Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados

ABA Section of International Law
Your Gateway to International Practice

PRELIMINARY PROGRAMME

UIA 13th Winter Seminar

Legal Challenges in the Context of Globalization & Protectionism

M&A, Corporate Law, White Collar Crimes and Dispute Resolutions

February 24 to March 3, 2018

© Michael Portmann_Pendelbahn-Rothorn-im-Winter

#UIAWS

@uia.winterseminar

Zermatt, Switzerland

Seminar organised by the UIA
with the support of the ABA Section of International Law

UIA ▪ T +33 1 44 88 55 66 ▪ F +33 1 44 88 55 77 ▪ uiacentre@uianet.org ▪ www.uianet.org

PRELIMINARY PROGRAMME

Zermatt "The Peak of Alpine Experience" is the perfect environment for an UIA winter seminar. **Share the magic! UIA Winter Seminars are known for their excellence**. "The brilliant thing is that you have discussions and you get into the details. This distinguishes the winter seminars from other seminars" a leading UIA officer praised. Being in a wonderful mountain resort refreshes the minds. Zermatt has the highest concentration of four thousand-meter Peaks Mountains in the Alps, glacial ice and adventure, fun and highs of all sorts. The Matterhorn (4,478 meters above sea level) is the most photographed mountain in the world for more than 150 years, its unique pyramidal shape has attracted mountain lovers from all over the world. The village of Zermatt has been free of regular cars since ever and offers a unique infrastructure. Skiing in Zermatt smashes every record: highest ski resort in Europe, snow certainty, two countries, 360 km of slopes in Switzerland and its Italian neighbor. The ski lifts go to the highest heights.

All the information relative to our seminars is available on our Website www.uianet.org
("UIA events – seminars" section). The topics, the speakers and the allocation of speakers to the topics are still subject to change.
The final programme will be available in the coming weeks.

SATURDAY, FEBRUARY 24, 2018

7:30 pm Informal Get-Together

SUNDAY, FEBRUARY 25, 2018

6:00 pm Opening Reception & Opening Remarks

MONDAY, FEBRUARY 26, 2018

MODERATOR: Franz SCHUBIGER, *Pestalozzi Attorneys at Law, Zurich, Switzerland*

am **Recent Legal Trends and Developments in Cross-Border M&A**

- Impacts of Foreign Investment Control on M&A

Avimukt DAR, *Indus Law Advocates, New Delhi, India*
Francisco SOLER CABALLERO, *J&A Garrigues L.L.P, Valencia, Spain*
Torsten ROSENBOOM, *Watson Farley & Williams LLP, Frankfurt, Germany*

- Foreign Investment Issues in the CEE – with an Outlook to Chinese Investments

Viktória SZILÁGYI, *Nagy és Trócsányi Ügyvédi Iroda, Budapest, Hungary*

- The Exon-Florio Amendment – The Power of the US-President to Block the Acquisition of US Companies by Foreigners – More Protectionism to be Expected?

Winfried F. SCHMITZ, *SCHMITZ Law Offices, New York, N.Y., USA*

pm **Shareholder Activism and M&A**

- Investments in and Transactions with Emerging Growth Companies
- Impact of Shareholder Activism on M&A
- Strategies and Instruments of Shareholder Activists and Responses by Companies

TUESDAY, FEBRUARY 27, 2018

MODERATOR: Yoshihisa HAYAKAWA, *Uryu & Itoga, Tokyo, Japan*

am **Legal Challenges for Cross-Border Investments**

- Framework for Investments and Factors for Choice of Location

Poly TSITSONI, *Tsitsoni-Vivien Law Office – Dispute Resolution, Athens, Greece*
Cephas GALLEY, *Cephas Galley & CO, Accra-North, Ghana*

- Structuring Foreign Investment in the USA

Jacob STEIN, *Aliant LLP, Los Angeles, C.A., USA*

- Recent Legislative Initiatives and Reforms
- M&A in Italy upon Creation of Long Term Individual Savings Plan, Benefiting of Tax Incentives Connected to Investment in Italian SMEs

