.S. litigation under Alien Tort Statute and the Torture Victim Protection Act.
- Conducting investigation into bribery allegations concerning a recently acquired subsidiary.

Jay L. Himes
Partner, Labaton Sucharow LLP

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Jay L. Himes is co-chair of his firm's Antitrust & Competition Litigation Practice. Mr. Himes' expertise includes all facets of the antitrust landscape, including investigations and case filings, merger transactions, trial and appellate litigation, and settlement. With more than 30 years of experience in complex litigation, Mr. Himes focuses on representing plaintiffs in price-fixing class action cases, and on protecting businesses from anticompetitive activities. Mr. Himes is actively engaged in the prosecution of major antitrust class actions throughout the United States.

Prior to joining Labaton Sucharow in late 2008, Mr. Himes served as the Antitrust Bureau Chief in the New York Attorney General's office. During his nearly eight-year tenure as New York's chief antitrust official, Mr. Himes led significant, high-profile antitrust investigations and enforcement actions. These cases included: *In re Buspirone Antitrust Litigation* (\$100 million settlement); *In re Cardizem CD Antitrust Litigation* (\$80 million settlement); and *In re Compact Disc Antitrust Litigation* (\$67 million settlement). Under Mr. Himes' leadership, the New York Bureau secured the two largest antitrust civil penalties recoveries ever achieved under the State's antitrust statute.

While heading the New York Antitrust Bureau, Mr. Himes was also the State's principal representative in the marathon 2001 negotiations that led to a settlement of the government's landmark monopolization case against Microsoft. Thereafter, he was a leader in the Microsoft judgment enforcement activity that continued throughout his time at the Attorney General's office.

Prior to serving in the Attorney General's office, Mr. Himes practiced complex litigation for 25 years at Paul, Weiss, Rifkind, Wharton & Garrison LLP. There, he represented the 12 Federal Reserve Banks as plaintiffs in a price-fixing case against the nation's leading armored car companies, and defended a Revlon healthcare company in a series of price-fixing cases that spanned nearly a decade. More generally, Mr. Himes handled a wide range of litigation, including securities class actions as well as contract, construction, constitutional, entertainment, environmental, real property and tax litigation. Active in pro bono matters, Mr. Himes worked with the New York Civil Liberties Union, the NAACP and the National Coalition for the Homeless, while also representing inmate and immigration asylum clients.

Mr. Himes is a regular speaker at conferences focusing on antitrust and class actions, and has authored many articles on related issues. He is also 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 the BNA Antitrust & Trade Regulation Reporter and the editorial advisory group of the Antitrust Chronicle.

Mr. Himes is a past-chair of the Antitrust Law Section of the New York State Bar Association, and co-chairs the antitrust committees of the State Bar's Commercial and Federal Litigation Section and of its International Section. He is also a member of antitrust, litigation, and intellectual property groups in the New York City Bar Association and the American Bar Association.

Mr. Himes graduated from the University of Wisconsin Law School, where he served as the articles editor of the Wisconsin Law Review. After graduating from law school, he also pursued independent study at University of Oxford in England.

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MIRIAM K. FREEDMAN
OF COUNSEL

KAY H. HODGE, ESQUIRE

Ms. Hodge is a partner in the labor law firm of Stoneman, Chandler & Miller LLP, where she represents management in labor, employment, and employee relations matters, including defending employers in employment related litigation and advising employers on methods and procedures to avoid litigation. She is a Fellow of the College of Labor and Employment Lawyers and a member of the Federation of Defense and Corporate Counsel.

Ms. Hodge is active in the American Bar Association and has served as the Massachusetts State Delegate to the American Bar Association House of Delegates, past member of the ABA Board of Governors, and past Chair of the ABA Commission on Racial and Ethnic Diversity in the Profession and ABA Section on Individual Rights and Responsibilities. She is also past President of the Massachusetts Bar Association and the National Conference of Bar Presidents. She is a member of the Board of Directors of the American Bar Foundation.

Ms. Hodge lectures frequently to various attorney and human resources groups and provides training to managers and supervisors. She has provided training in mediation and arbitration to management representatives involved in manufacturing and/or hospitality industries in Cambodia under the auspices of the Cambodian Arbitration Council.

Ms. Hodge has received the Massachusetts Bar Association Gold Medal for outstanding legal services in Massachusetts benefiting the public, the legal profession and the Association (1999), the Boston University Alumni Association Alumni Award for Distinguished Service to the Profession (1996), and the Boston University School of Law Silver Shingle Award (1995).

Ms. Hodge has a Martindale-Hubbell AV Peer Review Rating and has been selected for Best Lawyers and Super Lawyers.

Ms. Hodge received a B.A. from Boston University, a J.D. from Boston University School of Law, and LL.M in Taxation from the Boston University School of Law.

CURRICULUM VITAE

Family name: HOWLETT
First names: Malcolm Gordon Meade (“Max”)
Date of birth: March 16th, 1961
Nationality: Australian

Higher Education:

- Master of Laws, University of Melbourne, Victoria, Australia (2006)
- Graduate Diploma in Legal Practice, University of Technology, Sydney, New South Wales, Australia (1991)
- Bachelor of Laws, Macquarie University, Sydney, Australia (1991)
- Bachelor of Arts (Anthropology and Mass Communications), Macquarie University, Sydney, Australia (1989)

Language skills:

- English – native
- Khmer – intermediate (speaking and reading)
- French – débutant

Membership of professional bodies:

- International Bar Association (IBA)
- Law Association for Asia and the Pacific (LAWASIA)
- International Network for the Promotion of the Rule of Law (INPROL)

Professional Admissions and Commissions:

- Admitted to legal practice in the High Court of Australia and the States of New South Wales (1991), Victoria (1993), Queensland (2004) and the Northern Territory of Australia (1998)
- Justice of the Peace, New South Wales, Australia (1980 - 2006)

Professional Legal Experience:

Counsel, Sciaroni & Associates

Cambodia (January 2012 to present)

- Provide advice for foreign and local businesspersons and investors in commercial and corporate matters including land, property purchasing and leasing, company creation, energy, agriculture, labour, cultural property protection and general matters.

AusAID

Cambodia (2012) – Short Term

- Peer Review for the Project Design Document of the Cambodia Community Justice Assistance Partnership (Cambodia)

Justice Systems Management Specialist and Access to Justice Adviser,

East West Management Institute (EWMI), Program on Rights and Justice 2 (PRAJ2),

Cambodia (November 2008 to December 2011)

- Provide technical assistance and advice to EWMI, RGC agencies including the Ministry of Justice and the Council for Legal and Judicial Reform (CLJR), and the Legal and Judicial Reform Technical Working Group (LJR TWG).
- Assist and advise on the development of Strategic Plans and Activity Plans for the courts and prosecution offices as part of the RGC Model Court Programme.
- Publish the judgments of the Supreme Court of Cambodia (1996-2006) in an electronic, searchable database.
- Assist the CLJR with the development of options and recommendations for a national legal aid policy
- Participate as a member of the Grants Review Committee making recommendations for funding of legal aid organizations.
- Provide technical advice, assistance, administration and management of a legal aid grants program to local legal organizations to provide legal services to indigent persons in Cambodia, and to an NGO undertaking a trial monitoring programme in the courts of Cambodia.
- Provide concept note and ongoing technical advice, including script development, on a television series (Scales of Justice) that promotes awareness of and significantly increases understanding of basic legal rights, violations of the law and access to the justice system (total of 28 episodes). The series won a Cambodian Star Kingdom Award for best TV drama in 2011.

Counsel, Sciaroni & Associates

Cambodia (August 2007 to October 2008)

- Provide advice for foreign and local businesspersons and investors in commercial and corporate matters including property purchasing and leasing, company creation, banking, energy, agriculture, labour and general matters.

Legal Consultant, East West Management Institute, Program on Rights and Justice (PRAJ)

Cambodia (February 2007 to October 2008 – half-time)

- Improve the capabilities of the Cambodian courts and enhance the quality of court services in relation to case management, access to legal resources, juvenile justice, access to information and legal aid.
- Develop and provide technical advice on a television series concept that promotes awareness of and significantly increases understanding of basic legal rights, violations of the law and access to the justice system.
- Provide technical legal assistance to the Council for Legal and Judicial Reform with the design of its Model Court programme.

Law and Justice Advisor, SAGRIC International, Cambodian Criminal Justice Assistance Project II (CCJAP 2), Cambodia (May 2002 – Dec. 2006)

- Participate in the design of CCJAP2 as part of a ‘design and implement’ process. Prepare, implement and monitor annual plans, activity plans and budgets in accordance with Government of Australia and Royal Government of Cambodia priorities.
- Development of close working relationships with key participants in the legal and judicial sector, including Ministry of Justice officials (Minister, Secretaries of State, Under Secretaries of State, Departmental Directors and junior officials); Judges and Prosecutors; the Council for Legal and Judicial Reform; government /donor joint Legal and Judicial Reform Technical Working Group (including UNDP, French Cooperation, JICA, USAID, UNICEF, UNCOHCHR); officials of the Royal Academy of Judicial Professions (RAJP); senior Ministry of Interior/police officials; NGOs; other donors and development partners.
- Primary responsibility for planning, management and implementation of development assistance to the Ministry of Justice, Council for Legal and Judicial Reform and the courts and implementation of the government’s legal and judicial reform programme, including specific involvement with the design and implementation of the ‘model court’ facility. Participation in development of joint monitoring indicators for the justice sector reform programme.
- Provide technical support for specific initiatives across the justice sector, including providing advice to the police on police/prosecutor relations in the civil system; reviewing police and prison procedures; advice to the Department of Prisons on acceptable disciplinary standards within the prisons; facilitating Police-Courts-Prisons meetings; and providing on-going advice to justice sector Capital Works Program activities.
- Liaise closely with AusAID and other Government of Australia agencies, including the Department of Immigration (on anti-people trafficking) and the Commonwealth Attorney General’s Department (on counter-terrorism).

Legal Consultant, UN Cambodia Office of the High Commissioner for Human Rights

Cambodia (July 2001 – March 2002)

- Assist the Royal Government of Cambodia in their efforts to support the promotion of human rights.
- Provide expert advice on draft legislation and regulations, ensuring consistency with international human rights standards, international law, the Cambodian Constitution and other legal norms.
- Assist counterparts to prepare model laws and regulations; give legal advice to UNCOHCHR and to government and non-government institutions; prepare briefs on the effective implementation of legislation and legal and judicial reform.
- Monitor human rights developments and conduct investigations into election-related incidents.

Legal Consultant, Mekong River Commission (MRC)

Cambodia (November 2001 – February 2002)

- Consultation and collaboration with key stakeholders to draft multilateral agreements on: the implementation of programs pursuant to the Mekong River Agreement (promoting sustainable use of resources in the Mekong River basin); a Memorandum of Understanding between the MRC and Cambodian line agencies on freshwater fishery management; and an Agreement concerning the establishment of the government's Inland Fisheries Research Institute.

Legal Consultant, International Monetary Fund (IMF)

Cambodia (April 2002 – May 2002)

- Collaboration with Customs Advisers from the International Monetary Fund to prepare the draft Law on Customs and make it compatible with the Cambodian constitutional and legal framework.

Legal Adviser, Legal Aid of Cambodia (LAC)

Cambodia (2001)

- Support for the provision of free legal representation to poor people, including expert advice to local lawyers handling a substantial number of land dispute cases, including large class actions.
- Preparation of funding proposals and reports.

Legal Adviser, Center for Social Development (CSD)

Cambodia (1999-2000)

- Legal advice and assistance to a Cambodian non-governmental organization promoting good governance, democracy, free and fair elections, and anti-corruption.
- Expert advice to government officials, Parliamentary committees and other NGOs on a wide range of draft laws and agreements.

Senior Civil Solicitor, Central Australian Aboriginal Legal Aid Service (CAALAS)**Alice Springs, Northern Territory of Australia (1998 – 1999)**

- Providing advice and legal representation for indigenous aboriginal Australians in remote central Australia, including contractual disputes, labor disputes, property disputes, bankruptcy, compensation cases, arrests and other areas of law in Courts and tribunals. Specific responsibilities included giving legal advice and providing representation to persons in police custody from the moment of their arrest as well as to prisoners on remand or sentenced; administering legal aid cases allocated to the private legal profession; developing CAALAS policy; providing community legal education; and advising the CAALAS Board of Management on legal matters and on amendment to the Board's Statute.

Human Rights and Administrative Law Solicitor, Victoria Legal Aid**Melbourne, Victoria, Australia (1995 - 1998)**

- Legal advice and representation in civil, criminal and administrative cases in Courts and other statutory tribunals.
- Provision of extensive legal education, primarily with ethnic communities, and legal instruction and training for migration agents and lawyers.
- National Legal Aid Expert Adviser in relation to Immigration law, including drafting submissions and giving evidence to Parliamentary inquiries.

Law Instructor, The Asia Foundation**Cambodia (1995)**

- Teaching of Contract Law to a select Cambodian student group with the assistance of local counterpart teacher/translators.

Lawyer, Refugee Council of Australia and Refugee Advice & Casework Services**New South Wales and Victoria, Australia (1992 – 1994)**

- Legal advice and representation to asylum-seekers, including research and preparation of detailed legal and factual submissions, and researching the civil and political situations in countries of asylum seekers' origins.
- Supervision of legal advice clinics.

Community Legal Educator, Intellectual Disability Rights Service**Redfern Legal Centre, Sydney, New South Wales, Australia (1989 – 1991)**

- Teaching law (contracts, torts, crimes, consumer and guardianship law) to disability workers and to disabled persons, their families and community groups about the legal rights of the disabled.

Court Clerk, Department of Justice (CPS, MCA, LCA)**New South Wales, Australia (1979 – 1983)**

- Administration of civil, family and criminal cases in registries of courts of first instance.

Presentations:

- LAWASIA, Children and the Law Conference, Siem Reap, Cambodia 2011 (Session Chairperson)
- LAWASIA, Labor Law Conference, Kuala Lumpur, Malaysia, 2006 (Co-Presenter, “Access to Local Industrial Adjudication Systems – Cambodia”)
- LAWASIA, Children and the Law Conference, Brisbane, Australia 2003 (Session Chairperson)
- Cambodian Defenders Project, Role of Lawyers Seminar, Siem Reap, Cambodia 2002 (Presenter)
- Norton University, Role of Lawyers in Protecting Human Rights, Cambodia 2001 (Guest lecturer)
- Australian Institute of Administrative Law Seminar, Melbourne 1998 (speaker on Legal Representation)
- Australian Institute of Administrative Law Seminar, Melbourne 1997 (speaker on Judicial Review)
- Victoria Legal Aid, Refugee and Migration Law Seminar, Melbourne 1997 (Seminar Chairperson)
- NTU Law School, Retreating from the Refugee Convention Conference, Darwin 1997 (Presenter)
- Melbourne University 1997 (Guest Lecturer and Examiner, Migration Law)
- Leo Cussen Institute, Migration Law Seminar, Melbourne 1996 (Guest speaker on Migration Law)
- Sydney University, Refugee Law Conference 1993 (Rapporteur)

Media Publications and Television Broadcasts:

- “Scales of Justice”, (28 part television edutainment series on legal rights and procedures, EWMI-USAID; AusAID-CCJAP, 2008-2011).
- Supreme Court and Office of the Prosecutor General of the Supreme Court of the Kingdom of Cambodia, Decisions, 1996-2006 (EWMI-USAID; AusAID-CCJAP, 2011).
- Bar Association of the Kingdom of Cambodia, Lawyers’ Forms and Motions (EWMI-USAID, 2011).
- International Bar Association (IBA), *Asia-Pacific Forum News*, Vol. 14, No. 1, October 2007; “A new Civil Procedure Code for Cambodia”.
- Cambodian Criminal Court Procedures Handbook, (Ministry of Justice-AusAID-CCJAP, 2006).
- "Role and Duty of the Constitutional Council", *Center for Social Development Bulletin* No.71, Aug. 2000.
- "Who Judges the Judges?" *Center for Social Development Bulletin* No.65, Feb. 2000.
- *Free Market Contract Law, First Edition*, The Asia Foundation: Phnom Penh, 1997 (Chapter Reviewer).

Other Professional Achievements:

- Member of the Board of Directors, Mith Samlanh (Cambodia) (2012 to present)
- Honorary Legal Adviser, IMPACT Cambodia (2007 to present)
- Member of Board of Directors, Cambodian Acid Survivors Charity Ltd (ACN 118 635 144) (2006-7)

- Member of Board of Directors, Arbitration Council Foundation, Cambodia (2004 to 2007)
- Registered Migration Agent (Migration Agents Registration Authority, Australia) (1993 – 2004)
- Accredited International Election Observer, Cambodia (2002)
- Expert Adviser in relation to Immigration Law, National Legal Aid, Australia (1997 - 1998)
- Member, Migration Committee of the Law Institute of Victoria, Australia (1996 - 1998)
- Member, Human Rights Committee of the Law Institute of Victoria, Australia (1996 - 1998)
- Member, Management Committee, Victorian Immigration Advice and Rights Centre (1996-98)



As the Chief Executive Officer of SIAC, Ms Lim is responsible for the overall management and operations of SIAC. She also heads up the business development team, and oversees its marketing functions. Prior to joining SIAC, she held various legal and corporate management roles including Senior Vice-President and General Counsel of Marina Bay Sands in Singapore. She has previously worked in Hong Kong and Singapore as a corporate, securities and M&A lawyer in private practice with various international firms. She qualified as a Barrister and is also admitted as a solicitor in Singapore, Hong Kong and England & Wales.

Contact:

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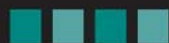
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Gina Hung

Gina Hung is a legal counsel of Realtek Semiconductor Corporation. She leads the company's legal team to provide solutions to legal and business issues, and to establish, facilitate, and enforce the company's policies and procedures.

Ms. Hung has worked as in-house counsel over ten years. Prior to joining Realtek, she worked for several companies, including ICSI (now ISSI Taiwan) and Lucent Technologies Taiwan.

Ms. Hung received her LL.B. from Soochow University in Taiwan, and her LL.M. from Georgetown University.



Areas of Expertise:

Distribution and Marketing

Antitrust

Food and Beverage

Trademark and Copyright

Software and Computer Law

Education:

College: Massachusetts Institute of Technology, 1974, B.S. Physics, B.S. Management

Law School: Harvard Law School, 1977, J.D.

Honors: Magna cum laude

Prior Affiliations:

Paul, Weiss Rifkind, Wharton & Garrison, 1977-1984

Stecher Jaglom & Prutzman LLP, 1984-2000

Languages:

French

Memberships:

Professional: New York State Bar Association, International Section Former Chair; Executive Committee Member; co-chair, International Distribution, Sales and Marketing Committee)

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

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

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

Board of Advisors, The American Institute of Wine & Food, New York Chapter

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

Bar Admissions:

New York

U.S. District Courts, Southern and Eastern Districts of New York

U.S. Court of Appeals, Second Circuit

United States Supreme Court



Andre R. Jaglom

Partner

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Practice Description:

Andre R. Jaglom regularly counsels clients in the distribution and marketing field, including the establishment and restructuring of

distribution networks; negotiation and preparation of domestic and international distribution and supply contracts, as well as franchise offering circulars and agreements; establishment of e-commerce distribution agreements; counseling with respect to distributor and supplier relations; negotiating and structuring business transactions; and handling dealer termination litigation. In addition, Drew 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.

Drew has extensive experience representing clients in the food and beverage industry, including alcoholic beverage and soft drink distribution, in computer law, and in representing trade associations and non-profit organizations. Drew was the principal draftsman of the [New Jersey Malt Alcoholic Beverages Practices Act](#), which was signed into law on December 15, 2005. He is often quoted in beer industry trade publications, such as *Beer Business Daily* (e.g., October 14, 2011, March 17, 2008, July 1, 2007, July 10, 2006, November 24, 2003, September 1, 2003, August 28, 2003, July 9, 2003 and December 5, 2002) and *Beer Marketers Insights* (e.g., September 19, 2011, February 11, 2008, January 28, 2008, July 3, 2007, commentary on recent direct shipping decisions), and in news articles on beer distribution (e.g., *Denver Post*, November 25, 2007).

For over twenty-five years, Drew has chaired the annual American Law Institute-American Bar Association Course of Study on Product Distribution and Marketing, to rave reviews from lawyers who attend. Drew has spoken for many years on international distribution and marketing law and intellectual property protection issues at meetings of the New York State Bar Association International Section. He is a former Chair of the International Section and Chair of its International Distribution, Sales and Marketing Committee. 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 Super Lawyers](#) for 2006, 2007, 2008, 2009, 2010 and 2011, every year that selections were made. He has also been selected for inclusion in the 2013 Best Lawyers Guide, 2012 Avenue Magazine legal elite list, Fortune Magazine's 2012 top ranked lawyer list and the American Lawyer and Corporate Counsel's 2012 top ranked attorney list.

Publications:

- Distribution Contracts, *Legal Checklists* (Callaghan & Co.)
- For Programs of the International Law & Practice Section of the New York State Bar Association:
 - Canning Spam: Developing Regulation of Unsolicited Commercial E-mail around the World
 - Liability On-Line: Choice of Law and Jurisdiction on the Internet or Who's In Charge Here?
 - Regulation of Privacy on the Internet in the United States
- For the ALI-ABA Course of Study on Product Distribution and Marketing:
 - Managing Distribution: How to Develop a Corporate Legal Compliance Program
 - The Broad Scope of Franchise Laws: Traps for the Distribution Contract Drafter
 - Internet Distribution, E-Commerce and Other Computer Related Issues: Current Developments in On-Line, Business Methods Patents and Software Distribution, Licensing and Copyright Protection Questions
 - Distribution Contracts

Practice Areas

- Franchise Law, Distribution and E-Commerce
- Intellectual Property
- Technology, Outsourcing and Telecommunications



Andre R. Jaglom

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Presentations:

- Planning Chair and Faculty Member, Product Distribution and Marketing, American Law Institute Continuing Legal Education (ALI CLE), Annual Course of Study, June 26-28, 2013
- Speaker, "How To Draft Product Distribution Contracts", Webinar, ALI-CLE.org, November 29, 2012
- Speaker, Product Distribution Agreements: Structuring Key Contract Provisions, Anticipating Legal Pitfalls and Mitigating Risks for Suppliers and Distributors, Webinar, Strafford Publications, September 20, 2012
- Speaker, Milan Regional Meeting, "Protecting Brand-specific investments in International Distribution", March 8, 2013
- Speaker, "Making a Run for the Border: Alternative Strategies to Getting Your Goods or Services to Market", NYSBA Ontario-New York Legal Summit, March 29, 2012, Buffalo, New York
- Panel Chair, "Hot topics in International Distribution", NYSBA International Section, Prague Regional Meeting, March 8-9, 2012
- Panel, "Issues in Distributor Termination Litigation: Wine and Beer, Wholesaler and Supplier Perspective", Beer & Spirits Law Conference, October 2011
- Speaker, "Product Distribution Agreements", Strafford Publications, Inc., October 27, 2011
- Planning Chair, American Law Institute-American Bar Association Course of Study on Product Distribution and Marketing (including presentations on Business Franchise Laws, Internet Distribution, Distribution Contra Managing Distribution), 1987-2012
- Fall Meetings of New York State Bar Association International Section
 - Panel Chair, "To Market, to Market: The Pros and Cons of Alternative Methods of Distribution", Lisbon, 2012
 - Panel Chair, "Best Practices in International Distribution Contract Drafting: A Guide to Key Contract Provisions Viewed from New York, Latin America and Europe," Panama City, 2011
 - Panel Chair, "Navigating Franchise Regulation in International Business," Sydney, 2010
 - Panel Chair, "Best Practices in International Distribution Contract Drafting: A Guide to Key Contract Provisions Viewed from New York, Asia and Europe," Singapore, 2009
 - Panel Chair, "International Distribution Arrangements: Different Channels, Different Countries," Stockholm, 2008
 - Panel Chair, "Terminating Commercial Relations in Latin America: A Look at Distribution, Franchising and Agency Agreements," Lima, 2007
 - Panel Chair, "Expanding Trade: Bringing Your Goods to a New Market – Distribution Considerations", Shanghai, 2006
 - Panel Chair, "Developments in Competition Law in the European Union and the United States: Harmony and Conflict," London, 2005
 - Panel Chair, "Dealer Termination in the Americas: Can You Divorce a Dealer You Don't Love Anymore?," Santiago, 2004
 - Panel Chair, "Canning Spam: Developing Regulation of Unsolicited Commercial E-Mail Around the World, Amsterdam, 2003
 - Panel Chair, "Developments in Online Privacy Regulation and E-Commerce," Rome, 2002
 - Panel Chair, "International Regulation of Internet Privacy Issues," Madrid, 2000
 - Speaker, "Licensing, Franchising and Trademark Issues in Latin America," Miami, 1998
 - Speaker, "Protection of Intellectual Property in China, Hong Kong," 1997
 - Panel Chair, "Distribution and Marketing Law," Monaco, 1996
- Presentation, "Dealer Termination in International Markets," Center for International Legal Studies program on "Lawyering in the International Market," Pilanesberg, South Africa, 2008
- Panel Presentation, "Evaluating the Effects of Industry-Wide Consolidation," American Conference Institute Executive Legal Summit on Alcoholic Beverage Marketing and Distribution, Miami, February 7, 2007
- Lecturer, "Law and the Culinary Business," Essentials of Restaurant Management program (The French Culinary Institute)

Significant Matters:

Formation of Manhattan Beer Distributors LLC (the third largest beer distributor in the U.S.) by Manhattan Beer Distributors, Inc. and Coors Distributing Company of New York, Inc., 1998.