Cristina CENGIA, *Morri Rossetti e Associati, Milan, Italy*

- Blockchain Technology and Smart Contracts

Jacob ENOCH, *M. Firon & Co. Advocates, Tel Aviv, Israel*

pm **Corporate Law, Corporate Governance Trends and Developments:**

- Corporate Relocations, such as Re-Domiciliation, Inversions and the like

Franz SCHUBIGER, *Pestalozzi Attorneys at Law, Zurich, Switzerland*

- Shareholder vs. Company Interests vs. Interests of other Stakeholders

Olivier BLOCH, *Bloch Avocat, Yverdon-les-Bains, Switzerland*

- Privacy, Protectionism and Globalism

Sébastien FANTI, *Lawyer at the Valais Bar & Notary, Lexing Switzerland, Sion, Switzerland*

- Corporate Accountability, such as Social Responsibility, SMARustainability and Environmental Aspects
- Trends in Executive Compensation and related Regulation

WEDNESDAY, FEBRUARY 28, 2018

MODERATOR: Winfried F. SCHMITZ, *SCHMITZ Law Offices, New York, N.Y., USA*

am **The Evolution and Framework of Global Regulatory System**

- Transnational Corruption Control

Michèle HIRSCH, *Hirsch & Vanhaelst Avocats, Brussels, Belgium*
Véronique MOISSINAC MASSENAT, *Paris, France*

- International Combat against Money Laundering

Barbara BANDIERA, *Milan, Italy*
Marie-Paule GILLEN, *DSM Avocats à La Cour, Luxembourg, Luxembourg*

- The Combat against Modern Slave Trade
- International Cooperation and Mutual Legal Assistance

- Financial Markets and Investor Protection through Litigation New Criminal Responsability of the Legal Person in Spain

Marla Vanessa BOJORGE ZÚÑIGA, *Bojorge & Associates, Valencia, Spain*

pm **Developments in Global Internal Investigations**

- Attorney-client Privilege and Protection of Work Product in Different Jurisdictions
- Data Privacy and Protection Laws (such as blocking statutes)
- Trends in "Global Settlements"
- Financial Fraud and Corruption – Need for Transnational Regulations

Pradeep K.P., *LLM & Ph.D, M/s Poduval Legal, Ernakulam, India*

The "Weak Party" in Litigation Worldwide: Necessary Protection or Unfair Advantage?

- Global Corporations and Consumers
- Environmental and Human Rights Protection through Litigation

- Recent Developments in Sovereign Immunity for Terrorism Claims

Robert K. KRY, *Molo Lamken LLP, Washington, D.C., USA*

- Lifting the corporate veil and other measures to protect the weak in litigation

Francisco RAMOS ROMEU, *RAMOS & ARROYO, Barcelona, Spain*

THURSDAY, MARCH 1, 2018

MODERATOR: Véronique MOISSINAC MASSENAT, *Paris, France*

am **Recent Trends and Developments in Litigation Worldwide**

- Protection of Confidential Information in Litigation
- Prohibition of State Aids and its Impact on Litigation
- New Global Business Models (UBER, Airbnb, Google) and Local Litigation

- Practical considerations and case studies in English law when cross border transactions go wrong - litigate or arbitrate?

Cecilia XU, *9 Stone Buildings Barristers Chambers, London, UK*

- Artificial Intelligence in the Boardroom and Robot Law in America

Victorine FROEHLICH, *Former Administrative Law Judge, N.Y., USA*

- Challenges to experts appointed by the arbitral tribunal and to party-appointed experts in international arbitration.