Advised all New Jersey distributors of a major national brewer in negotiation and drafting of the [New Jersey Malt Alcoholic Beverages Practices Act](#), which was signed into law on December 15, 2005.

Negotiated trademark license agreement with major candy manufacturer for production of soft drink.

Advised Fortune 500 telecommunications equipment manufacturer in connection with restructuring its distribution arrangements, including trademark and software licensing issues with both resellers and end users.

Negotiated licensing agreements for portfolio management, pricing, hedging and trading software used as the arbitrage trading system at a major securities firm.

Represented Australian company in acquiring engine supercharger technology from Scottish and American companies for use and license in the U.S. and around the world.

Negotiated and drafted scores of distribution and licensing agreements in many industries, including beer, wine and spirits, food, soft drinks, perfume and cosmetics, watches, software and others.



James P. Jalil

Executive Committee

Partner

**Corporate Transactions & Securities
International**

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Jim is a member of the firm's Executive Committee and a partner in the Corporate Transactions & Securities and International practice groups. Jim is also Chair of the firm's India desk.

He concentrates his practice on securities and corporate transactions, in the United States and internationally, including contract drafting and negotiations, mergers and acquisitions, public offerings registered with the Securities and Exchange Commission, private placements of securities exempt from registration, venture capital financings, and hedge fund, investment adviser and broker-dealer formation and compliance.

With more than 35 years' corporate transactional experience, Jim routinely:

- Counsels public companies in connection with ongoing Securities and Exchange Commission compliance;
- Represents Latin American, European and Southeast Asian clients in the United States in connection with a myriad of securities and corporate matters, including transnational and off-shore financings and corporate transactions;
- Represents hedge funds, venture funds, private equity funds, broker-dealers and investment advisors in formation, compliance and capital investment;
- Represents clients in connection with their capital formation from early stage through initial and subsequent public offerings; and
- Counsels clients through complex financings and transactions.

Outside of his law practice, Jim is an Adjunct Professor at Fordham University School of Law, where he teaches an upper level course in specializing on Securities Regulation.

Jim also actively supports community initiatives, regularly participating in profile and fund raising efforts.

Jim is admitted to practice in the State of New York.

FRANCIS H. JARDELEZA

Solicitor General

Appointed as Solicitor General of the Republic of the Philippines by President Benigno S. C. Aquino III in February 2012. Before his appointment, he served as the Deputy Ombudsman for Luzon since July 2011.

I. Education

Bachelor of Laws, Salutatorian and *cum laude*, University of the Philippines College of Law, Diliman, Quezon City, 1974

- Vice Chairman, Philippine Law Journal, 1973
- Author, “On Justice Fernando’s Method in Constitutional Cases,” 47 Philippine L.J. 696 (1972)

Third Placer, 1974 Bar Examinations, General Average of 88.35 %

Master of Laws, Harvard Law School, Cambridge, Massachusetts, U.S.A., 1977

- Author, “Toward a Recognition of the Special Function Model of Philippine Judicial Review” submitted to Professor Richard D. Parker in the Seminar on Advanced Constitutional Law in satisfaction of the LL.M. written work requirement, 1977 (unpublished)

Bachelor of Arts, Major in Political Science, University of the Philippines Iloilo College, 1969

- Two-term President of the College Student Council
- Most Outstanding Graduate, 1970
- Most Outstanding Alumnus – Corporate Law, University of the Philippines Visayas, 2010

Valedictorian, University of the Philippines Iloilo College High School, 1965

- Class President from first year to fourth year high school

Valedictorian, Jaro Elementary School, Iloilo City, 1961

II. Professional Experience

He joined Angara Abello Concepcion Regala and Cruz (“ACCRALAW”) in 1975 and made partner in 1981. He was the only junior partner allowed to be a member of both the Litigation and Corporate (Special Projects) Departments. In 1986, he became Chairman of the ACCRALAW Litigation Department.

After earning a Master of Laws degree at Harvard Law School, he trained in securities, litigation and public offerings as a foreign associate in the New York City law firm of Sullivan and Cromwell.

He left ACCRALAW in 1987 and founded Jardeleza Sobreviñas Diaz Hayudini and Bodegon, where he started practicing labor law. In 1990, he established the Jardeleza Law Offices as a solo practice. In 1992, he joined Roco Buñag Kapunan Migallos and Jardeleza, as partner, where he headed the litigation and labor law practice groups.

In 1996, he became Senior Vice President and General Counsel of San Miguel Corporation, a position he held continuously up to June 30, 2010, when he opted for early retirement.

His varied exposure has enabled him to gain a wide experience in litigation, appearing before the regional trial courts and administrative agencies (*e.g.*, Securities and Exchange Commission). He was a ranking member of the team involved in the proxy, corporate and boardroom contests and later litigation chronicled in *Gokongwei v. San Miguel Corporation*, 89 SCRA 336 (1979). After becoming partner, he became lead litigator in his own right, writing briefs and later arguing before the Supreme Court the case of *Bank of America, N.T. v. Court of Appeals*, 186 SCRA 417 (1990). In his labor law practice, he successfully handled *San Miguel Corporation Employees Union PTGWO v. Bersamira*, 186 SCRA 496 (1990) on valid outsourcing; *Ilaw at Buklod ng Manggagawa v. National Labor Relations Commission*, 198 SCRA 586 (1991) on slow down strikes; *San Miguel Corporation v. National Labor Relations Commission*, 304 SCRA 1 (1999) on the role of injunctions in non-strike issues; and *San Miguel Corporation v. National Labor Relations Commission*, 403 SCRA 418 (2003) on injunctions against unlawful strikes.

In 1996, as general counsel of San Miguel Corporation, he broadened his practice, this time specializing in mergers and acquisitions, corporate restructuring, securities, intellectual property and corporate governance. Up to his retirement in 2010, he managed the legal needs of eight publicly listed companies, both in the Philippines and abroad, and at the same time navigated the cross border legal requirements of an aggressive corporate regional expansion into Southeast Asia, China, and Australia. He led the legal team which successfully closed major mergers and acquisitions and domestic and international public offerings (see **Annex A**).

He has served on the boards of many corporations, here and abroad, both public and private. He was honored by his peers in the legal profession who voted him as Asialaw Best Philippines In-House Counsel in 2005 and 2007. He has lectured widely on corporate governance, intellectual property and contract review, here and abroad (see **Annex B**).

III. Pro Bono Activities

He has also employed his litigation skills for pro bono work. A staunch advocate of the freedoms of the press and of expression, he successfully secured a Supreme Court injunction to lift a hold departure order on journalist Maritess Dañguilan-Vitug, in *Dañguilan-Vitug v. Court of Appeals*, 232 SCRA 460 (1994). The lifting enabled Ms. Dañguilan-Vitug to

pursue a masteral degree in the United Kingdom. In 1994, on behalf of a Senator, he successfully argued before the Supreme Court the case of *Philippine Constitution Association v. Enriquez*, 235 SCRA 506 (1994) on presidential veto powers over appropriation bills.

IV. Law Professor

He is a serious student of, and noted professor in, Constitutional Law at the University of the Philippines (“U.P.”) College of Law, where he has been a professorial lecturer since 1993. His foremost interest being Constitutional Law, his student article in the Philippine Law Journal and his masteral thesis at Harvard Law School were both on the said subject. His other fields of interest in the academe are Civil Procedure and Administrative Law. He has also been a lecturer at the U.P. Law Center in Commercial Law, and in various Mandatory Continuing Legal Education (“MCLE”) forums on corporate governance (see **Annex B**). He is presently writing a treatise on “The Constitution and the Laws on Libel” as part of the U.P. Law Centennial Textbook Project.

V. Bar Affiliations and Activities

He is a member of the Integrated Bar of the Philippines, the Philippine Bar Association, the American Bar Association and the Inter-Pacific Bar Association. In 2005, he delivered a speech at the Asia Pacific Forum of the International Bar Association Annual Conference in Prague, Czech Republic. In 2009, he served as Co-Chair of the Corporate Counsel Section of the Inter-Pacific Bar Association, and moderated the joint session on “Electronic Discovery and Other Cutting Edge Issues in Asia-U.S. Cross Border Discovery.”

In 1977, he was also admitted to the New York State Bar and the US Eastern and Southern Districts of New York.

VI. Alumni Activities

He is active in alumni activities, both at the U.P. College of Law and at the University of the Philippines Visayas (“UPV”).

He is the president of the U.P. College of Law Class of 1974 and founder of the Excellence in Legal Writing Fund (the “Fund”). Established in 1999, the Fund sponsors seventeen (17) student legal writing prize categories at the U.P. College of Law, each carrying a cash prize of P12,500. To date, the Fund has awarded fifty-eight (58) prizes with cash rewards totaling more than P500,000. The Class of 1974 also renovated the Philippine Law Journal Room into the Justice Alex Reyes Room, for which the Class of 1974 was recognized by the U.P. College of Law for their generous support to the U.P. Modernization Fund.

He is a trustee of the U.P. Law Alumni Foundation, and a member of the U.P. Law Centennial Commission.

He is also active in UPV alumni affairs, where he was named Most Outstanding Alumnus in Corporate Law in 2010. He set up the Francis H. Jardeleza Leadership Award in U.P. Iloilo High School in 1990, and supports six scholarships for the most financially needy at the same high school.

VII. Charitable Activities

A Roman Catholic, he is a benefactor of the Jaro Cathedral in Iloilo; the Nuestra Señora Desamparados of Jaro, Iloilo; the Carmelite Nuns of Jaro, Iloilo; and the Carmelite Scholastics in Quezon City.

Annex A

Mergers & Acquisitions, Joint Ventures and Divestments

- A\$3.4 Billion Share Exchange with Coca-Cola Amatil Ltd., 1997
- US\$700 Million Sale of Nestlé Philippines, Inc. to Nestlé, S.A., November 1998
- US\$56 Million Acquisition of J. Boag & Son Limited, June 2000
- P2.9 Billion Acquisition of Sugarland Multi-Food Corporation, May 2000
- A\$1 Billion Equity Sale to Coca-Cola Amatil Ltd., July 2001
- A\$2.2 Billion Joint Acquisition of Coca-Cola Bottlers Philippines, Inc., July 2001
- P7 Billion Acquisition of Pure Foods Corporation, 2001
- P27.88 Billion Sale of Equity to Kirin Brewery Ltd., March 2002
- P11.6 Billion Acquisition of Cosmos Bottling Corporation, 2002
- US\$35.5 Million Acquisition of Taiwan Tea Corporation, October 2003
- A\$337 Million Acquisition of Berri Ltd., August 2004
- US\$102 Million Acquisition of Thai Amarit Brewery assets, 2004
- A\$1.9 Billion Takeover of National Foods Limited, July 2005
- US\$35 Million Acquisition of Goulene Packaging Companies, 2005
- US\$260 Million Joint Venture in Del Monte Pacific, 2005
- US\$590 Million Sale of Coca-Cola Bottlers Philippines, Inc., February 2007
- A\$2.8 Billion Sale of National Foods Limited, 2007
- A\$325 Million Sale of J. Boag & Son Limited, 2007
- P4.3 Billion Sale of 35% interest in San Miguel Packaging Corporation to Nihon Yamamura Glass Ltd., 2008
- US\$1.2 Billion Sale of interest in San Miguel Brewery Inc., 2009

Securities Offerings

- P2 Billion La Tondeña Private Placement, May 1999
- P17.7 Billion San Miguel Corporation Rights Offering, April 2005
- P23 Billion San Miguel Brewery Inc. Initial Public Offering, May 2008
- P38.8 Billion Bond Offering of San Miguel Brewery Inc., April 2009

Annex B

Lectures

“Corporate Governance”

University of the Philippines Law Center

May 31, 2003

“Corporate Governance”

Integrated Bar of the Philippines

June 27, 2003

“The Sarbanes Oxley Act and the New Rules of Disclosures of the PSE”

AIM Conference Center

December 12, 2003

“Corporate Governance”

IBP Greater Manila

March 27, 2004

“Corporate Governance”

University of the Philippines Law Center

July 29, 2004

“Role of Company Secretary: In Supporting the Board’s Objective Decision Making in Meeting Evolving Expectations Needed for Economic Growth”

Marcus Evans Conference

December 4, 2007

Singapore

“Analyzing the Legal Environment for Effective Contract Management”

Marcus Evans Conference

February 18, 2008

Crowne Plaza Galleria Manila

“The Aftermath of Enron: Developments in Corporate Practice”

Bangko Sentral ng Pilipinas - MCLE

April 18, 2008

“Service Provider Selection: Managing Your Attorney Relations to Guarantee Effective IP Management”

IP Law Asia Summit

November 25-27, 2008

The Ritz-Carlton Millenia, Singapore

“Striving for Organization Wide Engagement of Corporate Governance Implementation”

2nd Corporate Governance Asia

May 14, 2009

Sheraton Towers, Singapore

“Managing IP Portfolio to Sustain Business in Difficult Times”

Intellectual Property Management Marcus Evans Conference

June 30, 2009

Mariott Hotel, Singapore

Steven T. Kargman

Steven T. Kargman is the Founder and President of Kargman Associates, a New York City-based strategic advisory firm that specializes in providing strategic advice to clients involved in complex and challenging international restructuring, cross-border insolvency, distressed debt and non-performing loan situations, with a special focus on the emerging markets.

Mr. Kargman is a leading expert on international debt restructurings and international insolvency, and he served formerly as Lead Attorney with the Export-Import Bank of the United States, the official export credit agency of the US government, and as General Counsel of the New York State Financial Control Board, the chief financial oversight agency for New York City.

He has worked on numerous high-profile and difficult restructuring transactions in the emerging markets, including among others the \$13.9 billion Asia Pulp & Paper restructuring, the \$1.85 billion AHMSA steel company restructuring in Mexico, and large project finance restructurings in Asia and Latin America. In his restructuring activities, he has played a leadership role on creditor Steering Committees and export credit agency working groups.

He has published numerous articles in leading professional journals and is frequently invited to lecture at prestigious forums around the world, including programs in Africa, Asia, Europe, Latin America, and North America. He is a Fellow of the American College of Bankruptcy, co-chair of the American Bar Association's Subcommittee on International Bankruptcy, and has been a member of the Board of Directors and a Founding Member of the International Insolvency Institute.

Mr. Kargman has served as a member of the US government and the American Bar Association delegations to the United Nations Commission on International Trade Law (UNCITRAL) projects on insolvency law reform. He also has been an advisor on international insolvency and restructuring issues to the World Bank, the United Nations and the US State Department, and he has been quoted on international restructuring issues in major news media outlets such as *The Wall Street Journal* and *Bloomberg*.

He currently serves as Professor from Practice at Peking University School of Transnational Law in Shenzhen, China where he has taught courses to graduate Chinese law students on Sovereign Debt Restructuring, International Debt Restructuring in a Global Economy, and Advanced Topics in International Debt Restructuring and Cross-Border Insolvency. He also formerly served as an Adjunct Professor at Washington College of Law at American University where he co-taught a course on international project finance. He has been a frequent lecturer at the International Law Institute in Washington, DC where he has delivered many lectures on the topic of project finance restructurings to high-level civil servants from major developing countries.

A former Henry Luce Scholar in Singapore, he received his JD from Yale Law School, where he was an editor of *The Yale Law Journal*, chairman of both the Yale Association of International Law and Yale Legislative Services, and a recipient of the Thomas I. Emerson Prize, and he received his BA from Swarthmore College, where he graduated with Honors, was a member of Phi Beta Kappa, and received the Flack Achievement Award and Sarah Kaighn Cooper Scholarship for outstanding achievement.

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George has over 30 years of experience as an attorney and adviser in connection with insolvency and cross-border distressed M & A matters. George is the founder and Managing Director of Kelakos Advisors LLC, a cross-border distressed M&A and transaction advisory firm with a focus on Greater China and Southeast Asia. As of August 1, 2013, George serves as the Senior Advisor Asia to Hilco Global (www.hilcotrading.com), with a primary emphasis on matters in Southeast Asia and Greater China. Prior to the formation of his advisory practice in 2006, George was Of Counsel to Heller Ehrman, LLP in the Bankruptcy, Corporate Finance and International practice groups. Before joining Heller Ehrman, George was a founding partner of Cohn & Kelakos LLP of Boston, Massachusetts, a business reorganization boutique law firm where he was a partner for 12 years. George has also served as a consultant to the PRC law firm of King & Wood Mallesons (www.kingandwood.com), China's largest law firm, and currently provides consulting services to clients in Thailand and elsewhere in Southeast Asia through a consulting relationship with the Bangkok-based law firm, Tilleke & Gibbins International, Ltd. (www.tilleke.com). George has also worked part-time as Of Counsel to the Paris-based law firm of Salans (www.salans.com) and most recently, as a partner of the Atlanta-based law firm, FSB Fisher Broyles, LLP (www.fsblegal.com) on cross-border insolvency and distress-related matters.

George has over 15 years of on-the ground-experience working on matters relating to Southeast Asia and Greater China. Recent engagements include his current advisory role in a complex Thailand-based restructuring of a large steel pipe and fittings group with operations in Thailand, Korea, Japan, Canada and Europe and serving as the Chapter 11 Trustee and thereafter, as Plan Administrator, involving steel and copper manufacturing and processing NPAs located in Shandong Province, PRC. George began providing services in Asia just prior to the Asian Crisis of 1997 in both the public and private sectors. In the public sector, since 1998, George has assisted the government of the Kingdom of Thailand and the ASEAN Secretariat on matters relating to bankruptcy law reform and the development and promotion of Western-style ADR practices and procedures. On the private sector side, from 2000 to 2002, George also served as the Managing Director of Tonson Planners Ltd., a Bangkok-based consulting firm that provided consulting and advisory services to clients involved in the monetization of NPLs and NPAs involving manufacturing businesses and commercial and residential real estate assets. During that time, George was also qualified and listed as an approved mediator for the Corporate Debt Restructuring and Advisory Committee of the Bank of Thailand, a formalized out-of-court workout structure that utilized ADR practices and procedures to build consensus between corporate debtors and institutional creditors in Thai cases involving financial distress.

A frequent international and national speaker on programs involving cross-border, alternative dispute resolution and NPA monetization topics, George is a Founding Member of the International Insolvency Institute (www.iiiglobal.org) and serves as Co-Chair of that organization's Asian Developments Committee; George is also a member of the Asia Transformation & Transformation Association (www.asiatta.org), has also served as the Vice President of International Affairs of the American Bankruptcy Institute (www.abiworld.org), as a member of the Executive Committee of the Board of Directors of the ABI from April 2005-2007 and on the Board of the ABI through April of 2009. George is fluent in French and Italian, nearly fluent in Thai, conversant in Hebrew and Thai, and is studying Mandarin. George is also a 40+year practitioner of external and internal martial arts and is the lead guitarist of the ABI's captive rock and roll band, the *Indubitable Equivalents* (www.abiband.com).



YUHO "RICHARD" KIM

Attorney at Law (Member of the New York Bar)

Speaker of Program 11(Vietnam FDI and Banks since 2008)

yhkimlogos@gmail.com / yhkim@lawlogos.com / +84.(0)4.3771.0334

Education

- University of California at Berkeley, with Honors (B.A.)
- University of Florida Levin College of Law, Cum Laude (J.D.)
 - Florida Journal of International Law, Articles Editor
 - Entertainment Law Review, Member

Experience

- LOGOS Law LLC, Branch Chief (Hanoi, Vietnam, April 2010 – Present)
- LOGOS Law LLC, Associate (Seoul, Korea, May 2008 – April 2010)
- U.S. Securities and Exchange Commission, Extern
- Law Firm – Lovells in Hong Kong, Summer Associate
- Law Firm - VILAF-Hong Duc in Vietnam, Summer Associate
- Law Firm - Yoon Yang Kim Shin & Yu in Korea, Summer Associate
- Eighth Judicial Circuit Court of Florida, Intern
- Legal Services Department of Shands Health Care in Florida, Intern
- United Nations Association of San Francisco, Member, Board of Directors

Other Activities

- Judicial Reform Advisory Committee of Korean Bar Association, Member
- Seoul Times, Columnist
- Legal Advisor to Korean Embassy in Hanoi
- Legal Advisor to Korea Trade-Investment Promotion Agency(KOTRA) in Hanoi
- Legal Advisor to Korean Chamber of Commerce and Industry (KoCharm) in Hanoi
- Lecturer , School of Law, Vietnam National University (Hanoi)

Alexander W. Koff

U.S. Lawyer



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Alexander W. Koff is a partner and Co-Chair of the International Practice at the U.S. law firm Whiteford Taylor & Preston LLP. From January to December 2000, he lived in Hanoi and served as the legal adviser to the first U.S. economic technical program sponsored by USAID (which became the STAR program). He advised the Vietnamese Government on how to implement its commitments under the U.S.-Vietnam Bilateral Trade Agreement (BTA). Since 2000, he has visited Vietnam regularly to provide technical assistance on legal issues, primarily concerning intellectual property rights (IPR).

In the area of IPR legal issues, Alex represents both complainants and respondents in U.S. "Section 337" investigations before the U.S. International Trade Commission (ITC). He speaks and writes regularly on the topic. In 2011, Alex served as the principal investigator for a study funded by the U.S. Patent & Trademark Office (USPTO). The study combines an econometric analysis using a panel of 233 countries over eight years and over 130 on-site interviews in seven countries. He led an international trade and economic consulting team of PhD-level economists and presented the study's findings on September 19, 2011, at the World Trade Organization (WTO) Headquarters in Geneva, Switzerland. The study examines the "TRIPS-Plus" provisions of the 14 free trade agreements signed and implemented by the United States since the start of the WTO in 1995 until 2011 (which excludes the recent agreements with Colombia, Korea, and Panama). The study provides recommendations for companies and governments examining the benefits of the Trans-Pacific Partnership (TPP) negotiations.

In addition to his legal practice, Alex was appointed by the U.S. Secretary of Commerce to the Maryland/DC District Export Council, where he serves as Vice Chair and Chair of the Trade Policy Committee. Alex serves on various boards, including the Enoch Pratt Free Library, Jhpiego (an international non-profit health organization affiliated with Johns Hopkins

University and dedicated to maternal health issues in developing countries), and the Maryland-Asia Environmental Partnership.

Alex's awards and honors include an AV Peer Review Rating in Martindale-Hubbell (highest awarded), and he is listed in *International Who's Who of Trade & Customs Lawyers* (since 2010, one of roughly 250 worldwide), *Best Lawyers in America* (since 2011), *International Who's Who of Business Lawyers*, (since 2011), *Benchmark Litigation 2011: The Definitive Guide to America's Leading Litigation Firms and Attorneys*, and other respected publications. He has served twice as an International Trade Expert for the United Nations Development Programme (UNDP) and in 1995 as a trainee as a member of the U.S. delegation to the WTO with the Office of the U.S. Trade Representative in Geneva (USTR). He has served as a Research Associate at the Creative and Innovative Economy Center of the George Washington University Law School (2006-2011) and as an Adjunct Professor at the University of Baltimore School of Law (2007 & 2008).

Alex received both his B.A. and J.D. from the University of Michigan at Ann Arbor and a masters' degree in philosophy in international relations from Cambridge University in the United Kingdom.

His full resume is at <http://www.wtplaw.com/professionals/alexander-w-koff>.

Founded in 1933, Whiteford, Taylor & Preston LLP has over 160 lawyers in nine U.S. offices with alliances worldwide.

Mahesh Kumar

mahesh@nishithdesai.com

Mahesh Kumar leads the Private Client and International Tax Practice at the Singapore office of Nishith Desai Associates. He is also a senior member of the firm's Globalization practice.

He advises high net-worth clients in complex estate planning matters and structuring of cross-border wealth. He also advises funds and multinational companies in India-focused investments, M&As, JVs, and technology transfers. He also represents and advises clients in complex international tax litigation.

Mahesh is a member of the Bar Council in India, the International Bar Association, Inter-Pacific Bar Association and the International Fiscal Association.

He has written extensively in reputed Indian and international journals and newspapers. He is regularly invited to speak at conferences around the world and is frequently interviewed by the media and press.

Mahesh has led several public policy initiatives of the firm. He is also closely involved in various charitable initiatives in South India.

SUMMARY

Lawyer. Dispute Resolution Practitioner. Mediator. Conciliator. Author. Trainer.

Experienced practitioner in civil law, international trade law and alternative dispute resolution.

Experienced educator - designed and delivered training programs in Australia and Peru. Author of two books on mediation and conciliation.

Legal adviser for the development of compulsory conciliation legislation in Peru. Devised and conducted the training program for the first conciliation trainers and practitioners.