Philipp KÄRCHER, *AGS Acker Schmalz, Frankfurt, Germany*

- International Arbitration *[TBC]*

Yoshihisa HAYAKAWA, *Uryu & Itoga, Tokyo, Japan*

pm **Trends in Arbitration and ADR**

- International Arbitration During an Isolationist Interlude: Concerns for Clients and Practitioners

C. Ryan REETZ, *Bryan Cave LLP, Miami, F.L., USA*

- Multi-tiered arbitration clauses before arbitral tribunals seated in Switzerland

Niklaus ZAUGG, *CMS von Erlach Poncet AG, Zurich, Switzerland*

- Forum Shopping in the Age of Protectionism

Julius NKAFU, *Great James Street, London, UK*

- Production of Electronic Documents in International Arbitration

Lars PERHARD, *CERTA Advokatbyrå, Stockholm, Sweden*

- New Laws Imposing ADR in Italy

Alessia SIALINO, *Sialino Studiolegale Internazionale, Udine, Italy*

FRIDAY, MARCH 2, 2018

MODERATOR: Francisco RAMOS ROMEU, Ramos & Arroyo, Barcelona, Spain

am **Legal & Ethical Issues for International Lawyers**

- The Global Legal Market? Restrictions to International Legal Advice and Practice
- Lawfully Obtained Evidence and its Use in Dispute Resolution, Especially in Worldwide Asset Recovery proceedings.

Sandro VECCHIO, *Vecchio Avocats, Geneva, Switzerland*
Pierluca DEGNI, *Vecchio Avocats, Geneva, Switzerland*

- Ethical risks regarding the use of artificial intelligence in the financial industry

Silvestre TANDEAU DE MARSAC, *Fischer, Tandeau de Marsac, Sur & Associés, Paris, France*

- Collision of Public Interest and the Protection of the Lawyer

Jaime Enrique CUEVAS MARTÍNEZ, *Cuevas & Carbonell Abogados Madrid S.L.P., Madrid, Spain*

Review of the Seminar, Concluding Remarks

7:30 pm Closing Dinner

SATURDAY, MARCH 3, 2018

Informal interaction on the slopes

Organizing Committee	
Franz SCHUBIGER, Esq. *Pestalozzi Attorneys at Law Ltd* Loewenstrasse 1 CH-8001 Zurich, Switzerland T +41 (44) 217 91 11 / F +41 (44) 217 92 17 franz.schubiger@pestalozzilaw.com	**Véronique MOISSINAC MASSENAT** *Avocat au Barreau de Paris* 4, place du 18 juin 1940 75006 Paris, France T + 33 1 71 18 21 54 / F + 33 1 71 18 21 53 vm@moissinac-avocat.com
Francisco RAMOS ROMEU, Esq. *Ramos & Arroyo* Paseo de Gracia, 92 – Edificio La Pedrera 08008 Barcelona, Spain T +34 93 487 11 12 / F +34 93 487 35 62 frr@rya.es	**Maria CRONIN** *Peters & Peters Solicitors LLP* 15 Fetter Lane London EC4A 1BW, United Kingdom T +44 (20) 7822 7737 / F +44 (20) 7822 7788 mcronin@petersandpeters.com
Yoshihisa HAYAKAWA, Esq. *Uryu & Itoga* Ark Mori Bldg 36F, 1-12-32 Tokyo, Japan T +81 (3) 5575 8400 / F +81 (3) 5575 0800 haya@rikkyo.ne.jp	**Winfried F. SCHMITZ, Esq.** *SCHMITZ Law Offices* 405 Lexington Avenue New York, NY 10172, USA T +1 (917) 257 1537 winfried.schmitz@schmitzlaw.de
Louis F. BURKE, Esq. *Louis F. Burke PC* 460 Park Avenue New York, NY 10022, USA T +1 (212) 682 1700 / F +1 (212) 808 4280 lburke@lfblaw.com	**Honorary Member of the Organizing Committee** **Bradley RICHARDS, Esq.** *Haynes and Boone LLP* 1221 McKinney Street 77010-2007 Houston, TX, USA T +1 (713) 547 2028 / F +1 (713) 236 5568 brad.richards@haynesboone.com

GENERAL INFORMATION

SEMINAR VENUE

HOTEL POLLUX
Bahnhofstr. 28, 3920 Zermatt, Switzerland
T +41 (0)27 966-4000 • F +41 (0)27 966-4001 • info@hotelpollux.ch

This seminar, organised by the UIA with the support of the ABA section of International Law, is open to all lawyers, whether or not they are members of the UIA. Accompanying persons, children and friends are most welcome to join as well.