Founder and Convenor of the Mediation Working Group/ICC Australia.

Mediator with the Australian Commercial Disputes Centre ACDC.

Commercial and Property Mediator, Australian Family Dispute Resolution Practitioner.

Founder and Director of the Australasian Dispute Resolution Centre.

Fluent in English, Spanish and French. Competent in Italian. Basic Khmer.

Developing country background includes United Nations field experience in Cambodia.

CONTACT DETAILS

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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.

After law school, Bob joined the staff of the American Association of Exporters and Importers (AAEI), a national trade association representing U.S. companies before Congress and the Executive Branch. He served as its Vice President and Counsel from 1989 to 1991. Currently, Bob is a member of the AAEI Board of Governors. 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 since 1991. He was re-appointed 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 14).

He served as Chair of the New York State Bar Association's International Section from January 2005 through January 2006 and was Program Co-Chair for the Section's Fall Meeting in Shanghai in 2006. He was re-elected in 2010 as Co-Chair of the Section's International Trade Committee after previously serving as Chair from 1991- 2005. 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 former Chief Judge Edward D. Re of the U.S. Court of International Trade.

Adam Li

Partner

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Practice Areas

M&A, capital market, debt financing and general corporate

Professional Experience

Since 1991, Mr. Li has advised both public and private companies of different industries from around the world, including Fortune 500 companies, SOEs and SMEs, for M&A, debt and equity financing, investments, joint ventures and general corporate matters. Mr. Li is able to, with his unique cross-cultural insights and rich experience in practicing Chinese business law, effectively help clients develop practical legal and business strategies to access and expand in China markets, steering clients through complicated legal and regulatory environment. Mr. Li has also advised more than 200 global and domestic debt and equity offerings in both Chinese and international markets, mostly of New York, Hong Kong and Singapore in recent years. His recent important deals include *the Corporate Deal of the Year 2012* awarded by Asian-Mena Counsel-Walmart's acquisition and restructuring of Yihaodian, the leading Chinese B2C e-commerce company, where he advised on a series of challenging regulatory issues, and *the Equity Market Deal of the Year* awarded by ALB China Law Awards 2012-Hutchison Port Holdings Trust IPO, the largest IPO in 2011 in the world.

Mr. Li has been named as a leading lawyer in M&A, capital market, and/or private equity by *Asia Law & Practice*, *Asian Legal Business*, *Chambers & Partners*, *International Who's Who of Merger & Acquisitions Lawyers*, etc., consistently since 1990's through 2013. He was also honored by the Ministry of Justice of the PRC in 1999 as one of China's Ten Best Lawyers.

Education

J.D., LL.M., Columbia Law School

LL.M., LL.B., Fudan University

Professional Associations

Former Vice-Chair, China Committee of Section of International Law, *American Bar Association*

Member of Foreign Affairs Committee, former director, *Shanghai Bar Association*

Language Skills

Mandarin, English

Pham Ba Linh's bio

Pham Ba Linh heads the market-leading Oil and Gas Practice Group of Frasers Law Company and he is an active member of the AmCham Energy Committee and the Infrastructure Working Group of the Vietnam Business Forum. Ba Linh is highly experienced with more than 14 years of legal practice, focusing primarily on energy and natural resources, major infrastructure PPP projects, project finance, leveraged and acquisition finance, debt and equity capital markets, derivatives and structured products.

Ba Linh regularly advises international oil and gas companies on a wide range of energy and resources projects in Vietnam, including project structuring, upstream and midstream developments, and acquisitions and divestments. He was seconded to leading Australian-based international law firm Freehills in its Melbourne office (Banking and Projects Practice Group) from 2008 to 2009 with a particular focus on all aspects of energy and major infrastructure projects in Australia both from project development and project finance perspectives.

Prior to joining Frasers in 2005, Ba Linh worked as an upstream lawyer in the Vietnam Business Unit of BP Exploration, where his focus was in upstream oil and gas, pipeline and IPP power projects.

Ba Linh holds a Bachelor of Laws degree from the Hanoi Law University and a Master of Laws degree in International Commercial Law from the University of Nottingham School of Law, England. He is admitted to practice in Vietnam as a qualified lawyer of the Hanoi Bar Association and a member of the Vietnam Bar Federation.

Ethan Loke joined the Duane Morris Singapore office in 2010. He is currently a legal executive in Duane Morris & Selvam LLP, and he concentrates his practice in the areas of general corporate and real estate law. Mr. Loke has provided assistance to numerous Singaporean and international companies in merger and acquisition transactions, corporate restructuring, and regulatory compliance. Mr. Loke's experience in real estate work includes handling conveyances, personal and corporate financing, as well as tax-related issues. Most recently, he has also been involved in the practice area of international arbitration. While working in Duane Morris & Selvam LLP, Mr. Loke read law with Birmingham City University and earned an LLB, graduating with honors. Apart from his involvement in corporate and real estate transactions, and international arbitration, Mr. Loke also researches extensively on international trade law.



Dominique Lombardi

Partner (Foreign Lawyer): Competition & Antitrust

In her own words

"Competition law is an area of the law which requires as much understanding of the client's industry as knowledge of the law. This is what makes it so interesting to me: it is not about books and rules but about the most efficient way to do business."

Get in touch

E dominique.lombardi@rajahtann.com
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Dominique joined us from France in 2006, bringing to the Competition & Antitrust practice group, her extensive experience in European competition and antitrust laws and regulatory issues.

After she was called to the Paris bar in 1992, she started her career as a competition lawyer in France in a private law firm for several years before joining the legal department of the world's leading nuclear energy company, where she carried on her work in competition and antitrust laws. Her expertise extends to anti-competitive practices, restrictive practices, merger control, and deregulation law. She is especially knowledgeable in the energy industry having spent a substantial amount of time on competition law work in that industry.

Dominique is fluent in French and Italian.

Qualifications

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

Citations

Dominique is cited as a leading lawyer in the following international legal ranking journals:

- Euromoney Experts Guide to the World's Leading Competition & Antitrust Lawyers 2011.
- Lawyers World - Leading Competition & Antitrust Lawyers 2012.

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



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Liu Yiwei practices in the area of corporate law with a focus on capital markets, mergers and acquisitions and banking services. Ms. Liu was admitted to the bar of People's Republic of China in 2007. Ms. Liu is a graduate of Renmin University of China (LL.B.) and the National University of Singapore (LL.M., Corporate and Financial Services Law). She specializes in inbound and outbound investments in China, including incorporation, mergers and acquisitions, labor and regulatory issues involving foreign invested enterprises in China.

Representative Matters

- Involved in a RMB 270,000,000 convertible bond issue by a wholly owned Hong Kong subsidiary of a Singapore listed company involving assets in China.
- Involved in a dual listing of a Singapore listed company on London Stock Exchange involving assets in China.
- Involved in a reverse takeover by an AIM listed company of a Malaysian based company specialising in the low-cost production of graphene and its re-admission onto AIM raising £32.5 million funds.
- Involved in advising a Singapore private fund in its acquisition of three property companies located in Dalian owned by an international investment bank.
- Involved in advising the lender on a ship financing loan with an aggregate value of U.S. \$83 million for the construction and acquisition of a 141.7 meter special construction vessel.
- Involved in advising the buyer on the purchase of a mobile offshore oil production unit for US\$35 million; advised on the terms of the memorandum of agreement and other sale documents entered into by the parties.

Selected Publications

- Sub-editor, Major Issues in Company Law (with PRC Chinese and English Comparative Notes) , First, Second and Third Editions in 2010, 2011 and 2012 respectively: Sweet & Maxwell Asia, a member of Thomson-Reuters



Mark D Martin | Founder & CEO

Core Capability

Airline Strategy, Airline Operations Improvement, Airline Cost Optimization, Operations Control Center Management, Fleet Management, Airport Services, Aviation Law and ICAO Regulations, Maintenance Operations, Fleet and Crew Operations Management & Strategic Advisory

Recent Professional Exposure

Strategic Advisor to the CEO	TAROM Romanian Air Transport
Head of International Projects	Eastern SkyJets U.A.E
Head Boeing Fleet Operations	GMG Airlines Ltd Dhaka Bangladesh
Chief Commercial Officer	RwandAir S.A.R.L Kigali Rwanda
Head Strategy & Planning	SpiceJet Limited India
Senior Advisor Advisory	KPMG in India (Registered)
Manager Strategy & Aviation	Amarchand Mangaldas

Select Airline Experience

- Developed a Management Action Plan for Recovery ["MAPR"] for TAROM
- Developed TAROM's Market Strategy and Positioning.
- Advised TAROM with respect to Cost Optimization
- Developed Integrated Airline Operations Control Centers for TAROM, Eastern SkyJets, GMG Airlines and RwandAir.
- Launched Middle East Airline Operations for GMG Airlines.
- Launched Airline Operations for RwandAir in Central, East and South Africa.
- Developed Procurement SOP's covering AOG and Maintenance for SpiceJet
- Lead SpiceJet's rebid process for the Boeing the 737NG Fleet C Check Maintenance Schedule.
- Lead Audit and Operations Review for Blue Dart | DHL India
- Stabilized International Operations Including Line Maintenance Procedures in the Middle East Region for GMG Airlines.
- Maintenance Operations Improvement & Line Maintenance Procedures for SpiceJet
- Advised Blue Dart DHL with respect to Internal Risk and Safety compliance.
- Audited Blue Dart's Internal Processes and defined optimum operating processes and systems.

Select Regulatory Experience

- Advised the U.A.E General Civil Aviation Authority with Respect to improving procedures and processes for ROSI's and VoSRI's in compliance with ICAO 9859
- Advised the U.A.E General Civil Aviation Authority with respect to Development of a State Safety Plan
- Advised the Government of India & the Airports Authority of India with respect to the de-merger of Air Navigation Services
- Advised the Indian D.G.C.A with respect to Improving Civil Aviation Regulations
- Advised the Government of Rwanda and the Rwanda Civil Aviation Authority with respect to Improving Customer Services in Kigali.

Education

- Aviation Management & Flight Operations Management | Faculty of Flight Safety, Delhi Flying Club.



Dr R. Ian McEwin - CV

Ian McEwin specializes in Southeast Asian competition law and economics. He has a Ph.D. in Economics and a LLB (with first class honours) both from the Australian National University. He is admitted as legal practitioner in the Australian Capital Territory.

Before moving to Singapore he had extensive experience in competition law in Australia and New Zealand. Apart from advising, he has also been an expert witness in major litigation. In 2002 he was recruited by the Singapore Ministry of Trade and Industry to help draft the Singapore Competition Act. He subsequently became the Chief Economist of the Singapore Competition Commission.

He then returned to academia in Singapore teaching *Asian Competition Law* and *ASEAN Competition Law*. He has consulted extensively in Southeast Asia and has given advice to a number of new competition law jurisdictions in Southeast Asia. He drafted the Guidelines on “Market Definition”, “Anti-Competitive Agreements”, and “Abuse of Dominance” for the *Malaysian Competition Commission* and is currently writing their Guidelines on “Intellectual Property”. He is also involved in a joint project between Chulalongkorn University and the Thai Trade Competition Commission that is making recommendations to improve the institutional arrangements underpinning competition law in Thailand.

He recently edited *Intellectual Property, Competition Law and Economics in Asia* published by Hart Publishing, Oxford in 2011 which was described as ‘a superb book’ by Emeritus Val Korah of University College London. He is General Editor of *ASEAN Competition Law*, a looseleaf reporter published by LexisNexis. He is also contracted with Cambridge University Press to write a book *Competition Law in Southeast Asia* due for publication in 2014.

Bio Information – Carlos Mauricio Mirandola

Carlos Mauricio Mirandola is Chief Compliance Officer (CCO) and General Counsel (GC) at Guepardo Investimentos Ltda (Guepardo), a Brazilian Investment Adviser. He is member in a number of councils and organizations, including the Brazil Chapter of the International Section of the New York State Bar Association (NYSBA), in which he serves as vice-chair.

As CCO at Guepardo, he is currently responsible for assisting in creating, updating, implementing and maintaining the firm's written internal policies and procedures to ensure they are in line with industry standards and pertinent rules and regulations, mainly BR-BACEN, BR-CVM, US-SEC, US-CFTC and KY-CIMA rules of the Investment Adviser and its funds, BM&F Bovespa, FINRA and NFA rules, state securities laws, and related securities/ERISA/insurance regulations. As compliance officer, he implements and maintains the firm's policies and procedures. He is in charge of the day-to-day management of Investment Advisor Compliance Program (IACP), which includes: (i) IA surveillance; (ii) review of forms and registration documents, brochures and compliance manuals; (iii) consulting with independent investment adviser representatives.

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

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

Formerly the Head of the Agriculture and Industry Department at the Antitrust Division of the Brazilian Ministry of Justice (2004-2006), Dr. Mirandola led a team of lawyers and economists specialized in antitrust law and regulated sectors, which was responsible for negotiating contracts and cease-and-desist orders; litigating in federal courts and superior tribunals; issuing subpoenas; executing dawn-raids, search warrants and led investigations; prosecuting cartel and monopolization cases before the Brazilian Administrative Competition Tribunal (CADE); and coordinating the exchange of economic and legal information with national and international

competition agencies and bodies. He was also appointed by the Minister of Justice to serve as competition and regulation expert for the sectors of financial services, telecommunications, energy and infrastructure, professional and legal services, integrating the Brazilian Mission in Geneva for negotiations in services in the WTO as capital-based official. Dr. Mirandola also served as Director of the Department of Efficiency, Quality and Reform of the Public Administration at the Office of the Chief of Staff, Government of the State of São Paulo (2007).

Rick F. Morris

Mr. Morris is a founder and co-chair of the Committee on International Corporate Compliance in the International Section of the New York State Bar Association. He has participated in NYSBA international business law conferences held in thirteen countries across five continents.

Mr. Morris is a Vice President in the Global Compliance Division of Goldman, Sachs & Co. in New York. He is responsible for discharging two of the firm's primary broker dealer compliance obligations under the Securities Exchange Act of 1934. These include managing the firm's possession of material nonpublic information about corporate clients to prevent insider trading, and managing conflicts of interest between the firm's Investment Banking and Global Investment Research divisions to ensure proper execution of banking transactions and objective investment advice.

He implements and advises on these compliance controls on a global basis, interacting daily with investment banking deal teams, equity research analysts, traders, and his compliance and legal counterparts in New York, São Paulo, London, Hong Kong, Tokyo, and Sydney. His work focuses primarily on underwriting global equity capital markets transactions such as IPOs and secondary offerings, including both registered offerings and distributions under Rule 144A and Regulation S. He is an expert on related restrictions on publishing investment research and worldwide trading in the securities of issuer clients. He has developed special expertise in related regulations administered by the SEC and FINRA in the United States and the CVM in Brazil.

Before first joining the securities industry as a compliance officer in the Global Markets and Investment Banking Division at Banc of America Securities, Mr. Morris acted as in-house counsel in the pharmaceutical and biotechnology sectors, advising foreign affiliates of U.S. companies on international commercial transactions and related global compliance issues such as the worldwide application of the FCPA. He began his career in the Litigation and International Sections of Morgan, Lewis & Bockius representing clients in international litigation and international arbitration and advising on various global compliance matters.

After graduating with distinction from Pomona College, Mr. Morris graduated with honors from George Washington University Law School, where he was editor-in-chief of the international law review. He then clerked for the senior judges of the District of Columbia Court of Appeals and the chief judge of the criminal division of the Superior Court of the District of Columbia. He holds both law licenses from New York and the District of Columbia and the Series 7 securities license from FINRA.

Mr. Morris is also Tamborim Section Leader in *Samba New York!*, a professional percussion orchestra inspired by the Brazilian samba schools in Rio de Janeiro. He has studied under Aílton Nunes, who is Mestre de Bateria of Rio's renowned *Mangueira* samba school. He has also demonstrated tamborim techniques and samba rhythms in online instructional videos for *Latin Percussion*. Recent performances in New York City include appearances at Sounds of Brazil (S.O.B.'s), Central Park SummerStage, Webster Hall, Chelsea Piers, Zinc Bar, Roulette, the Village Halloween Parade, Dance Parade NYC, Brazilian Day in NY, and numerous private events. This summer Mr. Morris paraded in France in the Carnaval Tropical de Paris with the tamborim section of the local samba school *Bloco de Paris*.

Name: Yugo Nagata

Date of Birth: 1974/07/19

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-Practice Area:

General Corporate, M&A (All matters), Cross boarder M&A, International Commercial Transactions, Labor
Environmental Law, Vietnamese Law, M&A in Vietnam.

-Education:

Keio University (LL. B., 1997)

Legal Training and Research Institute of the Supreme Court of Japan (2003-2004)

Vietnam Foreign Trade University (Complete course of the “WTO law and application in Vietnam.”) (2011)

-Admission:

Japan (2004), Vietnam (2011)

Experience:

Baker & McKenzie Tokyo Aoyama Aoki GJJBJ (Associate, 2004-2012)

TMI Associates (Associate, 2012-Present)

-Language:

Japanese, English and Vietnamese

-Memberships:

Daiichi Tokyo Bar Association, Foreign Registered Lawyer in Vietnam (2011)

-Publications:

(Written in Japanese)

–“Overseas Legal Practice News: From Myanmar ‘Latest Explanation on the Foreign Investment Rules in Myanmar’, ”
Co Author, Jurist 2013.5 (No. 1454)

–“Overseas Legal Practice News: From Myanmar ‘Summary of Foreign Investment Law in Myanmar’, ” Co Author,
Jurist 2013.3 (No. 1452)

–“World Legal & Business Guide No.13 Cambodia,” (Co-author), Business Law Journal, 2012.4

-Seminars:

–“Comparison of Enterprise Law in Japan and Vietnam,” Japanese Business Association of HCMC, February, 2012

–“Construction Disputes in Vietnam, ” Japanese Business Association of HCMC, February, 2012

–“Legal practices and practical operations of Japanese companies expanding into Vietnam and Cambodia. ” Financial
Management Forums, Inc., January, 2012

–“Legal practices and practical operations of the investment climate in Vietnam,” People’s Committee in Binh Duong,
Vietnam, April, 2013.

–Learning from the actual cases in developing countries how to take a legal action for legal troubles, “Association of
Corporate Legal Department, May, 2013

–Supports for small and medium-sized enterprises expanding into Vietnam,” Osaka Business Association, July, 2013

–“Guidelines for changes on the enforcement regulations of Labor Law in Vietnam,” Japanese Business Association of
HCMC, July, 2013



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Promod Nair
Partner

Promod is admitted as both an Advocate in India and as a Solicitor Advocate with Higher Rights of Audience in England and Wales. He is a dispute resolution specialist, with extensive experience in commercial litigation and arbitration. He has appeared as Counsel and Advocate (often as *amicus curiae*) in a broad range of commercial litigation and public law matters before the Supreme Court of India and the Karnataka, Bombay and New Delhi High Courts.

Promod sits as arbitrator in domestic and international arbitrations. He also has extensive experience in acting as counsel in commercial and investment treaty arbitrations, having conducted arbitrations in various jurisdictions in Europe and Asia, and under various institutional rules such as the International Chamber of Commerce (ICC), London Court of Arbitration (LCIA), Hong Kong International Arbitration Centre (HKIAC), Singapore International Arbitration Centre (SIAC) and the International Centre for the Settlement of Investment Disputes (ICSID).

Promod is a Visiting Professor at the National Law School of India University where he teaches modules on commercial and investment treaty arbitration, and regularly lectures at law schools and universities in India and abroad. He is currently working on a commentary on the law and practice of arbitration in India.

Promod holds degrees in law from the National Law School of India and was a DFID-Cambridge Scholar at the University of Cambridge where he was a recipient of the Clive Parry (Overseas) Prize in International Law and the Pegasus Scholarship.

In May 2013, Promod was appointed as a Member of the LCIA Court.

Nguyen Trang Nam

Mr (Tony) Nguyen is a partner of EP Legal, in Ho Chi Minh City, specialising in commercial law, particularly in the oil and gas industry. He developed an interest in the CISG while studying a Masters of Law at the University of Western England in Bristol. On his return to Vietnam he joined a CISG research group which was part of the Vietnam Chamber of Commerce and Industry, and he has published a number of articles on topic of the CISG and the challenges and possibilities of adopting the CISG in Vietnam. This group has been active in organising conferences and seminars in relation to the adoption of the CISG in Vietnam. He is also a member of the Legal Committee of the American Chamber of Commerce in Vietnam and the Hong-Kong Vietnamese Association of Vietnam, and he has been an expert witness for the International Association for Commercial and Contract Management in Vietnam.



Nguyen Hong Hai is associate lawyer of Duane Morris in Hanoi office. Mr. Nguyen has practiced in the area of corporate law with a focus on Vietnam and international trade and law customs. Mr. Nguyen has experience with advising domestic and multinational and foreign companies in Asia, North America and Europe on cross-border direct foreign investment, overseas investment projects and cross-border direct foreign investment and project development.

Mr. Nguyen is a 2008 graduate of Transnational Law and Business University (LL.M., International Law) and a graduate of Hanoi Law University (LL.B., 2005). He speaks Vietnamese and English.



Thuy Hang NGUYEN

Special Counsel,
Ho Chi Minh City

Global areas of practice

Employment & Labor

Merger & Acquisition

Compliance

Corporate & Commercial

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Ms. Nguyen is a Special Counsel in our Ho Chi Minh City Offices who is admitted to practice law in New York and Vietnam. Since joining Baker & McKenzie in 2006, she has provided legal advice and assistance on a wide range of practice areas in various investment projects and has advised on corporate and regulatory compliance issues in Vietnam, including employment and labor, merger & acquisitions, foreign investment licensing, corporate and commercial, and related matters.

With regards to her employment law practice, Ms. Nguyen heads the Firm's labor and employment law practice group in Vietnam and is part of the wider Asia Pacific and Global Employment Law Group of the Firm. She advises on all types of employment and labor matters, in both contentious and non – contentious issues, but she particularly focuses on labor regulations compliance, employment aspects of major transactions and corporate restructurings, global migration and executive mobility restrictive covenants and trade secrets, and labor dispute resolution.

Ms. Nguyen is the Chairwoman of HR/Labor Committee of American Chamber of Commerce, Ho Chi Minh City Chapter, and is a leading authority and frequent speaker on Vietnam employment and labor law in Vietnam and in the region.

Ms. Nguyen holds a B.A. in International Law from the Diplomatic Academy of Vietnam, a LL.M. in International and Comparative Law from Southern Methodist University's Dedman School of Law, and an Executive MBA from the University of Hawai'i at Manoa's Shidler College of Business.



Yongjun (Peter) Ni is the head of the tax and private client practice of Zhong Lun Law Firm, one of the largest law firms in China. He has more than 18 years of experience providing tax and legal services to companies and private clients, including 9 years in the U.S. Peter used to lead the Greater China tax practice of White & Case and the international tax practice of Ernst & Young China. Trained as a lawyer, Peter has been ranked as a Leading Individual in China Tax by many leading international directories including Chambers Asia and International Tax Review. Peter holds a LLM in Taxation from New York University School of Law, a LLM in Corporate Law from Harvard Law School, a LLB from Fudan University School of Law and a bachelor of philosophy from Fudan University.

Daniel Noonan has been advising foreign investors in Southeast Asia for the past six years on structuring of foreign direct investments, mergers and acquisitions, secured financing, information technology and data privacy, labor, etc.

Prior to joining Sciaroni & Associates he worked at Baker & McKenzie in Ho Chi Minh City, Vietnam and DFDL Mekong in Vientiane, Laos.

Originally from Chicago, Mr. Noonan studied law in Chicago at The John Marshall Law School and in Tokyo at Temple University.

ADVISER PROFILE



NAME: JUDE B. OCAMPO
 POSITION: Tax Director
 LOCATION: Phnom Penh, Cambodia
 EXPERIENCE: 12 years
 NATIONALITY: Filipino

CURRICULUM VITAE

Membership In Professional Societies:

2001 – Admitted to the Philippine Bar

Key Qualifications:

Jude has over 12 years of tax and legal experience, nine of which were obtained in Big 4 Firms in the Philippines, Kazakhstan and Hungary. He specializes in international tax services with focus on cross-border transactions, corporate restructuring, and foreign direct investments. He also deals with corporate and local business tax advisory services, corporate structures and licensing, as well as regulatory and tax compliance. Jude holds a Bachelor of Laws (University of the Philippines College of Law), a Master of Laws (Harvard Law School, USA) and a Master of Business Administration (University of North Carolina Kenan-Flagler Business School) degrees.

Education:

- 2012 – Master of Business Administration, Corporate Finance and Global Supply Chain Management concentrations, The University of North Carolina, Kenan-Flagler Business School, North Carolina, USA
- 2003 – Master of Laws, Harvard Law School, Massachusetts, USA
- 2000 – Bachelor of Laws, University of the Philippines College of Law, Quezon City, Philippines

Employment Record:

- **DFDL/MEKONG LAW GROUP**, Phnom Penh, Cambodia (Aug 2013 – Present)
Tax Director
 Areas of practice include tax advisory, corporate structures and licensing, as well as regulatory and tax compliance.
- **ERNST & YOUNG**, Budapest, Hungary (2012 – Jul 2013)
International Tax Director
 Areas of practice included international tax advisory/structuring and tax efficient supply chain management services.
- **KPMG MANABAT SANAGUSTIN & CO**, Makati, Philippines (2009 – 2010)
Principal

Areas of practice included Philippine tax and corporate advisory, international tax, M&A tax and transactional tax services.

- **DELOITTE, LLP**, Kazakhstan (2007 – 2008)
Tax & Legal Partner
 Areas of practice included Kazakhstan tax advisory, international tax advisory/structuring, M&A tax and transactional tax services.
- **ERNST & YOUNG**, Makati, Philippines (2001 – 2004; 2005 – 2007)
Director
 Areas of practice included Philippine tax and corporate advisory and international tax services.
- **REPUBLIC OF THE PHILIPPINES**, Manila, Philippines (2004 – 2005)
Assistant Secretary for Legal Affairs, Trade & Finance Departments
- **UNIVERSITY OF THE PHILIPPINES COLLEGE OF LAW**, Quezon City, Philippines (2003 – 2006)
Professorial Lecture
 Classes taught: Tax Law, International Law and Constitutional Law.

Details of Major Projects Undertaken

KAZAKHSTAN

Securitization projects – USD 500M – International banks 2007-2008

Headed tax structuring and advisory teams advising major international banks on Kazakh asset-backed securitization (home mortgage, car loans, diversified payment rights) projects.

M&A – Oil & Gas Projects and Assets – Various Kazakh and International Companies/Funds

Headed tax due diligence teams analyzing the tax implications or exposure in the acquisition of Oil & Gas legal entities, rights and assets.

PHILIPPINES

M&A – Various Philippine Corporates – Philippine Conglomerates

Headed tax due diligence teams analyzing the tax implications or exposure in the acquisition of a media, mining, shipping and other Philippine corporates.

Securitization project – International Bank

Led a tax advisory team analyzing a proposed securitization of the payment rights arising from the liabilities of certain government-owned corporations.

Languages:

	Speaking	Reading	Writing
ENGLISH	Excellent	Excellent	Excellent
FILIPINO	Excellent	Excellent	Excellent

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 HO CHI MINH CITY
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Minn Naing Oo

PARTNER

Minn joined Allen & Gledhill in 2013 to lead and develop the Firm's Myanmar practice.

He was previously the Chief Executive Officer and Registrar of the Singapore International Arbitration Centre, and before that, a Director at the Ministry of Trade and Industry Singapore, with oversight for Singapore's trade agreements and World Trade Organisation-related matters, including policy review, formulation and negotiations.

Minn has presented papers and spoken at numerous conferences and seminars on international arbitration and international trade. He has also written and is co-author of several articles on competition policy and trade agreements.

Minn graduated from the National University of Singapore with an LLB in 1996. After he was called to the Singapore Bar in 1997, Minn was in legal practice before he obtained an LLM in 2001 from Columbia University as a Harlan Fiske Stone Scholar.

He is a fellow of the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators. Minn is fluent in English, Burmese and Malay.



CONTACT INFORMATION

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KEY INFORMATION

Admissions	New York Bar (2004)
	Singapore Bar (1997)
Practice(s)	Corporate & Commercial



Gregory E. Ostling
Partner, Corporate

Wachtell, Lipton, Rosen & Katz
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Website: www.wlrk.com

GREGORY E. OSTLING

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

Mr. Ostling is Chairman of the Mergers & Acquisitions/Joint Venture Committee of the International Section of the New York State Bar Association, and frequently speaks on international panels regarding current trends and technologies in mergers and acquisitions. He has been selected to be included in The Deal's "Movers & Shakers" several times.

Mr. Ostling 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 attending law school, Mr. Ostling was a teacher in China and a professional soccer player.

Among other matters, he represented:

Cooper Industries plc in its reincorporation to Ireland and its \$11.8 billion sale to Eaton Corporation;

MeadWestvaco Corporation in the \$1 billion spin/merger of its Consumer & Office Products business with ACCO Brands Corporation;

ConocoPhillips in its \$15 billion joint venture with EnCana Corporation, its \$5 billion joint venture with Origin Energy, and its spin-off of the company's Refining & Marketing businesses;

Genzyme's Independent Board of Directors in its response to an unsolicited takeover bid by Sanofi-Aventis and in the subsequent \$20 billion negotiated sale to Sanofi;

Various clients, including the **New York Stock Exchange**, for potential listing on the Shanghai Stock Exchange and the development of a PRC International Board;

Marsh & McLennan Companies in its \$1.13 billion sale of Kroll to Alteryx;

Motorola, Inc. against activist campaigns by Carl Ichan, and its spin-offs of Freescale Semiconductor, Inc. and Motorola Mobility Holdings;

Mirant Corporation in its \$3.1 billion merger with RRI Energy;

Phillips-Van Heusen Corporation in its \$2.9 billion acquisition of the Warnaco Group and its \$3 billion acquisition of Tommy Hilfiger;

Centex Corporation in its \$3.1 billion sale to Pulte Homes;

Alcoa Inc. in its \$14 billion purchase with the Aluminum Corporation of China of an interest in Rio Tinto plc;

Apollo Management its \$27.8 billion buy-out of Harrah's Entertainment;

Goldman Sachs, AIG, Carlyle and Riverstone Holdings, in their \$22 billion buy-out of Kinder Morgan; and

Knight Ridder against an activist campaign by Private Capital Management and in the subsequent \$4.5 billion negotiated sale to The McClatchy Company.

Manfred Otto, Associate
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Vietnam

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Manfred Otto is an associate in Duane Morris' Ho Chi Minh City office practicing in the area of corporate and commercial law. Mr. Otto advises Japanese investors on doing business in Vietnam and Southeast Asia. He also represents clients in international commercial disputes. Previously based in Tokyo, London and New York, he has acted for leading Japanese automobile manufacturers, auto parts suppliers, pharmaceutical and electronics companies.

Admitted to practice in New York and a registered foreign lawyer in Vietnam, Mr. Otto is a graduate of Temple University Beasley School of Law (LL.M.) and Tooin University of Yokohama, Faculty of Law. He is fluent in Japanese, German and English.

Areas of Practice

- International Commercial and Corporate Law
- Dispute Resolution
- Tax and Labor Law
- Intellectual Property

Admissions

- New York
- Vietnam (Registered Foreign Attorney)

Education

- Temple University Beasley School of Law, LL.M., 2009
- Tooin University of Yokohama, Faculty of Law, LL.B., 2003

Experience

- Duane Morris Vietnam LLC
 - Associate, 2013-present
- Debevoise & Plimpton LLP, Latham & Watkins LLP, Morgan, Lewis & Bockius LLP, UBIC, Inc., Ji2, Inc.
 - Contract Attorney, 2009-2013
- Tecmo Koei Holdings Ltd. (formerly Koei Co., Ltd.)
 - Game Planner, 2004-2007
- Sony Computer Entertainment Inc.
 - Language Specialist, 2002-2004

Selected Speaking Engagements

- "Current economic development in Vietnam," Ho Chi Minh City, OAV German Asia-Pacific Business Association, October

2013

HERNÁN PACHECO O., LL.M.

PARTNER PACHECO COTO

EMAIL: hernan.pacheco@pachecocoto.com

PHONE: +506 2505 0900

LANGUAGES: English, Spanish

HEAD OF THE [Business and Corporate Law Division and of the Intellectual Property Division](#)

HERNAN PACHECO heads **PACHECO COTO'S** Business Law Division, leading its team of attorneys on all matters related to local and international Mergers and Acquisitions, Joint Ventures, Corporate Restructuring, Project Finance, Distribution, Agency and Franchise Agreements, International Trade, Foreign Investment and Civil and Commercial Contracts.

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

Mr. Pacheco and the professionals of the IP division advise clients on all aspects of Intellectual Property Law including **PATENT, TRADEMARK, TRADE SECRET** and **COPYRIGHT LAW**, as well as related rights such as plant variety protection, domain names and integrated circuit designs. The division also represents the client's IP issues related to **COMPETITION AND CONSUMER LAW, E-COMMERCE, FOOD AND DRUG RELATED AGENCIES** and **INTERNATIONAL TRADE**.

The IP practice is broad-ranging, from the **PROSECUTION AND REGISTRATION OF RIGHTS** before the respective national and international offices and their enforcement before the competent judicial and administrative authorities, to the **COUNSELING OF FRANCHISE, LICENSE** and **TECHNOLOGY TRANSFER AGREEMENTS**.

EDUCATION

- Harvard Law School, P.I.L, 1992
- 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, Dispute Resolution, Mergers and Acquisitions, Competition and Antitrust, Insurance Law, Taxation, Distribution and Agency and International Trade.

BOARDS OF DIRECTORS

Mr. Pacheco sits on the Board of Directors of several companies doing business in Central America and also has served and currently sits 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 -)
- The Association of American Chambers of Commerce in Latin America (AACCLA) (2009-)

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 and Partners (2005, 2006, 2007, 2010/11/12) and Chambers Latin America (2008/9/10/11/12) in “Best in his Field” category - Corporate and Business Law;
- Representative of the Private Sector in the National Council of Competitiveness (2003);

- Coordinator of the Private Sector in the Inter-chamber Commission for the analysis of the Fiscal Reform project (2003);
- Coordinator of the Private Sector in the Inter-chamber Commission for the analysis of the Insurance Law project (2003-);
- Recorded biographically in “The International Who’s Who of Business Lawyers” – Corporate Tax Section.



ABREU
ADVOGADOS



PEDRO PAIS DE ALMEIDA
ppa@abreuadvogados.com

Pedro concluded a law degree from Lisbon's University Lusíada in 1990. In 1996, he concluded post graduate studies in Taxation at Instituto Superior de Gestão in Lisbon. He is a specialist in Tax Law recognised by the Portuguese Bar Association and a member of the Tax Committee on Direct Taxation of the Confédération Fiscale Européenne (European Tax Confederation).

In 1996 Pedro founded Pacsa Law Firm a niche practice specializing mainly on corporate and M&A, which was integrated by Abreu Advogados in 2008. Since then, Pedro is a partner with Abreu Advogados, is a member of the Firm's board of directors in charge of the Firm's communication and marketing department, coordinates the Firm's Tax Practice Group and is also an active member in the Corporate M&A Group.

Pedro is Chairman of the Board of Directors of Consulegis, EEIG, Member of the Executive Committee of UIA (Union Internationale des Avocats) and Director of Commissions, and also a member of the Executive Committee of NYSBA (New York State Bar Association) International Section and Chapter-Chair for Portugal.

Over the years, Pedro coordinated several seminars in the areas of taxation and related areas and published several articles and papers in these areas. He is also a Tax Arbitrator.

Pedro co-authored the books "JusPrático IRC 2010" and "JusPrático IRC 2011", a commentary of the Portuguese Corporate Income Tax, published by Wolters Kluwer and Coimbra Editora.

Pedro is deeply involved in the Firm's CSR projects and has been Chairman of the Supervisory Board (1998-2002) and Chairman of the Board of Directors (2003-2009) of CAIS - Associação de Solidariedade Social, a Portuguese Charity Institution for the Homeless and is presently member of the Supervisory Board of IES - Instituto de Empreendedorismo Social, a Portuguese Charity Institution of Social Entrepreneurs.

As a Lawyer, Pedro assists many Charity institutions on tax matters and has been involved in many M&A transactions, debt restructuring operations, tax efficiency structures and corporate reorganizations and restructurings.



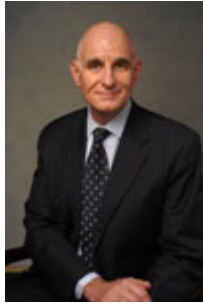
Narun POPATTANACHAI
Legal Counsel, Office of the Council of State of Thailand
LL.B., LL.M. (UCL, London) LL.M (Columbia, New York)

Narun is a candidate for the Doctor of Science of Law (J.S.D.) at Columbia Law School in New York City. His thesis critically analyzes the interplay between law and finance through a series of case studies, which range from revisiting the Asian financial crisis in 1997-8 to evaluating the events of default clause, a standard term in the cross-border loan agreement. While he previously conducted two major research projects on the reform of international financial architecture and the US Foreign Corrupt Practices Act (FCPA), his areas of interest go further to include securities regulation, capital market regulation and corporate governance.

Prior to coming to the US in 2011, Narun practiced law as a government legal counsel with the Office of the Council of State, Bangkok Thailand. He was a member of the special legislative drafting committee responsible for the Bill that would eventually reform Thailand's securities regulation and demutualize the Stock Exchange of Thailand. He authored and co-authored several policy recommendations for the government including the review of national disaster management law and the guideline for Thai corporations regarding corporate social responsibility (CSR). Furthermore, he regularly offered his legal opinions to the Thai Law Reform Commission regarding the topics of his expertise.

Born and raised in Bangkok Thailand but legally educated first in the UK and then in the US, Narun has gained a unique perspective of the world. He is mindful of both social and cultural idiosyncrasies of the East while possessing a thorough understanding of Western legal tradition. He obtained an LL.B. (upper second class honors) and LL.M. with commercial law specialization (with merit) from University College London in the UK. He also holds another LL.M. from Columbia (Harlan Fiske Stone Scholar).

Narun has recently passed the New York State Bar Examination and will soon be admitted as a qualified attorney.



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AREAS OF EXPERTISE:

- Intellectual property
- Antitrust and trade regulation
- trademark, copyright and patent litigation
- commercial litigation

ARBITRATION:

- Arbitrator – United States District Court, Eastern District of New York, Court-Annexed Arbitration Program, 1992 - present

EDUCATION:

College:
Harvard College, 1973, A.B.

Honors: Cum laude

Law School:
NYU, 1976, J.D.

PRIOR AFFILIATIONS:

Partner, Stecher Jaglom & Prutzman, 1984-2000

Associate, Cravath Swaine & Moore, 1977-1984

Law Clerk, United States District Court, Eastern District

L. Donald Prutzman

Partner
Intellectual Property

PRACTICE DESCRIPTION:

L. Donald Prutzman has a broad-based intellectual property and trade regulation practice that encompasses both litigation and non-litigated matters. Donald has broad experience in commercial litigation, particularly disputes involving trademark, copyright and antitrust issues. Other areas in which he is an experienced litigator include securities regulation and insurance coverage.

Donald's practice also includes a full range of non-litigated intellectual property matters including licensing, purchase and sale of intellectual property assets, copyright registration and trademark registration and prosecution, including representation of clients before the Trademark Trial and Appeal Board, and antitrust and trade regulation advice and compliance.

Donald has been selected for inclusion in New York Super Lawyers for 2008, 2009, 2010, 2011 and 2012, listed as a legal elite in Avenue Magazine for 2012, and listed as a top ranked intellectual property attorney in Fortune Magazine, the American Lawyer and Corporate Counsel for 2012.

RECENT SIGNIFICANT MATTERS:

Litigation

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

Intellectual Property

- Intellectual property aspects of major corporate transactions, including sale of

of Pennsylvania, 1976-1977

MEMBERSHIPS:

Professional:

- New York State Bar Association (Co-Chair Intellectual Property Subcommittee, International Law and Practice Section)
- Vice President and Director, Respect for Law Alliance
- Member, Mediation Panel, United States District Court for the Eastern District of New York

BAR ADMISSIONS:

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

financial industry database and data collection business to major financial data supplier, sales of technology driven businesses with significant international patent issues, and acting as special trademark counsel to a consortium of lenders in financing and acquisition of a worldwide food company and its subsidiaries, secured principally by the borrower's owned and licensed trademarks.

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

and securities regulators, and (e) development agreement for co-branded website between internet-based staffing company and various umbrella organizations, including a large bank holding company.

Antitrust

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

PUBLICATIONS:

- **Protecting Your Intellectual Property by Staying Informed and Knowing Your Options**, By Albert L. Jacobs, Jr., L. Donald Prutzman and Andrew Berger. Reprinted with permission from: *Inside Newsletter*. Fall 2012, Vol. 30. No. 2, published by the New York State Bar Association. One Elk Street, Albany, NY 11207
- **Recent Court Decision Bolsters Writers' Protection against Idea Theft**, E-Alert, July 2012
- **ICANN Releases the List of Applicants for New gTLDs—Do You Need to Consider Any Action?**, June 2012
- **E-Alert: Does a publishing agreement granting the right to publish a work "in book form" include the right to publish the work as an e-book?**, February 2012, Vol. 4, No. 1
- **With ICANN's Controversial Decision to Expand the Number of Generic Top-Level Domains; Is Your Domain Name Safe?**, January 2012
- **"Online brawl,"** by L. Donald Prutzman and Amy S. Beard, Managing Partner Magazine, December 2011/January 2012 edition
- **"Blocking Your Mark From Registration as a .XXX Domain Name,"** reported in *IP In Brief*, September 7, 2011
- **"The Developing U.S. Law Regarding the Invisible Use of Trademarks of Others in Cyberspace,"** by L. Donald Prutzman, NYSBA International Law Practicum, Autumn 2010, Vol. 23, No. 2
- **International Intellectual Property Protection: The Berne Convention, The Madrid Agreement and Protocol, and Other International Agreements**, NYSBA International Law Practicum, Autumn 2009, Vol. 22 No. 2
- **"Understanding importance of the Territoriality Principle: Protection for famous trademarks not used in the U.S.,"** reprinted from International Law Practicum, Vol. 20, No. 2, Autumn 2007
- **"The Territoriality Principle and Protection for Famous Marks in the Americas,"** reprinted from International Law Practicum, Vol. 20, No. 2, Autumn 2007
- **Non-U.S. Trademark Owners Should Consider Protecting Trademarks in the US Even if There Is No Current US Use**, Reprinted with permission from the



November 2007 issue of the Intellectual Property & Technology Law Journal

- **United States Patent Protection for Computer Software**, NYSBA International Law Practicum, Vol. 19 No. 1, Spring 2006
- **"Geographical Indications - An Emerging Form of Intellectual Property,"** International Law Practicum, Vol. 18, No. 1. Spring 2005
- **"International Trademark Protection in the United States and the European Community,"** International Law Practicum, Vol. 16, No. 1, Spring 2003
- Author of Personal Jurisdiction Chapter of *Federal Civil Practice*, Published by the New York State Bar Association, 1989.

SPEAKING ENGAGEMENTS:

- **How to Negotiate Your Intellectual Property and Technology Transactions**, THSH CLE Program, January 24, 2013
- **How to protect your intellectual property from new forms of online infringements and brand attacks**, THSH CLE Program, September 12, 2012
- **"Trademark Basics: What Lawyers Need to Know to Protect Clients In An Internet Age"**, October 23, 2008, New York City, sponsored by Hudson Valley Bank and CUNY Law School
- Co-Chair of Software and Business Methods Patents program at NYSBA International Law & Practice Section annual meeting, London, United Kingdom (October 2005)
- Co-Chair of Latin American Intellectual Property Issues program at NYSBA International Law & Practice Section annual meeting, Santiago, Chili (November 2004)
- Chair of United States/European Union Intellectual Property Protection Issues program at NYSBA International Law & Practice Section annual meeting, Rome, Italy (October 2002)
- **"International Trademark Practice"** Seminar for Trademark Paralegals, Half Moon Seminars (May 2001)
- Panel presentation on Electronic Signatures in United States and International Commerce at NYSBA International Law & Practice Section annual meeting, Rio de Janeiro, Brazil (October 2001)
- Chair of Intellectual Property Protection in Eastern European program at NYSBA International Law & Practice Section annual meeting, Budapest, Hungary (October 1999)

AUSTIN I. PULLÉ

Associate Professor of Law LLB (Colombo), LLM, SJD (Harvard)
Attorney (Columbia and Massachusetts) & Solicitor (New South Wales)

Austin I. Pullé is an Associate Professor of Law in the Department of Law in the Singapore Management University Business School. He obtained his LLB degree from the University of Colombo, and his LLM and SJD degrees from the Harvard Law School. He is admitted as an attorney in the District of Columbia and Massachusetts, and is a solicitor of the Supreme Court of New South Wales. He is a Senior Fellow of the Australian Institute of Foreign and Comparative Law at the University of Queensland, a member of the International Law section of the American Bar Association and a member of the Center for International Legal Studies, Salzburg, Austria. Prior to assuming teaching appointments, Austin Pullé practiced as an expatriate counsel engaged in negotiating and documenting a range of cross-border commercial transactions including foreign direct investment joint venture agreements, oil and gas transactions, offshore lending and security, and infrastructure projects. He was the first expatriate counsel in a leading law firm in Jakarta, and has worked as a lawyer in law firms in Boston, Washington, DC and Sydney. He was an international consultant on commercial law reform in Pakistan, in a project funded by the Asian Development Bank. Austin Pullé's teaching experience includes teaching part-time at the La Salle Business School in Manila, The Philippines, and full-time teaching at the Nanyang Business School in Singapore.

Austin Pullé's research interests are cross-border commercial dispute resolution and commercial law reform in ASEAN and South Asia.



Minh Tri Quach

Special Counsel
Hanoi

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Related Local Practice

Intellectual Property
Information Technology &
Communication
Dispute Resolution
Trade & Commerce

Related Legal Services

Intellectual Property
Data Privacy
Dispute Resolution & Litigation
Trade & Commerce

Global areas of practice

Anti-Counterfeiting & Anti-Piracy
Commercial IP
Copyright
Information Technology &
Communication
Dispute Resolution & Litigation

Baker & McKenzie (Vietnam) Ltd.

Unit 1001, 10th Fl.,
Indochina Plaza Hanoi
241 Xuan Thuy Street
Cau Giay District
Hanoi, Vietnam

Practice description

Minh Tri Quach is a special counsel based in the Firm's Hanoi office. He is an admitted lawyer in Vietnam and is licensed to act as an IP agent before the Vietnam National Office of Intellectual Property. His practice focuses on anti-counterfeiting, anti-piracy, commercial intellectual property agreements, data privacy, internet, dispute resolution and litigation. He has written articles, presented at seminars, and lectured to students on various legal issues in Vietnam.

Practice Focus

Mr. Quach is a seasoned IP lawyer. In addition, He possesses extensive experience in assisting clients on data privacy, internet and technology issues. Mr. Quach also acts for clients in dispute matters before courts and arbitrations.

Representative clients, cases or matters

- Assisting world leading fashion brands in anti-counterfeiting campaigns in Vietnam.
- Assisted a number of world leading franchisors in drafting and reviewing their agreements with local franchisees in Vietnam.
- Represented a leading Japanese automobile company in a landmark court case on privacy issues in Vietnam.
- Assisted a major Vietnamese milk producer to negotiate and resolve a dispute over a high-value commercial contract.
- Assisted a number of game developers, ISPs and social network service providers in various legal issues on data privacy and compliance with local laws.
- Acted for a USAID-funded project which provides assistance to the Vietnamese government on drafting, implementing and commenting on the Intellectual Property Law and franchising laws and regulations of Vietnam.

Publication

The Relationship Between Three-Dimensional Trademarks and Industrial Design in Vietnam (Co-author with Manh Hung Tran), Asia IP, January 2008

Company's Right to Access Work Email Accounts (Co-author with Manh Hung Tran), Asia IP, October 2012

Book: International Copyright Law, Vietnam Chapter (Co-author with Manh Hung Tran and Hong Yen Vu), Globe Law and Business, 2013

Education

Hanoi Law University, Hanoi (LL.B.) (1999)
Nagoya University, Japan (LL.M.) (2010)

Bar Admittance

Vietnam (2006)



Neil A. Quartaro
WATSON, FARLEY & WILLIAMS (NEW YORK) LLP

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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, Madrid, Munich, Rome, Milan, Athens, Piraeus, Singapore, Hong Kong 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

Mr. Quartaro practices with the International Litigation group in the New York office of Watson, Farley & Williams. 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.

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

Mr. Quartaro is also active in the International Section of the New York State Bar Association ("NYSBA"), where he serves as First Vice-Chair and as Vice-Chair for Committees. He also co-chairs the NYSBA International Section Transportation Committee and is in line to Chair the NYSBA International Section in 2015. Mr. Quartaro also sits on the Bankruptcy and Insolvency Committee of the Maritime Law Association.

Representative Recent Matters

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

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 publications, including Fairplay and Tradewinds.

- New York State Bar Association, International Section, Seasonal Meeting, Chair of Meeting and Speaker, “International Insolvency and Creditors’ Rights” (Lisbon, Portugal, October 2012).
- American Bar Association, Section on International Law Annual Meeting, Moderator, “Does New York Need a Special Docket for International Matters?” (New York City, April 2012).
- Ontario Bar Association and New York State Bar Association Joint Legal Summit, Chair (Toronto, Canada & Buffalo, N.Y., March, 2012).
- Seoul International Maritime & Shipbuilding Conference (SIMS) 2011, Speaker, “Towards a Comprehensive Solution to Somali Piracy” (Seoul, Korea, November 2011).
- Marine Money, Speaker, “Workouts and Restructurings” (Shanghai, China, November 2011).
- New York State Bar Association, International Section, Seasonal Meeting, Chair, “Securing Your Judgment” (Panama City, Panama, September 2011).
- New York Global Law Week, Speaker, “Pre- and Post Judgment Remedies Under NY Law” (New York City, May, 2011).
- The Takeaway Radio Program, Speaker, “Deepwater Horizon and Pending Changes to the Ship Owner Liability Regime” (New York, March, 2011).
- National Bureau of Asian Research, Author, “The Challenges of the Jolly Roger: Industry Perspectives on Piracy” (National Bureau of Asian Research Special Report, November, 2010).
- New York State Bar Association, International Section, Seasonal Meeting, Speaker, “Cross-Border Insolvency” (Sydney, Australia, October 2010).
- Japan Forum on International Relations, Speaker, “Modern Piracy and Industry Responses” (Tokyo, May, 2010).

Recent Recognitions

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

- Super Lawyers 2011, 2012 & 2013 – Selected as a “Rising Star” in Transportation & Maritime Law for three years in a row.
- Top Attorneys 2011, 2012 & 2013 – Selected as a “New York Metro Area Outstanding Young Lawyer” in Transportation & Maritime Law.

CURRICULUM VITAE

1. PERSONAL DATA

Name: Nguyen Nhu Quynh

Date of birth: May 13, 1975

Gender: Female

Country of birth: Vietnam

Nationality: Vietnamese

Position: Deputy Chief Inspector, Ministry of Science and Technology

Home address: No. 4, 99/2, 99 Nguyen Chi Thanh, Hanoi

Email: nnquynh@most.gov.vn; quynhnguyen.hlu@gmail.com

Cell phone: +84-914854455

Fax: +84-4-38359404

2. EDUCATION

- Bachelor of Law, Hanoi Law University, Vietnam, 1991-1996
- Master of Law, Sweden, 2001-2002
- Doctor of Law, Sweden, 2006-2011

3. OTHER ACADEMIC ACTIVITIES

- Course in International Law, Faculty of Law, University of Melbourne, Australia, 2000
- Course for Intellectual Property Trainers, Japan Patent Office, 2006
- Regional Capacity Building Programme, National University of Singapore, 2007
- Scholar at Max Plank Institute, Munich, Germany, 2007
- Scholar at World Intellectual Property Organization, Switzerland, 2008

- Scholar at Suffolk Law School, Boston, the United States, 2008
- Legal consultant at World Intellectual Property Organization (United Nations), Geneva, Switzerland, 2010

4. CAPACITY AND SKILLS

- Having extensive skills in writing reports and articles on legal issues by using descriptive, analytical, comparative, and sociology investigation methods. This especially appreciated in the report for the World Intellectual Property Organization, the doctoral dissertation as referred to in Section 6 (Publication) below, other researches, the activities within the ISP and Sida Project, and the ministerial-level subject (the Ministry of Justice) “*Exploitation and Commercialization of Intellectual Property in Vietnamese Enterprises*”;
- Having in-depth knowledge and understanding of judicial field in Vietnam, especially application of customary law;
- Having capacity in designing, implementing, and resolving surveys and questionnaires, particularly for legal issue-related researches. These activities have particularly carried out within the report for the World Intellectual Property Organization, the doctoral dissertation, and the activities within the ISP (the questions on training needs for judges and court clerks for the Supreme People’s Court in 2009);
- Having capacity in submitting proposals for legal reforms (this was considered as an indispensable content in the completed researches);
- Having significant experience in working with state agencies;
- Having many skills in working with foreigners and in cross-cultural environment.
- Having team-play skills and experience of being a team leader;
- Having excellent reading, speaking, and writing English;
- Being very good at computer literacy and language;

- Having extensive skills in designing the schedules and contents for training sessions;
- Having ability to cope with heavy workload.

5. EMPLOYMENT RECORD

- Part-time project staff for the Consulting and Research Company for Technology Transfer and Investment - CONCETTI (third year student - 1998)
- Deputy Head of Intellectual Property Law Centre, Hanoi Law University, 1996 - 2012 (full time)
- Deputy Chief Inspector, Ministry of Science and Technology
- Legal consultant for enterprises, e.g. The Infrastructure Development and Construction Corporation - LICOGI (2006-2007) and TTLC-VINAMOTOR (part-time)
- Legal expert for projects: (i) short-term legal expert for the Institutional Support Project to Vietnam - ISP (2007-2009); (ii) case-by-case participant for Sida Project (2006 - 2011); (iii) case-by-case legal expert for STARS/USAID Project; and (iv) team-leader for the project of Strengthening Access to Justice and Protection of Rights (00058492) at the Supreme People's Court (2012).
- Visiting lecturer of Vietnam National School for Inspectors (2004-2010)

6. PUBLICATION

- Having more than 50 publications (including books and articles) being written in Vietnamese and English on Vietnamese and foreign law studies journals

SOME ARTICLES IN ENGLISH

- (1) Nguyen, Nhu Quynh, *Special Trade Mark – Legislation and the Situation in the European Community*, Master Thesis, Lund University, Sweden, 2002

- (2) Nguyen, Nhu Quynh, *On the need to perfect Vietnam's current intellectual property legislation*, Vietnam Law and Legal Forum. No. 119, July, 2004
- (3) Nguyen, Nhu Quynh, *Protecting industrial property rights*, Vietnam Law and Legal Forum. No. 120, August, 2004 & No. 121, September 2004
- (4) Nguyen, Nhu Quynh, *Vietnam's incomplete law provisions on industrial property objects*, Vietnam Law and Legal Forum. No. 123, November, 2004
- (5) Nguyen, Nhu Quynh, *Intellectual Property Education – Japan's experiences for Vietnam*, APIC Newsletter (Japan), December, 2007
- (6) Nguyen, Nhu Quynh, *The Law on Intellectual Property: An important milestone in the development of Vietnam's intellectual property legal system*, IP Community, Japan, No. 10, 2007, pp. 71-87
- (7) Nguyen, Nhu Quynh, *Exhaustion of Intellectual Property Rights under Vietnamese Law*, IP Community, Japan, No.11, March 2008, pp. 43-56
- (8) Nguyen, Nhu Quynh, *Exhaustion as a tool to address abusively anti-competitive uses of intellectual property rights*, IP&CP/CDIP/Study/02/2011, The Project of the World Intellectual Property Organization on Intellectual Property and Competition Policy, November 2010
- (9) Nguyen, Nhu Quynh, *Parallel Trade of Patented Pharmaceuticals from Developing Country Perspective*, SSRN, 23 February 2011, <<http://ssrn.com/abstract=1767823>>
- (10) Nguyen Nhu Quynh, *Trademark exhaustion and Proposals for an improvement of Vietnamese trademark law*, Doctoral dissertation, Lund University Sweden, 2011
- (11) Tran Viet Dung, Le Thi Nam Giang & Nguyen Nhu Quynh, *Vietnam: A Case Study for Sustainable Technology Transfer*, Wolters Kluwer, 2012

8. EXPERIENCES

As lecturer and researcher

- Teaching many areas of law for different learners, especially civil law and intellectual property law;
- Delivering lectures at training courses for judges of Supreme People's Court, deputies of National Assembly, prosecutors of Supreme People's Procuracy;
- Doing many legal researches for international and national organizations;
- Presenting legal subjects at national and international workshops/conferences;
- Being members of assessment boards for ministerial-level legal project and subjects.

As legal expert of projects

- Conducting consultative sessions, studies, research, and analysis on legal topics;
- Providing legal consultancy to projects;
- Designing activities and contents for certain working sessions;
- Working with the international experts, other local experts, and the service provider;
- Writing reports and presenting reports at conferences/workshops.

As legal consultant

- Providing legal consultancy to companies relating to civil, contract, intellectual property, technology transfer, competition law, and business law;
- Drafting contracts relating to the above-mentioned areas;
- Being a legal representative for companies in solving business conflicts and disputes;

- Being a member of law/sub-law drafting committees (e.g. Circular 37/2011/TT-BKHCN).



Eduardo Ramos-Gómez is managing partner of Duane Morris' Asian offices in [Hanoi](#), [Ho Chi Minh City](#) and [Singapore](#), with residence in Singapore. Mr. Ramos-Gómez has practiced [international](#) and [corporate](#) law for more than 30 years, advising multinational and foreign companies in Asia, North America, Europe and Latin America on cross-border direct foreign investment, project development and project finance. His practice encompasses a broad range of international investments, [mergers and acquisitions](#), [securities](#), financing, joint ventures, licensing, venture capital formation and investments, privatization, infrastructure projects, and other corporate transactions in the United States, Latin America and Asia.

Mr. Ramos-Gómez formerly served as Mexico's Ambassador to Singapore, Negara Brunei Darussalam and the Union of Myanmar. He is an advisory board member of the Singapore Management University School of Law, a member of the Commission on Globalization World Forum, president of the U.S.-Mexico Chamber of Commerce, vice chair of the Mexican Law Committee in the Section of International Law and Practice for the American Bar Association and chapter chair of the International Division of International Law and Practice Section of the New York State Bar Association. He has chaired the Section's 2009 meeting held in Singapore and has been named chairman of the Section's 2013 meeting, to be held in Vietnam. Mr. Ramos-Gómez also heads the Mexican and Latin America desk for the firm.

Mr. Ramos-Gómez is a graduate of the Escuela Libre de Derecho in Mexico City and a graduate of the University of Virginia (LL.M.).



David Russell AM RFD QC

Barrister at Law

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About David

David was admitted as a solicitor in Queensland in 1974, and was called to the Bar in 1977. He is admitted to practise in **Australia, Papua New Guinea, New Zealand** and the Courts of the **Dubai International Financial Centre**. He was first appointed **Queen's Counsel** in Australia in 1986.

He currently practises in Sydney (Ground Floor Wentworth Chambers) and Brisbane (Sir Harry Gibbs Chambers) and is an associate member of chambers in London, New York and Abu Dhabi (Outer Temple Chambers), Auckland (Shortland Chambers) and Darwin (William Forster Chambers).

He has acted for Commonwealth and State Governments as well as individuals and corporations.

David was President of the **Taxation Institute of Australia** from 1993 to 1995, and of the **Asia Oceania Tax Consultants' Association** from 1996 to 2000. He is a member of the **Law Council of Australia** Business Law Section Taxation Committee. He served as a member of the Ministerial Consultative Committee for the Tax Law Improvement Project from 1994 to 1997 and as a member of the Steering Committee for the National Review of Standards for the Tax Profession in 1993 and 1994. From 1991 to 1995 he was a member of the National Tax Liaison Group.

David has lectured and written extensively on taxation related topics in Australia and overseas (including New York, London, Hong Kong, Shanghai, Brussels, Dubai, Moscow, Kuala Lumpur and Karachi) and served as a member of the Advisory Editorial Board of Australian Tax Practice. He has lectured at the **University of Sydney** for the Master of Taxation course, the University of Queensland for the Master of Laws course and served as an **Adjunct Professor** of the University of Queensland. He is the Australian correspondent for **Trusts and Trustees**.

He is Chairman of **STEP Australia** and the STEP New South Wales Branch, a member of the STEP World Wide Council and Member Services and Public Policy Committees and the Committee of the STEP Contentious Trusts & Estates Special Interest Group, a co-chair of the Australian Chapter of the **International Section of the New York State Bar Association**, and a member of the Executive Committee of the Section, an Academician of **The International Academy of Estate and Trust Law**, an Honorary Member of the **Taxation Institute of Hong Kong** and a Fellow Member of the **Chartered Institute of Taxation** (UK).

David is listed in the Taxation Category in the **Australian Financial Review/Best Lawyers** review of the Australian Legal Profession in 2008 and all later years. In 2010 he was awarded the **Order of the Rising Sun** with Gold Rays and Neck Ribbon for services to Australia Japan relations. In 2012, he was made a Member of the **Order of Australia** for, amongst other things, "service ... to taxation law and legal education".

Outside the law, he maintains his interest in his family's rural business, [Russell Pastoral Company](#), and its flagship property, [Jimbour](#).



Awards and Recognition

- Queen's Counsel commissions
- Reserve Force Decoration
- Order of the Rising Sun
- Order of Australia

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Professional Memberships

- The International Academy of Estate and Trust Law
- The Tax Institute
- International Fiscal Association
- Society of Trust and Estate Practitioners
- Asia-Oceania Tax Consultants' Association
- Australian Tax Research Foundation
- New York State Bar Association
- Law Council of Australia Business Law Section Taxation Committee
- Chartered Institute of Taxation
- Taxation Institute of Hong Kong
- International Tax Specialist Group
- Transnational Tax Network
- International Tax Planning Association

[More](#) →

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More Information on: [Barristers](#) | [Queen's Counsel](#) | [The International Tax Profession](#)

Jay G. Safer

Partner

Jay G. Safer is a partner in the New York City office of the international law firm of Locke Lord LLP and handles complex litigation and arbitration in the United States and abroad.

Jay represents clients in matters concerning contracts, antitrust, securities, RICO, qui tam, international litigation and arbitration, including application of the New York Convention and enforcement of foreign judgments and arbitration awards, insurance, construction, real estate, employment, media, product liability, health care, professional ethics, financial, constitutional and regulatory issues. He also counsels clients on commercial matters, including protection and preventive measures, creation of risk litigation plans, e discovery, e-signature, and e-readiness, and pre-litigation analysis. Jay has litigated numerous cases involving these subjects.

International arbitration and international litigation are areas of Jay's expertise. Jay was named a leading expert in commercial arbitration by the EuroMoney Legal Media Group. He has represented clients from the United States and around the world in international arbitrations. He has represented clients in international litigation, including domestic and foreign clients in courts outside the United States and foreign clients in United States courts, including a foreign government. He has worked with esteemed counsel in foreign countries in cases in courts of different countries and provided advice concerning the application and comparison of United States law and laws of other nations. Jay thus is familiar with the laws and procedures utilized in judicial systems abroad and has worked closely with lawyers practicing in many different countries.

Jay has handled international arbitrations under the auspices of the ICC and AAA and is fully familiar with the arbitration and conciliation proceedings provided through the International Centre for Settlement of Investment Disputes (ICSID) established by the Convention on the Settlement of Investment Disputes between States and Nationals of Other States. Jay is familiar with the jurisdictional, procedural and substantive areas arbitrated through the ICSID. He has been involved in arbitrations and litigations dealing with governmental agencies and government owned entities. Jay has worked with lay and expert witnesses in international arbitrations and litigations on a wide range of subjects. He was involved in an international arbitration which utilized expert witnesses on damage issues who prepared reports for the arbitrator. Questions also arose as to the right to obtain documents and testimony in



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Practices

Antitrust
Banking & Financial Institutions
Litigation
Business Litigation & Dispute
Resolution
Business Technology
Class Actions
Climate Change Team
Energy Litigation
Health Care
Health Care Compliance,
Governance, Investigations &
Enforcement
Insurance
Insurance: Commercial Litigation
Insurance: Litigation & Counseling
International Arbitration
Labor & Employment
Physicians & Physician Groups
RICO Litigation
Securities Litigation
Trial Lawyer

Education

J.D., Columbia Law School, 1971

B.A., Vanderbilt University, 1968

Bar Admissions

New York, 1972
U.S. Supreme Court

Court Admissions

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

the United States and abroad for the international arbitration. The arbitration included a review of the law of contracts and damages of various countries including the United Kingdom and the United States.

He has participated in litigation in the United States concerning the confirmation and enforcement of arbitration awards. He has been involved in successful litigation involving the New York Convention dealing with the enforcement of a foreign arbitration award.

Jay has served as a lecturer on panels, bench-bar forums, and a member of committees with judges and attorneys discussing a wide range of civil litigation issues, international arbitration and litigation skills, including cross examination for the National Institute for Trial Advocacy, professional ethics, e-discovery, e-signature and e-records. Jay has taught seminars with judges on arbitrations and expert witnesses and also presented programs to lawyers and judges on international and United States arbitration and mediation. In addition, he has presented a seminar on arbitration to foreign lawyers visiting the United States and has presented seminars abroad on international legal issues. Jay has met with visiting judges from various countries outside the United States.

He has served as moderator and speaker in a global law week program on international law, including international litigation and arbitration, presented by the International section of the New York State Bar Association.

In addition, he was a speaker and panelist on international law and international arbitration and litigation at an international program in Panama presented by the International section of the New York State Bar Association. He was also co-chair and speaker at an international program on international arbitration and litigation issues with foreign lawyers in Lisbon, Portugal. He is a member of the Steering Committee and will be a Co-chair and Speaker at an International program in Vietnam.

Jay has been a member of the Advisory Board of the Institute for Transnational Arbitration (ITA).

Jay has been a member of The Sedona Conference Working Group on Electronic Document Retention and Production (WG1) and The Sedona Conference Working Group on International Electronic Information Management, Discovery and Disclosure (WG6).

Jay was appointed by the Chief Judge of the State of New York, the Hon. Jonathan Lippman, to the newly created permanent Commercial Division Advisory Council that will advise the Chief Judge and the Judiciary on all

U.S. District Court for the Eastern
District of New York
U.S. Court of Appeals for the Third
Circuit
U.S. Court of Appeals for the
Eleventh Circuit
U.S. District Court for the Northern
District of New York
U.S. District Court for the District of
Connecticut
U.S. District Court for the Northern
District of Illinois
State Courts, New York

matters involving the Commercial Division of the State of New York.

Jay was appointed to serve on the Planning Committee for the Judicial Conference of the U.S. Court of Appeals for the Second Circuit, which he attended.

Jay was appointed by Chief Judge Judith S. Kaye to serve on a Special Commission on the Future of the New York State Courts. The Commission is composed of lawyers, civic leaders, government and private sector representatives, academicians, and sitting and former trial and appellate court judges. The Commission's charge is to redesign the state's trial court structure.

Jay is the Past Chair of the 2,000 member Federal & Commercial Litigation Section of the New York State Bar Association and is the Co-Chair of its Federal Judiciary Committee.

Jay was named a member of the Lawyers Committee of the National Center for State Courts.

Professional History

- Partner, Locke Lord LLP

Professional Affiliations and Awards

- Named as a New York SuperLawyer
- Named as a 2013 Top Rated Lawyer in Technology Law
- Named as a 2013 Top Rated Lawyer in Banking and Finance Law
- Achieved AV Preeminent® Peer Review Rating
- New York State Bar Association, Elected as Vice President, First Judicial District and Member of the NYSBA Executive Committee
- New York State Bar Association, Co-Chair, Federal Judiciary Committee and Member of Executive Committee, Commercial & Federal Litigation Section
- New York State Bar Association, Co-Chair, International Litigation Committee and Member of Executive Committee, International Section
- New York State Bar Association, Commercial & Federal Litigation Section, Past Chair
- New York City Bar Association, Past Chair of Council on Judicial Administration, Special Committee on Judicial Selection, Committee on State Courts of Superior Jurisdiction
- Federal Bar Council
- Federal Bar Association, Chair International Law Committee

- American Bar Association, Section of International Law, Section of Litigation
- New York County Lawyers Association, Co-Chair of the Foreign and International Law Committee
- New York County Lawyers Association, Committee on Election Law, Past Co-Chair
- New York State Supreme Court, Advisory Committee on the CPLR to the Chief Administrative Judge of New York State
- New York State Supreme Court, Advisory Committee on the Commercial Division to the Chief Administrative Judge of New York State
- New York State Supreme Court Commercial Division, Advisory Committee on the New York County Commercial Division and Kings County Commercial Division Judges
- National Center for State Courts, Lawyers' Committee
- Conner Inn of Court
- Fund and Committee for Modern Courts, Legislative Co-Chair
- Named American Bar Foundation Fellow
- Named New York Bar Foundation Fellow
- Member of Chartered Institute of Arbitrators

Publications & Presentations

Mr. Safer has made appearances on television and authored numerous articles and publications including:

- Author, "Magistrate Judges and Special Masters," Chapter 31, Third Edition of Business and Commercial Litigation in Federal Courts, a project of the American Bar Association Section of Litigation and Thomson West
- Presenter, "How Inside and Outside Litigation Counsel Can add Value and Reduce Costs for Corporate Clients – Fee Arrangements, Budgeting and Billing," NYSBA Annual Meeting (Summer 2011)
- Contributor, "Brochure: International Arbitration," Locke Lord (April 26, 2011)
- Interview Subject, "Cover Story regarding Project Finance in India," Lex Witness (October 15, 2010)
- Co-Author, "Client Alert: Supreme Court Rules No Class Arbitration Absent Contractual Basis," Locke Lord (April 29, 2010)
- Panelist, "Implementation – What Methods, If Any, Can Be Employed To Promote The Existing Rules' Attempts to Protect Private Identifier Information From Information Access,"

Conference on Privacy and internet Access to Court Files,
Fordham University School of Law (April 13, 2010)

- Featured, "City Bar Urges Statewide Rule Limiting Personal Data in Civil Filings," New York Law Journal (February 17, 2010)
- Contributor, "e-Matters: 6-Point Framework," Locke Lord (October 8, 2009)
- Contributor, "e-Matters: ESIGN Workshops," Locke Lord (October 1, 2009)
- Co-Author, "e-Matters Alert: 2008 Case Law Review" (January 26, 2009)
- Client Alert: Second Circuit, in Case of First Impression, Interprets Class Action Fairness Act to Provide Federal Jurisdiction for State Law Consumer Fraud Action Not Involving Nationally Traded Securities (May 19, 2008).
- Co-Author, *Lord, Bissell & Brook LLP Client Alert: From E-Discovery To E-Admissibility Lorraine v. Markel And What May Follow.*
- Co-Author, "Contracts," *Commercial Litigation in New York State Courts.*
- Co-Author, "Magistrate Judges and Special Masters," *Business and Commercial Litigation in Federal Courts.*
- Co-Author, Case Study on Successful Partnering Between Inside and Outside Counsel.

Name & Address: Mauricio Salas
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Apdo. 116-6155 Forum
Santa Ana, Costa Rica
Telephone (San José) 506-2205.3935
Fax (San José) 506-2205.3940

Personal Information:

Residence & Nationality Costa Rica

Date of Birth 24 December 1970

Education:
1998 -1999 **Georgetown University Law Center (Washington, D.C.)**
Common Law Studies
LL.M., approved with distinction

1989-1994 **University of Costa Rica**
Licenciatura degree in law, approved with distinction

1989-1993 **University of Costa Rica**
Bachelor's degree in law

Work Experience

Sept. 2007 - Present **BLP Abogados (San José, Costa Rica)**
Position: Partner. Practice areas: Head of Litigation, Head of International Trade.

Jan. 1995 – Sept. 2007 **Facio & Cañas (San José, Costa Rica)**
Position: Qualified as Partner and previously as Associate Attorney.

Aug. 1999 – Dec. 1999 **World Trade Organization (Geneva)**
Position: Intern / Appellate Body Secretariat.
Provided assistance to the Appellate Body Secretariat in the discharge of its duties.

Jul. 1998 - Jul. 1999 **Georgetown University Law Center (Washington, D.C.)**
Position: Research Assistant to Prof. John H. Jackson
University Professor of Law
Legal research in the field of international economic law.

1992-1994

Facio & Cañas (San José, Costa Rica)

Position: Legal Assistant

Academic Activities:

Professor

International Law

School of Law, University of Costa Rica

San José, Costa Rica 2011-

Academic Advisor - Panelist

ELSA International Trade Moot Court Competition

All American Round

San José, Costa Rica 2013

Coach

ELSA International Trade Moot Court Competition

Costa Rica team

Washington and France, 2012.

Professor

International Trade Remedies

School of Economic Sciences, University of Costa Rica

San José, Costa Rica 2000-2004

Executive Director

“Eduardo Jiménez de Aréchaga” Inter-American Human Rights

Moot Court Competition

Held in San José, Costa Rica. March, 1997

Human Rights Law Coordinator

Asociación Costarricense de Derecho Internacional

San José, Costa Rica 1996-1997

Vice-President of the Board of Directors

Asociación Costarricense de Derecho Internacional

San José, Costa Rica 1994-1996

Oralist

Universidad de Costa Rica team. “Philip C. Jessup

International Law Moot Court Competition”

Washington D.C., 1992 and 1993

**Professional
Appointments**

List of Arbitrators

Mexico – Costa Rica Free Trade Agreement

List of Arbitrators

Dominican Republic – Central America Free Trade Agreement

List of Arbitrators

United States – Central America Free Trade Agreement

Member

Costa Rica Bar Association – International Law Commission

**Professional Awards
and Recognition****Guide to the World’s Leading International Trade Lawyers**

2006-2012

Listed as the Recommended Lawyer in Costa Rica.

Rodolfo Piza Award on International Law

For lifelong contribution to the teaching of International Law

Awarded by the Costa Rican International Law Assn.

Latin Lawyer Magazine – International Trade Report

2005

Listed among the Top International Trade Lawyers in Latin America.

Chambers Global

2004-2012

Ranked as top corporate attorney in Costa Rica

Latin Lawyer 250 Review

2003-2012

Ranked as top corporate attorney in Costa Rica

International Financial Law Review

2003-2012

Ranked as a leading lawyer in Costa Rica

40 under 40 in Central America

2005

Ranked among the top 40 lawyers under 40 in Central America by Latin Lawyer Magazine.

**Publications and
Academic Writing.****The Cambridge University Press**

“The Central America-Dominican Republic-United States Free Trade Agreement” in Regional Trade Agreement. Lester and Mercurio, Eds. (2009)

The Oxford University Press

“Procedural Overview of the WTO EC-Banana Dispute”
Co-author with John H. Jackson; Journal of International
Economic Law, Oxford University, Vol. 3, iss. 1 (2000)

Global Legal Group

“Costa Rica” in The International Comparative Legal Guide
Environmental Law (2008)

ASE-TLC

“Arbitraje Internacional y la Aprobación Legislativa del
CAFTA” (2005)

Project Finance Magazine

“Down with Diesel!” in Energy Report, (2005)

Cameron May

“Anti-Dumping Practice in Central America” in Anti-Dumping
in the Americas (2004)

Intervention in WTO Dispute Settlement Proceedings.

Research paper submitted to Georgetown University (1998)

**International Responsibility of the State for Damages
Caused to Foreign Investors.**

Graduation thesis, approved with distinction by the University
of Costa Rica (1994)

Languages

Fluent Spanish and English.

NGUYEN NGOC SANG

Attorney at law

Gender: Male

Date of birth: 13 April, 1979

Degree: Master of Laws

Marital status: Married

Nationality: Vietnamese

Home phone: (84-4) 22434284; (84-31) 877857

Cell Phone: (84)-949886868

Email address: nnsang@gmail.com; nnsang.logos@gmail.com

Home address: Ngoc Truc, Dai Mo commune, Tu Liem, Hanoi

Qualified to practice law



EXPERIENCE

Corporate:

- Provide legal advice; negotiate, draft joint venture contract, commercial contracts including construction, sales contracts, office lease contracts and other documents for incorporation of representative offices, branches, companies in various fields of investment and business including construction and real estate.
- Advise and assist clients to implement post-licensing procedures.

M&A

- Conduct legal due diligence, provide advice, draft M&A contracts and other relevant documents for M&A deals.
- Assist clients to obtain relevant approvals from Vietnam competent state bodies, etc.

Real Estate, Construction, PPP & Finance Arrangement

- Conduct market survey on real estate market and evaluate the feasibility of investment project; assist investors to obtain investment certificate to implement projects in Vietnam
- Advise and assist investors to carry out post-licensing legal procedures including land lease procedures, site clearance and compensation, basis design evaluation, environmental impact assessment report, etc.
- Assist foreign contractors to obtain construction permits and to register for its execution office in Vietnam.
- Advise and assist investors to prepare loan agreements, security agreements and conduct registration on foreign loans with State Bank of Vietnam.

EDUCATION HISTORY

2007	Intellectual property training course
2005	Hanoi Judicial Institute
1998 - 2001	Hanoi Law University, LLB
2002 – 2004	TLBU Graduate School of Law in Seoul, LLM

PROFESSIONAL BACKGROUND

2011 – 2012	Senior Associate, Nishimura & Asahi Hanoi Office,
2011 - 2012	Senior Associate, Nishimura & Asahi Hanoi Office,
2007 – 2011	Senior Attorney, LOGOS Attorneys at law,
2006 – 2007	Project Management Director, VIKOA Investment & Development Consultant JVC
2004 – 2005	Legal consultant, D&N International Co., Ltd.
2002	Paralegal, Urban Development and Construction Investment Company No.3

LANGUAGE SKILLS

Proficient in English: Fluent speaker; can read and write well

INTERESTS

Enjoy reading, writing, listening to music, playing table-tennis, and swimming



Robert L. Schiffer

Robert L. Schiffer has distinguished credentials that range from Wall Street to appointments under two White House Administrations and a New York Governor. He is renowned for his broad experience in financial markets, diplomacy, crisis management, negotiations, and trade policy. Robert Schiffer is currently a Managing Director of Mekong Renewable Resources Fund, a private equity fund with diverse mandate on renewable energy, sustainable forestry/plantations and environmental services, of Indochina Capital Corporation. Indochina Capital is the leading company in real estate development, fund management, advisory, and financial services in

Vietnam.

Prior to his position at Indochina Capital, Robert L. Schiffer is a former CEO and Executive Director of the US Vietnam Trade Council. He initiated a climate change program in Vietnam beginning in 2008 and has partnered with the Environmental Defense Fund, Business for Social Responsibility and the Clinton Foundation in the US Vietnam Trade Council Climate Change Program.

Robert L. Schiffer is also noted as one of Washington's leading experts on Vietnam commercial and political issues. His long involvement in Vietnam included an appointment from 1998 to 2001 as Senior Advisor to US Ambassador to Vietnam Pete Peterson. As the Ambassador's top political envoy on business matters, he developed new strategies to promote US-Vietnam business and finance, labor standards, and international trade. He is credited for his pivotal role in the successful negotiations of the US-Vietnam Bilateral Trade Agreement and the OPIC-Vietnam Bilateral Investment Agreement.

Before his service in Vietnam, Robert L. Schiffer was Vice President for Investment Development at the Overseas Private Investment Corporation (OPIC). During nearly two years, he managed the agency's product development, business and market development, and public affairs strategies. He led efforts to open business investment in Eastern and Central Europe, South Korea and Vietnam and was a key strategist with Congress, business and the labor community on OPIC's congressional reauthorization. Schiffer also helped in developing new initiatives to expand lending to small businesses.

From 1993-1997 Robert L. Schiffer held senior positions at the United States Information Agency (USIA), directing agency activities in Russia, the NIS, South Africa, China and Vietnam. He was noted for initiatives he led that assisted the peace process in the Middle East and in Northern Ireland, promoted legal reform and intellectual property, and create innovative professional exchange and training programs around the world.

Robert L. Schiffer's Wall Street experience from 1981-1992 included ranking positions with Drexel Burnham (Managing Director of the East Coast Public Finance Group), L.F Rothschild (Managing Director), A.G. Becker (Senior Vice President – firm later known as Becker Paribas) and Bear Stearns and Company (Vice President). He also was a founding partner of a boutique private financial firm, Schiffer and Lacey.

His accomplishments included the first private credit enhancement for a non-profit institution and development of the distressed hospital program (which tapped new capital for hospitals with low credit ratings), as well as being senior manager for the financing of Columbia Presbyterian and Mount Sinai Hospitals; the capital financing of the MTA (Metropolitan Transportation Authority and the New York State Power Authority

During late 1970's (1975-1981) Robert L. Schiffer held high positions in the Administration of New York State Governor Hugh Carey. He served as the Deputy Budget Director where he was the

Governor's manager in the development of the first capital program for public transportation, water and the State's reentry in housing and hospital financing. Robert L. Schiffer also served as Deputy Secretary for Health and Human Services and as First Deputy Director of Personnel and Appointments.

Robert L. Schiffer's civic activities have included serving as Chairman of the New York State Real Estate Advisory Board to the Governor, Director and Treasurer of the Board of the Dance Theatre of Harlem and Chairman of the Committee for Housing New York, the Board of Trustees of Interfaith Hospital and Downstate Medical Center in NYC.

Today he sits on the boards of the U.S.-Vietnam Trade Council, Vietnam Veterans of America Foundation and the The Alliance for Safe Children in Bangkok, Thailand, that focuses on global child injury prevention

Robert L. Schiffer received his BA at the University of Tennessee and attended the Harvard University Kennedy School of Government Program for Senior Managers in Government. He presently resides in Chevy Chase, Maryland with his wife MaryAnn Holohean and their daughter Anna.

Aaron J. Schindel
Assistant General Counsel
Labor and Employment Law
Direct: +1 (301) 987-4578

Aaron J. Schindel

Aaron Schindel is labor counsel for Sodexo, Inc., providing legal representation, counsel and supervision of outside counsel for the Company's team of labor relations professionals, field operations management and headquarters management with respect to the full range of traditional labor law issues, including NLRB representation and unfair labor practice proceedings, grievance arbitrations, collective bargaining negotiations, compliance with collective bargaining agreements, management of unionized employees and various other employment and labor issues.

Sodexo, Inc., the North American subsidiary of Sodexo S.A., the world's 21st largest employer, has over 115,000 employees in the United States. About 20,000 of these employees are unionized, represented by more than 30 different labor unions through approximately 350 collective bargaining agreements.

Before coming to Sodexo, Aaron had more than thirty years of experience in labor and employment law at Proskauer Rose LLP in New York City.



William H. Schrag

Partner

Business Restructuring, Creditors' Rights & Bankruptcy International

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Professional Experience

Bill is a partner in the Business Restructuring, Creditors' Rights & Bankruptcy group. With more than 30 years of experience, he focuses his practice in the areas of bankruptcy, commercial litigation and creditors' rights. Bill represents clients in domestic and international bankruptcy litigation, workouts, corporate reorganization and related matters. He represents major financial institutions, including bank lenders and agents, 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.

Bill is admitted to practice in the state of New York, the U.S. Supreme Court, the U.S. Court of Appeals for the Second Circuit and the U.S. District Courts for the Southern and Eastern Districts of New York.

Representative Matters

Bill's experience includes:

- Representing major creditor in Eastman Kodak Company (Bankr. S.D.N.Y.).
- Representation of U.S. indenture trustee in concurso proceedings of Mexican non-bank and mortgage and construction lender
- Representing indenture trustee of two issuances of public debt of Sino-Forest Corporation, aggregating \$1 billion, in connection with insolvency proceedings pending in Canada.
- 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 agent bank in connection with inter-creditor litigation in federal and state courts, arising out of Le-Nature's bankruptcy case and involving claims of fraud, negligent misrepresentation, and aiding and abetting liability.
- Representing secured lender in Refco Inc. (Bankr. S.D.N.Y.) in connection with its \$101 million claim. Pursuant to court-approved settlement, secured lender recovered all principal, together with interest and attorneys' fees.
- Representing agent bank on \$225 million secured credit facility in Dura Automotive Systems, Inc. (Bankr. Del.).
- Representing largest creditor and target of \$27 million complaint in Simplex of New York City bankruptcy case. The litigation settled at less than five cents on the dollar following successful mediation.
- Representing fee examiner in Granite Partners, L.P. (Bankr. S.D.N.Y.) regarding adequacy of disclosure made by three professional firms to bankruptcy court. The fee examiner's report served as the basis for a published decision on disinterestedness in bankruptcy.
- Representing Official Committee of Unsecured Creditors in United Merchants and Manufacturers, Inc. and Victoria Creations, Inc. (Bankr. S.D.N.Y.) comprised of bondholders and trade creditors.
- Representing Chapter 11 trustee of Carl H. Neuman, the operator/seller of the Sarah R. Neuman Nursing Home in Mamaroneck, New York.
- Representing 12-member bank group holding \$300 million in secured and unsecured debt in Chapter 11 cases of Zale corporation and affiliates (Bankr. N.D. Tex.).
- Representing global bank in defense of multimillion-dollar preference claim filed by Chapter 7 trustee of Axona International Credit & Commerce, Ltd., a Hong Kong deposit-taking company, in one of the first dual plenary bankruptcy cases filed in the United States (Bankr. S.D.N.Y.).
- Representing lender in defense of multimillion-dollar complaint filed in New York Supreme Court, alleging various breach of contract and tort claims. Case resulted in dismissal of complaint, which was affirmed on appeal.
- Representing various parties in interest in other cases of national significance, including MF Global, Lyondell, Delaco, Enron, Rockefeller Center Properties, Montgomery Ward, London Fog, Commodore, Barney's and Penrod.

Education

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

Professional Associations

- New York City Bar Association; Committee on Bankruptcy and Corporate Reorganization, 1992-1995
- New York State Bar Association; Vice Chair and Executive Committee Member, International Section, 2011-2013

- American Bar Association; Fellow of the American Bar Foundation
- International Bar Association
- American Bankruptcy Institute
- Association of Insolvency and Restructuring Advisors
- International Insolvency Institute

**Community
Activities**

- UJA-Federation of New York, Board Member
- Westchester Jewish Conference, Associate Treasurer
- Stratton Hills Neighborhood Association, Board Member

**Professional
Activities**

- Brooklyn Law School's Annual Zaretsky Roundtable on Current Developments in Bankruptcy Law
- UJA-Federation Bankruptcy and Reorganization Group Executive Committee
- Global INSOLvency.com, Advisory Board Member

Publications

- Co-author, "Lender Beware: Eleventh Circuit Court of Appeals Allows TOUSA Decision to Stand" · NY Business Law Journal · Vol.16, No. 2, Winter 2012
- Co-author, "Cross-Border Insolvencies & Chapter 15: Recent U.S. Case Law Determining Whether Foreign Proceeding is Main, Nonmain or Neither" · International Law Practicum · New York State Bar Association · Spring 2010
- Co-author, "Cross-Border Insolvencies & Chapter 15: Recent U.S. Case Law Determining Whether Foreign Proceeding is Main, Nonmain or Neither" · Norton Journal of Bankruptcy Law & Practice · October 2008
- Author, "Jurisdictional Power Play: Bankruptcy Court vs. Federal Energy Regulatory Commission" · Morgan Lewis Newsletter · Fall 2006
- Contributing author, "2005 Bankruptcy Revisions: Implications for Business and Financial Advisors" · AIRA; AICPA · 2005
- Co-author, "Expanding Jurisdiction of U.S. Bankruptcy Courts," · New York Law Journal · January 2005
- Co-author, "Cross-Border Insolvencies, Plenary Cases and Ancillary Proceedings Involving Foreign Debtors in U.S. Bankruptcy Court," · Business Law International · Vol. 5, No. 2, May 2004
- Co-author, "Use of United States Bankruptcy Law in Multinational Insolvencies: The Axona Litigation – Issues, Tactics and Implications for the Future" · 9 Bankr. Dev. J. 19 · (1992)

Presentations

- Panelist, "Cross Border Insolvency and Chapter 15 of the Bankruptcy Code"; Annual Conference of Association of Insolvency and Restructuring Advisors; June 2013
- Co-chair and moderator of insolvency panel; New York State Bar Association's International Section Fall Meeting, Panama City, Panama; September 2011
- Panelist, "Towards a Universal Bankruptcy Regime"; New York State Bar Association's Global Law Week; May 2011

- Panelist, "Strapped Cities: The State of Chapter 9"; Zaretsky Roundtable on Bankruptcy Law, Brooklyn Law School; April 2011
- Panelist, "Too Big to Fail: Bankruptcy & Bailouts"; Zaretsky Roundtable on Bankruptcy Law, Brooklyn Law School; March 2010
- Steering committee member and moderator of insolvency panel; New York State Bar Association's International Section Fall Meeting, Singapore; October 2009
- Panelist, "It's a Small World After All"; Annual Conference of Association of Insolvency and Restructuring Advisors; June 2009
- Co-chair, First and Second Annual Restructuring and Investing Conferences of Association of Insolvency and Restructuring Advisors; Shanghai, China; Sept. 2008/Oct. 2007
- "Extraterritorial Application of the Bankruptcy Code"; CLE presentation; June 2007
- "The New Chapter 15"; Annual Conference of the International Bar Association, Prague; September 2005
- "Why Professionals Must be Interested in 'Disinterestedness' Under the Bankruptcy Code"; CLE presentation; 2005
- "Avoidance Powers Under the Bankruptcy Code: Preferences, Fraudulent Conveyances and Other Transfers"; CLE presentation; 2003

Awards and Honors

- Listed in *Best Lawyers* for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2012 and 2013
- Selected for inclusion in *New York Magazine* for Best Lawyers in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2012
- Selected for inclusion in *New York Metro Super Lawyers* for Bankruptcy & Creditor/Debtor Rights, 2008-2012
- Selected for inclusion in *Super Lawyers*, Corporate Counsel Edition, 2009-2012
- Listed in *Avenue* magazine's Legal Elite, 2010-2012
- AV Preeminent Peer Review Rated, Martindale-Hubbell

Foreign Language

- Hebrew



MICHAEL N. SCHWARTZ, CPA

Director

Michael has more than 30 years of experience working in a multitude of tax related areas. Most notably, he has extensive international tax experience with a great deal of concentration in transfer pricing, structuring and tax planning. His industry experience extends from hedge funds to banking, insurance, manufacturing, and advertising. He has also executed the preparation and review of tax returns and tax provisions for public and private corporations, including consolidated groups, large partnership returns, and high net-worth individuals. For the last two years he has been the technical reviewer for Praxity's North American International Tax Conference

Michael received his BS in Accounting from Pennsylvania State University and his MS in Taxation from Drexel University. He is currently a member of the American Institute of Certified Public Accountants (AICPA) and was also a member of the AICPA's International Tax Advisory Committee. He is on the Business and Industrial Advisory Committee for the Organization for Economic Cooperation and Development, and has supplied written and oral testimony on the Base Erosion and Profit Shifting project. In addition, he is a member of the International Fiscal Association and International Tax Institute.

CONTACT

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Ingeborg Schwenzer

Professor Schwenzer is currently the Chair of the CISG Advisory Council, Associate Member of the International Academy of Comparative Law and is a Professor of Private Law at the University of Basel in Switzerland. Her education included a Master of Laws at UC Berkley where she graduated summa cum laude, and a Ph.D at the University of Freiburg where her doctoral thesis examined the seller's limitation of liability for defective goods under American and English Law. She is also active as an international arbitrator and expert witness, and has published widely in relation to the law of obligations, commercial law and family law, most recently as co-editor in 2012 of *Global Sales and Contract Law*.

Dominic Scriven, OBE

Dominic Scriven, OBE graduated in Law and Sociology from Exeter University in 1985. In over twenty-seven years of investing throughout Asia, he has worked for M&G (UK), Citicorp (HK), and Sun Hung Kai (HK). He moved to Vietnam in 1991, spending two years at Hanoi General University, before co-founding Dragon Capital in 1994. A Vietnamese speaker, he is a Director of a number of publicly listed companies, and an active advocate for financial market development. He was awarded the OBE in 2006, and resides in Ho Chi Minh City. His external interests range from sustainable tourism, through art and propaganda, to the illegal wildlife trade.



Lawrence E Shoenthal, J.D., CPA is a Consultant. He was a former principal and Director of International Taxation with the CPA firm of Weiser Mazars LLP. He specializes in cross-border transactions, real estate, shipping, brokerage and international estate planning. He holds a B.S. in Public Accounting from New York University and a J.D. from Brooklyn Law School. He pursued graduate studies at N.Y.U.'s Graduate School of Law. He became a CPA in New York in 1967 and was admitted to the New York Bar in 1968. He is a former Chair of the New York State Society of CPAs' International Taxation Committee. He is a former Chair of its Relations with the Legal Community Committee. He remains a member of the Society's Committee on International Taxation. He is Treasurer of the International Law and Practice Section of the New York State Bar Association, a member of the Section's Executive Committee and Co-chair of its Committee on International Investments. He is a former Chair of its Committee on Foreign Investments in U.S. Businesses and former Chair of its Committee on the World Trade Organization. He has been a member of numerous ad hoc committees of the New York State Bar Association's Tax Section commenting on tax legislation on international matters. He is a member of the American Bar Association Committee on International Estate Planning.

He has lectured at seminars sponsored by the New York State Bar Association in North America, South America, Europe, Australia and Asia as well as seminars sponsored by the New York State Society of Certified Public Accountants, the Foundation for Accounting Education, including chairing International Taxation Conferences for this organization, St John's University, The Hellenic-American Chamber of Commerce, The U.S.-China Business Counsel, The Long Island Business Association, The International Association for Financial Planning, The United Nations, The International Tax Discussion Group, The American Bar Association, STEP, CITE, The Florida Bar Association, the Brazilian Bar Association, The Union Internationale des Avocats, Le Barreau du Quebec, and others. He has been a panelist on several television programs and has many published articles in professional journals. He was a former columnist for "The Trusted Professional" and has been interviewed by Forbes Magazine, Money Magazine, The New York Times, The Wall Street Journal, The Times Union and others and was published in the tax column of the New York Daily News.

Industries

Financial Services
Maritime
Real Estate
Structured Finance
Transportation

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



James Russell Shorter, Jr. Shorter Law Offices

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Mobile +1 917.459.3697
Fax: +1 646.607.4850

For more than 30 years James R. Shorter, Jr. has concentrated his legal practice on a broad range of international and domestic tax matters, cross-border and domestic facility and equipment leasing/financing transactions, joint ventures, and the legal and tax issues facing U.S. business entities investing abroad and foreign business entities engaging in commercial transactions and investing in the United States.

He began his legal career in 1975 at the New York office of the law firm of Thacher Proffitt & Wood, LLP and in 1984 became a partner in the 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. During his 30 years of naval service (active duty and reserve) his duties involved logistics, contract administration and retailing, and as Commanding Officer of three Naval Reserve Units.

Publications / Articles

- "Federal Income Taxation of Equipment Leasing," Chapter 35, in *Equipment Leasing*, published by Matthew Bender (most recent update April 2013, originally published in 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).

Events / Speeches

- Speaker on 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 of panel, "International Tax Planning for Investment in the European Union," and Speaker on "U.S. Tax Considerations," 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 of panel, "Tax Strategies for Businesses Investing in Asia," and Speaker on "U.S. Tax Considerations," 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 on 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 a conference regarding "Doing Business and Raising Capital in the U.S. and Promoting U.S. Investment" at the Tianjin Investment Promotion Center (September 6, 2004) and at the Jinan High-Tech Development Zone (September 8, 2004)
- Speaker on panel, "LILO Update," ABA Tax Section, Capital Recovery and Leasing Committee Meeting (January 30, 2004)
- Speaker on "Key Issues in China for American Companies" at the "Go Global - 2003 China / U.S. Economic & Trade Conference" (November 18, 2003)
- Co-Chair of panel, "The Impact of EU Law on Cross-Border Taxation," at the New York State Bar Association, International Section, Fall Meeting, Amsterdam, The Netherlands. Panelist, "Issues Relating to Limitation of Benefits Provisions in Income Tax Treaties between EC Member Countries and the U.S." (October 23, 2003)
- Co-Chair and speaker on panel, "Rev. Rul. 2002-69 on LILOs - Back to the Future Interest," ABA Tax Section, Capital Recovery and Leasing Committee Meeting (January 24, 2003)
- Co-Chair of panel, "Taxation of Cross Border Investments," at the New York State Bar Association, International Section, Fall Meeting, Rome, Italy. Panelist, "Select Tax Issues Regarding United States Outbound Investment" (October 19, 2002)
- Co-Chair and speaker on 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, , 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 Law, International Law, and Business Law Sections
 - Tax Law Section Capital Recovery and Leasing Committee (Past Chair)
- International Fiscal Association
- Inter-Pacific Bar Association
- New York State Bar Association
 - International Section, Committee on International Tax (Co-Chair)
 - Tax Section
- New York City Bar Association
- Maritime Law Association

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

James R. Silkenat



**PRESIDENT,
AMERICAN BAR ASSOCIATION
2013 – 2014**

James R. Silkenat is a partner in the New York office of the national law firm of Sullivan & Worcester and is a member of its Corporate Department. He is President of the American Bar Association. Silkenat began his one-year term as President of the Association in August 2013 at the ABA Annual Meeting in San Francisco.

Silkenat has a long and distinguished record of service at the ABA. Most recently, he was a member of the ABA Commission on Women in the Profession and the ABA Commission on Racial and Ethnic Diversity in the Profession and served as Co-Chair of the ABA Solo and Small Firm Leadership Coalition. He served as Chair of the ABA Section of International Law (receiving its Lifetime Achievement Award in 2007), Chair of the ABA Section Officers Conference, and Chair of the ABA Standing Committees on Membership and Constitution and Bylaws.

Prior to his becoming President-Elect, Silkenat had served as a member of the ABA House of Delegates since 1990 and, in his role as ABA State Delegate from New York, was Chair of the New York Delegation to the ABA House of Delegates from 2000 to 2009. He is a former member of the ABA Board of Governors and its Executive Committee, and is a former national Chair of the Fellows of the American Bar Foundation.

In other activities, Silkenat is a member of the Council on Foreign Relations and the American Law Institute, and served as Chair of the Lawyers Committee for International Human Rights (now Human Rights First). He was also Chair of the Commission on the World Justice Project and of the Council of New York Law Associates (now the Lawyers Alliance for New York). He was a Fellow in the U.S. State Department Scholar/Diplomat Program and a Fellow of the National Endowment for the Humanities. Silkenat is the recipient of the Diversity Champion Award of the Association of the Bar of the City of New York.

A frequent author and lecturer, Silkenat is the editor or co-editor of 14 books and author of more than 100 articles on legal and justice system issues. His books include *The Law of International Insolvencies and Debt Restructurings*, *The Imperial Presidency and the Consequences of 9/11: Lawyers React to the Global War on Terrorism* and *The ABA Guide to International Business Negotiations*.

In his legal practice at Sullivan & Worcester in New York City, Silkenat helps coordinate the firm's international business practice and concentrates on the areas of project and infrastructure finance, banking, securities law, mergers and acquisitions, and corporate law. He is a former Legal Counsel at the International Finance Corporation of the World Bank Group in Washington, D.C.

Silkenat received his Bachelor of Arts from Drury College, where he received the Distinguished Alumni Award for Career Achievement in 2000 and Honorary Doctorate of Humane Letters Degree in 2012, and where he also received the Batson Prize in History and the Omicron Delta Kappa Award (the Outstanding Student Leadership Prize). He received his Juris Doctor from the University of Chicago School of Law, where he was an Editor of the *University of Chicago Law Review*, and his Master of Laws in International Law from New York University School of Law.

Edmund SIM
Managing Partner, Appleton Luff
J.D. (Michigan)

Edmund Sim is the Singapore managing partner of the trade and investment boutique law firm Appleton Luff and an Adjunct Associate Professor at National University of Singapore Law School, where he teaches the Law and Policy of the ASEAN Economic Community (AEC). Ed and co-author Stefano Inama have forthcoming books to be published by Cambridge University Press on the legal and institutional foundations of the AEC and the rules of origin of the ASEAN free trade agreements. Ed also maintains a blog on the AEC at <http://aseanec.blogspot.com/>. Ed has represented companies in dealing with the ASEAN institutions, and advised the ASEAN Secretariat on the ASEAN Trade in Goods Agreement.

A Louisiana native based in Singapore since 1997, Ed represents exporters and governments in trade disputes between Asia and other regions, and within Asia itself. Ed has provided assistance to government ministries in China, Thailand, Malaysia, Singapore, Oman, the Philippines and Indonesia in the implementation of trade remedy laws, rules of origin, free trade agreements, and investment laws and their consistency with the WTO agreements. Ed has participated in dispute resolution proceedings under the WTO, GATT, NAFTA and U.S.-Canada Free Trade Agreement. He has also participated in matters involving the application of U.S. and EU unfair competition law to Asian companies and governments.

Ed's internationally recognized practice focuses on trade remedies (antidumping and countervailing duties), Section 301, safeguards, customs, foreign investment, intellectual property, antitrust, and other issues involving government regulation. He has participated in more than 200 trade remedy proceedings involving products from semiconductors to shrimps and economies as diverse as China, Japan, Taiwan, Hong Kong, Malaysia, Singapore, Indonesia, India, Thailand, the Philippines, Vietnam, Korea, Sri Lanka, Bangladesh, Canada, Brazil, Colombia, Mexico, Ecuador, South Africa, Turkey, Russia, Ukraine, the United Arab Emirates, Turkey, the United States and the European Union.

Ed was a partner in the global law firms of White & Case and Hunton & Williams and an associate at Patton Boggs and Willkie Farr. During university, he worked at the Office of U.S. Vice President George H.W. Bush and the Office of the General Counsel, U.S. Treasury Department.

Ed has served as Vice Chair, Treasurer and Government and Regional Affairs Committee Co-Chair, American Chamber of Commerce in Singapore; Co-Chair, Pacific Rim Interest Group, American Society of International Law; Vice Chair, International Trade Committee, Inter Pacific Bar Association; and Vice Chair, Asia Pacific Committee, American Bar Association.

Ed graduated *cum laude* from the University of Michigan Law School and *magna cum laude* and Phi Beta Kappa from Dartmouth College.



Gurbachan Singh
Managing Partner

LL.B.(Hons) (Singapore),
Trust and Estate Practitioner (TEP)

Tel: (65) 6238 3333
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Email: guru@khattarwong.com

Gurbachan Singh is the Managing Partner of KhattarWong LLP. He has been actively involved in tax work for 35 years having started his career as a Legal Officer with the Inland Revenue Authority of Singapore. His practice includes tax advisory work for corporate and individual clients as well as succession and estate planning for HNW families. Mr Singh also represents clients in contentious tax and dispute resolution matters with the Inland Revenue Authority of Singapore.

He is the Honorary Tax Advisor to the Real Estate Developers' Association of Singapore (REDAS). Gurbachan is also a member of the UK Society of Trust and Estate Practitioners (STEP). Additionally, Gurbachan is a Member of the Revenue Chamber of the Editorial and Research Committee of the Malaysian Institute of Taxation. He sits on the Board of numerous companies and was until recently a Director of the Tax Academy of Singapore.

Gurbachan is regarded as one of Singapore's leading tax lawyers and is consistently ranked highly in legal publications such as *Who's Who Legal, Asia Pacific Legal 500, Chambers Asia-Pacific, Asian Legal Business* and *PLC Which Lawyer*.

In February 2012, Gurbachan was presented the 'George Tasker Outstanding Achievement Award' by STEP for his exceptional and outstanding contributions to the Society above and beyond that normally expected of a member.



Dr. Ileana M. Smeureanu

Associate

ismeureanu@jonesday.com

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Ileana M. Smeureanu concentrates her practice in international commercial arbitration, particularly under ICC, LCIA, and SIAC rules of arbitration. She has represented clients in the oil and gas industry throughout the whole arbitral process, covering a wide range of disputes and a variety of jurisdictions.

Before joining Jones Day, Ileana worked in London as a research assistant to a renowned international arbitrator and was also an associate with the International Law Institute (ILI) in Washington, D.C., where she participated in the training of government officials in international arbitration, mediation, and public procurement and assisted in the founding of the ILI International Investment Law Center.

During her doctoral studies, Ileana trained with the ICC Court of Arbitration, the Singapore International Arbitration Centre, and four international law firms in Paris and Singapore. In addition, she worked on corporate and banking matters for a Canadian-Romanian law boutique and on secured transactions and bankruptcy matters for two Romanian banks.

Ileana is author of *Confidentiality in International Commercial Arbitration* (Kluwer Law International, 2011) and has lectured on the topic in Washington, D.C. and Bucharest, Romania. She co-authored the English translation of the new Romanian arbitration law (ICCA International Handbook on Commercial Arbitration 74rd Suppl., May 2013) and is also an editor and case reporter for the International Arbitration Case Law network (IACL). Ileana is a member of the New York State Bar Association, the American Bar Association, Arbitral Women, and the young international arbitration groups of the ICDR, LCIA, and ICC.

Areas of Focus

Global Disputes

Languages

English, French, Romanian

Education

The George Washington University (LL.M. in Litigation and Dispute Resolution with highest honors 2010); Central European University, Budapest (S.J.D. in International Commercial Arbitration summa cum laude 2009) and LL.M. in International Business Law with merit 2004); Emory University (Research semester, 2007); Leiden University (LL.M. in European Community Law cum laude 2005); University of Bucharest (Law degree 2002)

Bar Admissions

New York and Bucharest

KENNETH G. STANDARD, is a Member of the Firm of Epstein Becker & Green, P.C., (“EBG”), where he is General Counsel *emeritus*, and practices in its labor and employment group. He is Chair *emeritus* of the Firm's Diversity and Professional Development Committee, and Chair *emeritus* of the Firm's Quality Assurance Committee. Mr. Standard is a past President of the New York State Bar Association, and has been a member of the Board of Governors of the American Bar Association ("ABA") since 2010.

In March of 2013, NYSBA's Commercial and Federal Litigation Section recognized Mr. Standard's lifetime achievement in the profession, the bar and the community with the Honorable George Bundy Smith award. This November, he will receive further recognition by his colleagues when the College of Labor and Employment Lawyers inducts him as a Fellow. This honor is given to acknowledge sustained, outstanding performance in the profession that exemplifies integrity, dedication and excellence.

Mr. Standard's experience as a counselor and a litigator has extended to both the public and private sectors, during which time he has been lead or sole counsel on more than 40 matters taken to decision in federal and state trial and appellate courts, and in administrative agencies. Immediately prior to joining EBG, he was at another national firm, having earlier served as Assistant General Counsel at Consolidated Edison Company of New York City, Labor Relations, Environmental and Benefit Plans. He is a former director of the Office of Legal Services of the New York City school system, and for many years was a Vice-President and Senior Counsel of the Products Division of the Bristol-Myers Company.

A lifetime member of NYSBA's House of Delegates, Mr. Standard is Co-Chair of the association's Committee on Diversity and Inclusion. He also chairs its Committee on Court Structure and Operations, and has served as chair or member on many other NYSBA committees over the years. He is Vice-Chair of the International Law and Practice Section and has been a speaker at NYSBA meetings in many U.S. locations, as well as in Chile, China, Peru, Singapore, Panama and Canada, and in the U.K. for other organizations.

In addition to his work on the American Bar Association's Board of Governors, Mr. Standard is a member of ABA's House of Delegates Minority Caucus, and previously co-chaired ABA's Commission on Racial and Ethnic Diversity in the Profession's Oral History Project, creating an archive of videotaped interviews with pioneering minority lawyers. In 2011 the ABA Council for Racial and Ethnic Diversity in the Educational Pipeline honored him with the Alexander Award of Excellence for Lifetime Achievement in bringing diversity to the educational pipeline in the legal profession.

He continues to maintain a very active life in a variety of professional organizations. He has served as a member or chair of many committees for the New York City Bar Association. He joined the Harvard Club of New York City shortly after graduation from Harvard Law, and in 1999 became the first minority in the club's history to hold the post of President. During his three years in the position, he led the successful campaign to build a long-deferred, eight-story addition to its landmark clubhouse.

Apart from the work he has done in professional organizations, Mr. Standard is a director of the Visiting Nurse Service of New York, (“VNSNY”) the largest not-for-profit home health care provider in the nation, with more than 13,000 employees who annually attend to over 130,000 patients who have acute or chronic health care needs. He has served on numerous committees during his time as a Board member, and currently chairs the Board of the VNSNY Family Care Services subsidiary.

He is a former voting member of Empire Blue Cross-Blue Shield, a former director of the United Seamen's Service, and a former vice-chairman of the Board of the Aspirin Foundation of America. A frequent public speaker, and the author of a number of published articles, *Crain's New York Business* named Mr. Standard one of the "100 Most Powerful Minority Business Leaders in New York" in its most recent compilation.

Laura Stone is currently the Counselor for Economic, Science, and Technology at the U.S. Embassy in Hanoi, Vietnam. The Economic Office is responsible for the conduct of economic diplomacy between the U.S. and Vietnam, reports on key economic developments, and advocates for U.S. economic interests with the Government of Vietnam.

Ms. Stone has 22 years of experience working for the Department of State on Asian economic issues. She has served with the State Department in Beijing, Tokyo, Bangkok, and Washington, DC.

Ms. Stone has a degree in government from Cornell University, and read for a D.Phil. in International Economics at Oxford University. Her husband, Mark Lambert, is also a U.S. diplomat serving in Hanoi. They have two daughters.



Experience

Orsolya Szotyory-Grove is an Associate of Mayer Brown JSM. Orsolya has over four years experience in corporate and commercial matters and all aspects of investment and licensing in Vietnam, including tax and structuring advice. She also has experience advising on compliance with anti-corruption laws, and developing internal corporate compliance programs.

Notable Engagements

- Assisted in negotiation of, and reviewed and revised share purchase agreement for \$15 million share sale of a 100% foreign owned Vietnamese aquafeed company to Dutch animal feed manufacturer, including advice on tax consequences for shareholders.
- Advised client in and drafted documentation for acquisition of majority ownership in a local Vietnamese educational company by a Singapore investment fund, and subsequent acquisition of a second Vietnamese educational company.
- Drafted and managed submission of licensing applications for fruit processing company, beer manufacturer, car rental services, chemical distributor, energy drink distributor, and software development companies.
- Crafted revised corporate Code of Conduct and created a manual on investigation, retention, and payment of third party consultants, including guidelines on gifts, travel, and reimbursements.
- Provided comprehensive review of potential risks under Vietnamese criminal laws and anti-corruption laws of a proposed DOJ/SEC settlement agreement with client, where the settlement agreement revealed potentially prohibited acts in Vietnam. Review included assessment of potential liabilities; applicability of reporting requirements; risks to client's other business interests in Vietnam; and possibilities for mitigation of risks or harm.

Education

- Tulane University Law School, JD, 2004; Certificate in European Legal Studies, Managing Editor, Tulane Law Review
- Princeton University, BA, 2000

Admissions

- New York, 2007

Activities

- Australian Chamber of Commerce in Vietnam
- Chair, Legal Committee at American Chamber of Commerce, Ho Chi Minh City
- New York State Bar Association

News & Publications

- "New Regulations on Trading and Distribution Rights of Foreign-Invested Enterprises in Vietnam to be Implemented," *Mayer Brown JSM Legal Update*, 16 May 2013
- "New regulations aimed at improving foreign press operations in Vietnam," *Mayer Brown JSM Legal Update*, 30 November 2012
- "Decree on Tendering and the Selection of Construction Contractors Amended," *Mayer Brown JSM Legal Update*, 28 September 2012
- "How Credit Institutions can Obtain SBV Approval to List Shares on Stock Exchanges," *Mayer Brown JSM Legal Update*, 19 September 2012
- "Information Disclosure on the Securities Market," *Mayer Brown JSM Legal Update*, 6 July 2012
- "Classification of Telecommunication Services under Circular No. 05/2012/TT-BTTTT dated 18 May 2012," *Mayer Brown JSM Legal Update*, 3 July 2012
- "Circular Guiding Issuance of Permits to and Management of Foreign Contractors," *Mayer Brown JSM Legal Update*, 22 June 2012
- "Vietnam Civil Proceedings Code," 20 June 2012
- "Regulations on Licensing, Organization and Operation of Commercial Banks," *Mayer Brown JSM Legal Update*, 19 June 2012
- "Deepwater Oil Production in Vietnam," 19 June 2012
- "Global Energy Industry Review," *Mayer Brown Newsletter*, 19 June 2012
- "Vietnam Law on Administrative Procedures," *Mayer Brown JSM Legal Update*, 15 June 2012
- "Vietnam's Long-Term Strategy for Exploitation of Mineral Resources," *Mayer Brown JSM Legal Update*, 1 June 2012
- "Vietnam Issues Decree to Implement the Mineral Law," *Mayer Brown JSM Legal Update*, 31 May 2012
- "Decree on Auctioning Mining Rights," *Mayer Brown JSM Legal Update*, 30 May 2012

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Aek Tantisattamo

Partner

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Areas of expertise

Tax | Mergers & Acquisitions | Offshore Investment

Languages

Thai
English

Practice description

Aek has over 10 years experience working in international law firms. He joined the Tax Practice Group of Baker & McKenzie in 2004, after practicing at another international law firm in Bangkok in the Litigation, International Capital Markets, and Banking & Finance practice

Practice focus

Aek provides legal advice on tax law, mergers and acquisitions, tax planning for outbound/inbound investments, customs, transfer pricing, securities regulations, Bank of Thailand regulations, rehabilitation law, and civil and commercial law. In addition, he has been involved in resolving a number of tax and customs audits/disputes and various major transactions, including:

- advising on a securitization project for the National Housing Authority;
- advising on the acquisition of Bangkok Poly Ethylene Plc by PTT Plc.;
- advising on the acquisition of Direct Telecom Company Limited by UTC Fire & Security Protection and Chubb Co., Ltd. (Thailand);
- advising on the amalgamation of National Petrochemical Public Company Limited and Thai Olefins Public Company Limited;
- advising on the business merger between Bank of Ayudhya Public Company Limited and GE Capital International Holding Corporation;
- preparing guidelines for the development of CDM projects for Thailand Greenhouse Gas Management Organization (a public organization);
- advising on the acquisition of shares and warrants in Rojana Industrial Park Pcl.;
- advising on a restructuring for foreign investment or power business acquisition by Ratchaburi Electricity Generating Holding Public Company Limited;
- drafting a Management Agreement for PTT International Company Limited with respect to the management of its overseas associated companies;
- preparing and reviewing a transfer-pricing study/report for various multi-national companies including L'Oreal and Olam International Limited;

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Thailand

- advising EGAT International (EGATi) on tax planning and structuring of offshore holding companies and outbound investments in Myanmar, Lao PDR, Indonesia, Philippines, Vietnam and India;
- advising Thai Airways Pcl. on tax planning and structuring for the financing of 13 aircrafts and the acquisition of 37 aircrafts;
- advising PTT Global Chemical on tax planning, structuring and implementation in relation to the amalgamation between PTT Chemical and PTT AR;
- Advising Abbott Laboratories (Thailand) on tax planning, structuring and implementation of a partial business transfer and business reorganization within group companies (including AbbVie Group);
- Advising J&P Partners Group (Indonesia) on tax planning and structuring of an acquisition of a gold mining business in Thailand;
- Advising Cognita Group on tax planning and structuring of an asset acquisition of a Thai international private school;
- Advising Sino-US Petroleum on tax planning and implementation for the transfer of a petroleum business and a petroleum concession;
- Advising Six Senses Group on tax planning and structuring of a disposal of shares;
- Advising Citigroup Venture Capital on tax planning and structuring for the asset and share acquisitions of well-known cosmetic clinics, Wuttisak;
- Advising Macquarie Securities Group on financial products including derivative warrants and tax planning/structuring in relation to a strategic alliance model between Macquarie Securities (Thailand) and Kasikorn Securities Pcl.;
- Advising Townsend Group on tax planning and tax implications of Government Pension Fund (GPF)'s offshore investment structures;
- Advising Mitr Phol Group on tax planning and structuring in relation to setting up Regional Operations Headquarters (ROH) in Thailand as well as offshore investments;
- Advising Royal Gateway on tax planning and structuring of outbound investment as well as advising on issues related to an offshore wine cooler trading company;
- Advising BBTV Group on various aspects of tax planning and structuring of offshore holding companies and outbound investment in various countries;
- Advising Wattana Panich, a well-know publishing company, on tax planning of offshore investment structure;
- Advising Deutsche Bank AG, London Branch on direct and indirect tax planning and implications in connection with gold trading arrangements/structures in freezones and bonded warehouses;
- Advising IBM Corporation on tax implications in relation to the implementation of IBM's Service Integration Hub;
- Advising L' Oreal and handling a tax audit in relation to transfer pricing issues; and
- Advising Yanmar Capital (Thailand) on tax planning, structuring of a new business model, and VAT issues related to a tax audit.

Publications, presentation and articles

- Handbook on “Merger&Acquisition – Thai Business Opportunities” published by the Stock Exchange of Thailand, 2008
- “Thailand: BOT Projects – Tax Issues,” Asia-Pacific Tax Bulletin, 2006
- “Thailand: Tax Treatment of Capital Expenditure,” Asia-Pacific Tax Bulletin, 2006
- “Rehabilitation,” Krungthepturakij (a Thai daily newspaper), 2003
- "Regional Operating Headquarters - A New Wine in a New Bottle", Legal Updates section, T-AB Journal of the American Chamber of Commerce in Thailand. May - June 2010
- Guest speaker at various educational seminars (2006 - present) on various tax issues including tax-planning for cross-border transactions, offshore investment structures, tax audit/dispute handling, Regional Operating Headquarters (ROH), real estate tax planning, Double Taxation Agreements, and managing the tax costs of multinational companies, etc.

Professional affiliations

- Lecturer, Faculty of Commerce & Accountancy, Chulalongkorn University
- Lecturer, Faculty of Commerce & Accountancy, Thammasat University
- Lecturer, Graduate Program at the Faculty of Law, Bangkok University, on Advanced Tax Planning

Education and admission

- Bangkok Training Center (Micro Master of Tax Administration, 2005)
- University of Illinois (LLM, 2003)
- Thammasat University (LLB, 2nd class honors, 2001)
- Admitted to the Thai Bar Association
- Admitted to the Law Society of Thailand
- Thai Barrister-at-law, 2003

Adrian Taylor

Partner

Adrian Taylor is a partner in the Hong Kong office of Locke Lord LLP where he focuses his work on international dispute resolution. Mr. Taylor has more than 20 years of experience in international disputes, trust and taxation matters, and insolvency and restructuring issues. He works across a wide range of industries to handle dispute resolution by negotiation, litigation, mediation or arbitration. Mr. Taylor's litigation experience includes counselling employers, contractors and subcontractors, professional consultants and insurers in the civil engineering and building sections of the construction industry. He also advises private clients on trusts and family wealth issues, and he has counseled insolvency practitioners, creditors and other stakeholders on formal insolvency procedures.



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Practices

Asia
Business Litigation & Dispute
Resolution
Construction
International
Arbitration
International Tax
Litigation
Tax
Trusts & Estates

Education

J.D., University of Greenwich, 1984

Representative Experience

- Advising a claimant in a complex family trust dispute with trust assets valued at US\$16 billion.
- Advising a Hong Kong resident as a claimant in an ICC arbitration arising out of a dispute between council members of a Liechtenstein foundation.
- Registering and enforcing in Hong Kong's High Court arbitral awards made in Singapore and India in the same manner as judgments that can be registered in Hong Kong under the Foreign Judgments (Reciprocal Enforcement) Ordinance.
- Enforcing or resisting enforcement of arbitral awards in Hong Kong under the New York Convention including resistance of enforcement of an award because it was partially outside the scope of the submission.
- Acting for a claimant in a domestic arbitration in Hong Kong of a contractual dispute arising out of a construction piling contract.
- Handling construction litigation and arbitration cases for both small and large contractors.
- Obtaining approval from Hong Kong Companies Court of a multijurisdictional Scheme of Arrangement of a Hong Kong subsidiary of a Singapore-listed company following creditor approval for the scheme.
- Advising a claimant's liquidators in Hong Kong relating to a proposed international arbitration arising out of a primarily contractual dispute. The arbitration agreement provided for the arbitration to be in Hong Kong at the Hong Kong International Arbitration Center (HKIAC), English law to govern and the rules under United Nations Commission on International Trade Law (UNCITRAL) to be adopted. The claims were referred to arbitration by one of the

claimant's shareholders previously before the claimant went into liquidation in Hong Kong as a derivative action before the reference was terminated for procedural default without prejudice to the claims.

- Advising on the enforcement of cross-border awards.
- Defending a client in a contractual dispute including a purported profit sharing agreement.
- Advising financial services providers in a tax dispute with the Hong Kong Inland Revenue Department (IRD).
- Acting on behalf of a Hong Kong subsidiary of a global parent company with a Parallel Scheme of Arrangement under Section 166 Companies Ordinance.
- Advising the Hong Kong branch of a Scandinavia-based bank following its decision to close its Hong Kong branch including dealing with the Hong Kong Monetary Authority.
- Advising on debt recovery and enforcement for lenders in Hong Kong and other countries.
- Acting for a professional creditor in the winding-up of a listed company.
- Representing stakeholders or appointment takers at meetings of creditors and contributors, and at meetings of the Committee of Inspection.
- Advising on shareholders' disputes including 168A unfair prejudice petitions, banking litigation and professional negligence claims against auditors and a professional negligence action against a licensed financial advisor.
- Participating in a challenge of an arbitral award where one of the arbitrators had previous contact with a witness raising doubts about his impartiality.
- Advising a client regarding a dispute between two global investors whose countries had entered into a bilateral investment treaty stating that any disputes were to be referred to arbitration with its seat in England.
- Acting for a respondent in the UK in an international arbitration under ICC Rules arising out of a commercial contract including an application to the High Court in England for security for costs, which was prevented based on the Bank Mellat case.
- Obtaining interim protection from a court pending formation of an arbitration tribunal.
- Acting as co-counsel before the Grand Court of the Cayman Islands and the Cayman Islands Court of Appeal in an application for judicial review of a decision by the country's Immigration Department to grant a subsidiary of a Swiss-based airline a license to acquire a controlling interest in a company operating a duty-free business.

- Advising liquidators regarding a creditor's funding arrangement for arbitration proceedings in Hong Kong.
- Assisting liquidators in successfully recovering assets disposed of post-petition and as an unfair preference of a creditor, and advising on set-off issues.
- Arbitrating a construction dispute between the main contractor, subcontractor and a sub-subcontractor in the Cayman Islands.

Professional History

- Admitted as a solicitor in Hong Kong (2001)
- Admitted as an attorney-at-law in the Cayman Islands (1995)
- Admitted as a solicitor in England and Wales (1990)

Professional Affiliations and Awards

- Member, the Society of Trust and Estate Practitioners (STEP)
- Adjunct Professor, College of Further Education, United Kingdom
- Moot Court Judge, the Cayman Islands Law School

Publications & Presentations

- Co-Author, "[Locke Lord QuickStudy: Summary of Key Changes in New HKIAC Administered Arbitration Rules](#)," Locke Lord (July 25, 2013)

Takashi Toichi
Partner

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Education

Keio University (LL.B., 1998); The Legal Training and Research Institute of the Supreme Court of Japan, 1998-2000; Columbia University School of Law (LL.M., 2005) (Harlan Fiske Stone Scholar); London Business School (MSc. in Finance (Masters in Finance), 2006).

Professional and Academic Associations

Dai-ni Tokyo Bar Association, New York State Bar Association, Secretary, Current Legal Developments Subcommittee, International Bar Association (January 2013 -)

Publications/Lectures by English

Publications/Lectures

- "Japan's new corporate governance considerations," The 2013 Guide to Japan 11th Edition (March 2013) (co-author)
- "Introduction to Japanese Business Law & Practice" (LexisNexis Hong Kong 2012) (co-author)
- "Paperless share system and M&A," The IFLR Guide to Japan 2009 (December 2008) (co-author)
- "The Financial Instruments and Exchange Law and Hostile Takeovers," The asialaw Japan Review, Volume 2 Issue 4 (April 2007)
- "Major Legal Issues Concerning Securitization of Real Estate Assets in Japan," Asian Legal Business (November 2003) (co-author)
- "A New Environment for Corporate Restructuring," Asia Law, (July/August 2003) (co-author)

Lectures

- "Privatisation of public companies," Panel discussion lectured at the International Bar Association ("IBA") Inaugural Asia-based International Financial Law Conference: West meets East (Shanghai), participated as a speaker (March 2013)
- "Fiduciary Duties of Directors in the Takeover Context: A Global View," Panel discussion lectured at the International Bar Association ("IBA") 11th Annual International Mergers and Acquisitions Conference (New York), participated as a speaker (June 2012)
- "Current legal developments," Panel discussion lectured at the International Bar Association ("IBA") Annual Conference 2011 (Dubai), participated as a panelist (November 2011)
- "Acquiring regulated investments in Asia and the Pacific - overcoming the regulatory hurdles and controlling your JV partners," Panel discussion lectured at the International Bar Association ("IBA") Annual Conference 2008 (Buenos Aires), participated as a panelist (October 2008)
- "Recent Development and Practice of Public Company M&A in Japan," Lecture presented at a seminar organized by the Institute for Financial Affairs (July 2008)
- "M&A Practice under the Financial Instruments and Exchange Law," Lectured at the ALB In-House Legal Summit Tokyo 2008 (May 2008)
- "Are You Coming?: Changes to Japanese Corporate Laws Welcoming to Foreign Companies," lectured at the ALB In-House Legal Summit Beijing 2006 (November 2006)

Publications/Lectures by Japanese

Publications

- "Q&A: Strategies for Corporate Law Practice in Asia and Emerging Countries" (Shoji Homu, 2013) (co-author)
- "The Corporate Governance in Foreign Countries - Cambodia," Gekkan Kansayaku, No. 605 (November 2012) (co-author)
- "Overview of regulations regarding investments in Myanmar," Junkan Shoji Houmu, No. 1968 (June 2012) (co-author)
- "Thailand as one of the critical site in the ASEAN region," The Lawyers (March 2012)
- "The Corporate Governance in Emerging Countries - Thailand" Gekkan Kansayaku, Vol.591 (November 2011) (co-author)

Lectures

"Legal Guidelines for expanding into Myanmar ~Summary of Foreign investment law, Corporate law, Labor law,

•Land use connection law and Intellectual property rights law~, " Lectured presented at a seminar organized by Business research Institute (August 2012)



■ **TRAN Duc Son**

Senior Associate - Gide Loyrette Nouel Vietnam

International trade and corporate M&A

Ducson.tran@gide.com

Areas of Expertise

TRAN Duc Son is a member of the Hanoi Bar Association. He holds a master of law in private international law and in international trade from University of Paris II – Panthéon-Assas (France), as well as a bachelor of law from Vietnam National University in Hanoi. Prior to joining GIDE's Hanoi office in 2009, Son worked for two years as a lawyer for Mayer Brown JSM, prior to which he was a legal consultant for three years working with the Vietnamese government, where he maintains good relationships

Son's practice consists of all aspects of commercial and corporate law including M&A, joint ventures, corporate finance and other investment-related activities in Vietnam. He has advised numerous foreign companies on various issues relating to their business in Vietnam, including notably antitrust law, data privacy and anti-corruption law.

He regularly provides training to members of staff of various companies on antitrust, anti-bribery and corporate law issues. He also teaches Private International Law as a 'visiting lecturer' at the Law Faculty of Hanoi National University on the Joint Master in International Economic Law.

Qualifications and Professional Experience

- Gide Loyrette Nouel Senior Associate since 2009
- Mayer Brown JSM (Hanoi), 2008-2009
- Vietnamese-French Legal Center (Hanoi), 2004-2008
- Admitted to the Hanoi Bar Association in 2011
- Master's degree in Private International Law and International Trade, University Paris II - Panthéon Assas (France), 2004
- Bachelor of Law, Law Faculty of Hanoi National University, 1998-2000

Languages

Vietnamese, English and French.

C. F. Tsai

Mr. Tsai is the first patent practitioner in this country who both has technological and law backgrounds and is qualified as a local attorney-at-law. Mr. Tsai had his marine engineering background majored in National Chiao Tung University. Since his involvement in intellectual property in 1982, he has extensively got involved in works related to mechanical, electric, electronic, civil engineering, chemical, semiconductor and medical fields. In the course of his practice, he finished his law degree from National Taiwan University and then passed the bar examination having a pass rate of about 5% in average. During the period of his majoring law subjects, Mr. Tsai experienced and handled diversified disputes over intellectual property laws. In securing his master degree in comparative laws from Soo Chow University, Mr. Tsai had the opportunity of perceiving, interlinking and integrating interdependency, interaction and macroscopic strategy in various aspects of laws.

Apart from involving the IP matters in depth, because of extensive engagement with various industries, it is relatively easy for Mr. Tsai to judge or determine where the key point in a dispute including litigation or arbitration is. This is also true before the dispute enters the post-amicable settlement stage. In sum, although litigation or arbitration has become more and more popular, an early amicable settlement should be beneficial, cost-effective and efficient.

Mr. Tsai strives for himself to keep pace with all relevant knowledge and practices relating to pertinent laws. Although he is self-confident enough, he always advises his staff members that there oftentimes are kinds of traps and chances any mankind including himself might make a mistake in performing any kind of task.

Mr. Tsai is admitted to practice before the ROC Supreme Court, the Supreme Administrative Court, the Taiwan High Court, IP Court, and various district courts. Certainly, he is admitted to practice before the ROC Intellectual Property Office. He is a member of ROC, Taipei, Kaohsiung and Hsinchu Bar Associations, Asian Patent Attorney Association, American Intellectual Property Law Association, International Trademark Association and New York Bar Association.

Dr Jack Tsen-Ta Lee**Assistant Professor of Law, School of Law, Singapore Management University**

Dr Jack Tsen-Ta Lee is an assistant professor of law at the School of Law, Singapore Management University (SMU). He graduated from the National University of Singapore in 1995 and practised for about six years as a litigator, before completing an LLM at University College London in 2003 on a British Chevening Scholarship. In 2012, he was conferred a PhD for research into the interpretation of bills of rights by the University of Birmingham. He joined SMU in 2008 where he teaches and researches constitutional and administrative law, and maintains an interest in the law of cultural property and heritage. He was a 2009 Lee Foundation Fellow for Research Excellence, and won the School of Law's Most Promising Teacher Award for 2010–2011.

Phan Cam Tu



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Senior Legal Advisor

53 Quang Trung, Hanoi - Vietnam

Admitted Lawyer of the Hanoi Bar Association

Phan Cam Tu is a former Senior Legal Advisor for a USAID funded project which started its operation in 2001 as the result of the Bilateral Trade Agreement between Vietnam and the United States (the STAR Project).

Tu is an IPR expert who got involved in the drafting process of the first IP Law of Vietnam. During the drafting process, she worked as an expert and a coordinator for different Vietnamese counterparts, including the National Office of Intellectual Property, the Copyright Office of Vietnam, the Drug Administration of Vietnam, the Ministry of Health, the Ministry of Agriculture and Rural Development, the Government of Vietnam and the National Assembly.

Tu is familiar with law making process as transparency is another area of her expertise. She worked with the Ministry of Justice's drafting team to draft a number of key regulations that govern law making process for Vietnam, of which the most important regulations are the Law on Laws, its implementing documents and the Ordinance on Codification.

In her position Tu has helped foreign experts to share their expertise to the Vietnamese law makers and enforcement officers, and helped them to better understand the commitments Vietnam made under international trade agreements. With her Project's supports many commitments were localized and became a part of the Vietnam legal system. Being involved in drafting process of many key regulations, Tu has the advantages of knowing and being able to work with enforcement agencies to assist them in comprehending the issued regulations relating to the areas of her expertise such as IPR and transparency.

Tu is also a bridge between the Government authorities and private sector. A part of her work closely relates to institutional arrangement, through this work a number of associations and organizations were established.

Tu received her LLB from Hanoi Law University in 1994 and has obtained her Practicing License since 1997. Before joining the STAR Project in 2001 she worked as an attorney at law for Freehills - an Australian Law Firm - for 8 years. Her main focus at Freehills was foreign investment laws.

Ngo Thanh Tung



Tung T. Ngo is a founding partner of Vietnam International Law Firm (“VILAF”), the first and largest business law firm in Vietnam established in 1993 in association with UK-based law firm, Clifford Chance. Tung, one of the key figures in the success and growth of VILAF, is well-known and respected for his “*high degree of professionalism*” (IFLR, 2006 edition) in servicing clients.

In his legal career of more than eighteen years of experience, Tung specializes in cross-border M&A, maritime, corporate, and commercial legal practice. Tung has been advising many foreign investors in complex matters related to Vietnamese laws. He is highly respected and has been identified by various well-known international legal magazines such as *Legal 500*, *Global and Chambers* and *International Financial Review* as one of the leading lawyers in Vietnam. In 2008 and 2009, Tung was recognized by *Asia Law & Practice* as one of the finest leading lawyers in Asia.

Tung is the member of Corporate Advisory Board for UNICEF to advocate for the rights of children in Vietnam. He also regularly lectures at Vietnam’s Ministry of Justice’s Judicial Academy and is a contributing columnist to *Forbes Vietnam*. Known as a visionary leader in the business community and legal practice, Tung advocates vigorously for a modern judicial system and the development of the legal profession in Vietnam.

After having been granted Fulbright Scholarship in 2003, Tung was honored by Yale University as Yale World Fellow in 2006. Tung holds a Masters of Laws (LL.M) and Doctoral Candidacy in 2010 at the University of Washington in the US.



NGUYEN Thanh Vinh

Partner, Baker & McKenzie (Vietnam) Ltd., Ho Chi Minh City

Practice Areas

Taxation, Customs, and General Corporate Commercial Matters.

Practice Description

Mr. Nguyen practiced tax and consultancy work for two international accounting firms and worked as a compliance counsel for an international insurance company before joining the Ho Chi Minh City office of Baker & McKenzie. His practice focuses on tax advice and planning on corporate and individual tax issues, customs, and other general corporate commercial matters.

Publications

- Co-author for the tax management portfolio “*Business Operations in Vietnam*” published by The Bureau of National Affairs, Inc.
- Co-country correspondent for Tax Notes International for various tax issues in Vietnam

Professional Affiliations

Mr. Nguyen is a member of the Bar Association of Ho Chi Minh City

Education and Bar Admittance

Mr. Nguyen holds a Bachelor of Arts degree in English from the University of Ho Chi Minh City (1994) and an LLB from the University of Law of Ho Chi Minh City (1999).

Languages

English and Vietnamese.

John N. Viverito



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John N. Viverito is a partner in the Singapore office of Gibson Dunn. His primary areas of practice include general corporate/commercial transactions and mergers and acquisitions, infrastructure projects, real estate, energy, mining, as well as structured and project finance. He has advised on dozens of real estate matters for Lehman Brothers in Thailand and elsewhere in Asia prior to their bankruptcy, including acquisitions and dispositions, property funds, cross-border joint ventures and structured financings. Mr. Viverito is presently involved in dozens of restructuring situations through his representation of Lehman Brothers Commercial Corporation Asia Limited (In Liquidation).

Mr. Viverito heads Gibson Dunn's Myanmar practice. He is widely considered to be a thought leader for Myanmar and is frequently approached by the international press for his input on the current state of the legal and business market and future trends. He has advised on a variety of high-profile matters there, such as the representation of a Fortune 50 company on its entry into the local market, the representation of one of the largest domestic business conglomerates in seeking the removal of United States sanctions and the representation of a financial advisory company in the issuance of a minority equity interest and related arrangements for the establishment of a Myanmar-focused private equity fund.

Mr. Viverito is currently Co-Chairman of the Energy Committee of the American Chamber of Commerce in Singapore. Prior to joining Gibson Dunn, he was a partner at Jones Day, where he was responsible for assisting in the expansion of their real estate practice in Southeast Asia.

Mr. Viverito speaks Thai and has nearly 20 years of experience in the region. He has handled transactions in numerous countries in Asia, including Myanmar, Cambodia, China, India, Indonesia, Japan, Kyrgyzstan, Laos, Malaysia, Mongolia, Philippines, Singapore, South Korea, Taiwan, Thailand and Vietnam.

He is listed among the leading real estate practitioners worldwide in the International Who's Who of Real Estate Lawyers 2011. He is also ranked as a leading lawyer by *Chambers Global* 2013 in the categories Singapore: Corporate/M&A (Foreign Expert for Mongolia) and Mongolia: General Business Law (Experts Based Abroad).

Mr. Viverito earned his law degree from the University of Miami in 1992. He received his undergraduate degree in history in 1989 from Michigan State University, and his Certificate of Advanced Study in 1992 from the American Graduate School of International Management.



Jie Wang

Director of CIETAC

Ms. Jie Wang is a director of CIETAC and has many years of experience in international commercial arbitration.

Ms. Jie Wang joined the CIETAC in 1996 as the head of the International Case Department, where she led a group of case-managers helping arbitral tribunals administering arbitration proceedings. She became a CIETAC panel-arbitrator in 1999. Since then, she has chaired the CIETAC arbitral tribunals or served as sole arbitrator in about 100 arbitration cases. Most of her cases involved disputes of intellectual property, joint ventures and international sale of goods. Ms. Wang has also represented the CIETAC at many international conferences on arbitration as speaker/moderator, including the IBA 8th Annual Corporate Counsel Conference (2009), the New York Bar Association Sydney Conference (2010), the 6th International Conference of the Spanish Club of Arbitration (2011), the International Arbitration Seminar by The General Council of the Bar of England & Wales (2011), and the 1st International Arbitration Congress by the Barcelona Bar Association (2012).

Before joining the CIETAC, Ms. Wang worked as department chief of the Patent Agency of the CCPIT. Graduated from the University of New Hampshire, School of Law (Franklin Pierce Law Center), Ms. Wang was admitted to the National Bar of China in 1996 and became a member of the Chartered Institute of Arbitrators in 2004.

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Wendy W. H. Waszmer (Wendy)

PARTNER

PROFILE

Wendy Waszmer is an antitrust and litigation partner in King & Spalding's New York office. Her practice focuses on cartel and other antitrust matters, government investigations, and complex civil litigation.

Prior to joining King & Spalding, Ms. Waszmer served as the Assistant Chief of the New York Field Office of the U.S. Department of Justice Antitrust Division where she supervised and led criminal and civil antitrust investigations with a focus on financial markets matters. In this role, she was the liaison with federal and state enforcement agencies in joint and parallel investigations. Ms. Waszmer also served as Counsel to the Assistant Attorney General of the Antitrust Division.

During her time with the Antitrust Division, Ms. Waszmer tried a high-profile 2012 case involving charges against three Wall Street executives (*United States of America v. Carollo, Goldberg and Grimm*) that Rolling Stone magazine called the "the first trial of the modern American mafia." She also was recognized with Assistant Attorney General Awards and the Attorney General's Award for Distinguished Service to the Antitrust Division.

Ms. Waszmer also served as an assistant United States Attorney, Civil Division, in the United States Attorney's Office for the Southern District of New York. As an assistant United States attorney, Ms. Waszmer handled a broad range of affirmative and defensive litigation on behalf of the United States in district court and the Second Circuit. She appeared as the lead counsel in trials and hearings, as well in as False Claims Act and other investigations. Ms. Waszmer served as a law clerk to the Honorable Richard J. Leon, United States District Judge for the District of Columbia. She received a J.D. degree from Georgetown University Law Center and a B.A. degree from the College of William & Mary.

NEWS & INSIGHTS

NEWS

- 08 Apr 2013* **King & Spalding to Expand Antitrust Practice in New York with Hiring of Former DOJ Official Wendy Huang Waszmer**
- 08 Apr 2013* **DOJ Antitrust Ace To Head King & Spalding Team In NY**

PUBLICATIONS

- 31 May 2013* **Comparing EU Marine Hose Cartel Case To US Enforcement**

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PRACTICES

Antitrust
Government Investigations
Financial Services
Cartel Litigation
Civil Antitrust Litigation

MEMBERSHIPS

Executive Committee, New York State Bar
Association, Antitrust Section
ABA, Antitrust Section

CLERKSHIPS

Law Clerk, Hon. Richard J. Leon, U.S.
District Court for the District of Columbia

EDUCATION

J.D., magna cum laude & Order of the
Coif, Georgetown University Law Center
B.A., summa cum laude, Phi Beta Kappa,
College of William and Mary

ADMISSIONS

District of Columbia
New York
Supreme Court of the United States
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Atsushi Yamada has extensive experience in litigation and general corporate matters. A former judge for the Tokyo District Court as well as other courts, his practice covers a wide range of commercial litigation with a focus on antitrust, international competition and employment law. He also advises various domestic and international clients on general corporate matters, including cross-border transactions.

His antitrust practice ranges from advice in relation to investigation by competition authorities (including application for amnesty/leniency), representation in courts and tribunals challenging decisions made by agencies, follow-on civil litigation, merger filings, general antitrust advice in relation to setting up businesses and drafting contracts to conducting compliance trainings. His clients include major companies in various industries, including information technology, pharmaceutical, manufacturing, construction, transportation, financial institutions, and trading houses.

PUBLICATIONS

- “Increased Enforcement of Antitrust Laws/Competition Laws in Various Jurisdictions - Recent Developments in the US and the EU Regarding Cartel Enforcement and the Current Status in Japan,” [Japanese article] *The Lawyers* (2012)

SPEAKING ENGAGEMENTS

- Panelist, *Problems on Enforcement Procedures of Antimonopoly Law*, 2nd Annual Anti-Monopoly & Competition Law Summit, Beijing, China (May 2010)

AWARDS AND HONORS

- *Best Lawyers in Japan*, leading lawyer in labor and employment law and litigation (2013)

MEMBERSHIPS

- Tokyo Bar Association
- New York State Bar Association
- Japan Competition Law Forum
- American Bar Association
- Inter-Pacific Bar Association

ADMISSIONS

- Admitted to practice in Japan (Bengoshi) and New York

EDUCATION

- Cornell Law School, Master of Laws (2003)
- The Legal Training and Research Institute of the Supreme Court of Japan, (1998)
- University of Tokyo Faculty of Law, Bachelor of Laws (1994)

Karen Yen

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Karen Yen is an Executive Director and Counsel in the Litigation and Investigations Group of UBS AG, where she manages many of the firm's largest corporate litigation, regulatory enforcement matters and internal investigations. Karen has worked across many of the bank's key product areas, including fixed income, structured products, equities, and investment banking advisory.

Since joining UBS in 2006, Karen has been involved with several significant antitrust matters such as the municipal bid-rigging and the global benchmark rate matters, coordinating investigations involving domestic and international regulators and enforcement authorities implicating securities, competition and privacy laws in multiple jurisdictions. Karen frequently counsels compliance and risk groups at UBS in developing and implementing policies and remediation.

Karen began her legal career at Chadbourne & Parke and Cadwalader, Wickersham & Taft in New York City, focusing on securities litigation and white collar criminal defense. Karen received a B.A. in History and Sociology from Dartmouth College (1999) and a J.D. from Georgetown University Law Center (2002).



Alvin YEO , Senior Counsel
Senior Partner
Wong Partnership

Alvin YEO, Senior Counsel, is the Senior Partner of WongPartnership. His main areas of practice are banking and corporate disputes, insolvency and restructuring, and construction and civil engineering matters. Alvin also has extensive experience in arbitration proceedings both in Singapore and in the region, primarily in corporate, commercial and infrastructure disputes.

Some notable matters he has been involved in include acting for the Astro group of companies in an international arbitration concerning a proposed joint venture for satellite pay television services in Indonesia which also involves multiple proceedings in other jurisdictions with claims totalling over US\$1.75 billion; the former Bayerische Hypo- und Vereinsbank in legal proceedings against Asia Pacific Breweries in relation to the largest corporate fraud in Singapore's history; Société Générale in defending a claim brought by Jurong Shipyard for US\$200 million which represented the largest derivatives claim in Singapore's history; a U.S. energy conglomerate, in an international arbitration against an international consortium of contractors and Singapore statutory body for damage to crude oil discharge facilities; and the Singapore Medical Council in defending an application for judicial review brought by Dr Susan Lim to halt disciplinary proceedings against her.

Alvin graduated from King's College London, University of London, and was admitted to the English Bar (Gray's Inn) in 1987 and the Singapore Bar in 1988. In January 2000, Alvin became the youngest lawyer to be appointed Senior Counsel.

He is a member of the Court of the SIAC, the ICC Commission on Arbitration, the Court of the LCIA, a Fellow of the Singapore Institute of Arbitrators and on the panel of arbitrators of the International Centre for Dispute Resolution, the Hong Kong International Arbitration Centre, the Korean Commercial Arbitration Board, the Kuala Lumpur Regional Centre for Arbitration and the South China International Economic Trade Arbitration Commission. Alvin has served on various public committees which undertook comprehensive reviews of the legal services sector. He is a member of the Appeals Advisory Panel of the Monetary Authority of Singapore (MAS) and a Council member of the Singapore Business Federation. Alvin also serves on the boards of various public companies in Singapore, and is an elected Member of Parliament.

Alvin has contributed to several publications related to his main areas of practice, including the Singapore chapter in *Bank Confidentiality* published by Butterworths (1st to 5th editions), and in *Asia Arbitration Handbook*, published by Oxford University Press (2nd Edition).

Alvin is recognised as a leading litigation and arbitration counsel in international legal directories such as *The Legal 500 – The Client's Guide to the Asia Pacific Legal Profession*; *IFLR1000 – The Guide to the World's Leading Financial Law Firms*; *Chambers Global – The World's Leading Lawyers for Business*; *Chambers Asia Pacific – Asia Pacific's Leading Lawyers for Business*; *PLC Which Lawyer – Dispute Resolution (Litigation & Regional Arbitration)*; *Expert Guides – Guide to the World's Leading Construction Lawyers*, *Guide to the World's Leading Litigation Lawyers*, *Guide to the World's Experts in Commercial Arbitration*; *Who's Who Legal: The International Who's Who of Business Lawyers*; *Asialaw Leading Lawyers* and *Asialaw Profiles*. Alvin is identified as one of the "Local Disputes Stars" in the inaugural edition of *Benchmark Asia Pacific – The Definitive Guide to the Leading Disputes Firms and Lawyers in the Region, 2013*. He is also recognised as a leading practitioner in *Best Lawyers* and is named *Best Lawyers' 2012 Singapore Litigation "Lawyer of the Year"*.

Marvin Yeo, CFA, Founder & Managing Partner

- Founder and Managing Partner of FIDP since 2008.
- Senior Financing Specialist at ADB from 2004-2008 responsible for syndications and structuring of private sector corporate / infrastructure transactions. Also advised ADB's sovereign and corporate clients on financing options and credit guarantees.
- Prior to joining the ADB, Marvin spent 7 years in investment banking, working with Barclays Capital, Nomura International and Deutsche Bank in London, Hong Kong and Singapore, with a focus on Debt / Equity linked Origination, Syndications and Derivatives Structuring.
- Other significant experience included working as an Engineer in Australia, lecturing at the University of the Philippines in Finance & Investment Management as well as starting and managing a restaurant-bar in Singapore.
- Marvin holds an MBA from INSEAD, a B.Eng (Hons) from Monash University and the CFA designation. He is also fluent in Mandarin, Teochew, Hokkien & Cantonese.



Amir Faezal Bin Zakaria

Regional Head - Legal & Compliance of AirAsia Bhd

Mr. Amir Faezal Bin Zakaria is the Regional Head - Legal & Compliance of AirAsia Bhd. He has legal experience in areas of commercial law, corporate finance, banking and transport. Prior to joining AirAsia, he had 13 years of experience as a legal practitioner in a number of Malaysian legal firms including Rashid & Lee (now Shahrizat Rashid & Lee) and Zaid Ibrahim where he specialised in corporate law, banking and finance as well as infrastructure projects.

His current portfolio is to provide the Group with legal support relating to aircraft purchase and financing, corporate exercises and joint ventures, contracts for airline operations, commercial and procurement contracts as well as managing litigation matters for the Group. He also oversees regulatory and compliance for the AirAsia Group of companies.

Mr. Zakaria graduated with LLB (Hons) from Leeds Metropolitan University, is a member of the Honourable Society of Lincoln's Inn since 1992 and was called to the Malaysian Bar in 1993.

AirAsia Bhd Company Profile

Asia's leading airline was established with the dream of making flying possible for everyone. Since 2001, AirAsia has swiftly broken travel norms around the globe and has risen to become the world's best. With a route network that spans through to over 20 countries, AirAsia continues to pave the way for low-cost aviation through our innovative solutions, efficient processes and a passionate approach to business. Together with our associate companies, AirAsia X, Thai AirAsia, Indonesia AirAsia, Philippines' AirAsia Inc and AirAsia Japan, AirAsia is set to take low-cost flying to an all new high with our belief, "Now Everyone Can Fly".