LANGUAGE

The working language will be **English**.

CONTINUING LEGAL EDUCATION

Every participant attending the seminar will receive a "Certificate of Participation" at the end of the event that may be used for obtaining "Credits" for "Continuing Legal Education" - "Continuing Professional Development" purposes, depending on national rules. For more information, please contact the UIA.

Dress Code: Extremely casual (jeans, cowboy boots, ski suits etc. allowed). Closing dinner: Coat & tie, evening dress.

Join us on Facebook!

@uia.winterseminar

REGISTRATION FEES

	Early Bird <= 25.01.2018	Standard > 26.01.2018	Speaker fees
Full Course	€ 544	€ 594	€ 435
Young Lawyers (under 35)*	€ 454	€ 504	€ 363
Accompanying Person**	€ 292	€ 312	€ 272
Monday to Wednesday	€ 390	€ 440	€ 312
Young Lawyers (under 35)*	€ 298	€ 348	€ 238
Accompanying Person**	€ 156	€ 176	€ 136
Wednesday to Friday	€ 424	€ 474	€ 339
Young Lawyers (under 35)*	€ 334	€ 384	€ 267
Accompanying Person**	€ 208	€ 228	€ 188

** Please attach proof of age to the registration form to benefit from the young lawyer fee. ** Accompanying persons take advantage of reduced hotel rates. Breakfast from Monday through Friday is included in the fee but not in the hotel rate. Children under 18 are free of charge.*

HOTEL RESERVATION

HOTEL POLLUX
Bahnhofstr. 28, 3920 Zermatt, Switzerland
T +41 (0)27 966-4000 • F +41 (0)27 966-4001 • info@hotelpollux.ch

A **limited number** of rooms has been pre-booked at a preferential rate at **Hotel Pollux**. Reservations should be made directly through the hotel. **Please book the hotel room as early as you can, really!** We expect high demand. The pre-reserved room block expires **on January 15, 2018,** if any rooms will be left at that time. Credit card details must be given in order to secure your reservation.

Hotel & Rates	
For the nights from February 25 to March 1: Standard Single Room: **CHF 170.00/ night*** Standard Double Room: **CHF 245.00/ night*** **For the nights of February 24, March 02 and 03:** Standard Single Room: **CHF 195.00/ night*** Standard Double Room: **CHF 295.00/ night*** **Cancellation policy:** Cancellation is free of charge until 3 weeks prior to arrival, after the whole package price will be charged. In the event of a cancellation the hotel committed trying to rebook the room, so that no costs are incurred.	*** All prices include:** Buffet Breakfast, Feb. 24 and March 2-3. For the other nights, the price of the breakfast is included in the seminar registration fee. **NOT included:** Local tax CHF 03.00 per pers. per day Reservations should be made: - **By phone**: **+41 (0)27 966-4000** using the following reference **"UIA Seminar"** - **By email**: info@hotelpollux.ch using the following reference **"UIA Seminar"**

CANCELLATION CONDITIONS

All cancellations will be subject to a 50% deduction and will have to be sent in writing, to be received by the Union Internationale des Avocats **no later than January 25, 2018**. No refund will be made for cancellations received after this date.

VISAS: Anyone who requires a visa invitation letter in order to attend the seminar should register and pay their registration fees **no later than January 25, 2018** to ensure there is enough time to obtain a visa.
All cancellations will be refunded in full, minus €50 to cover administrative costs, provided that the UIA has received the registration documents and **total** registration fees **no later than January 25, 2018**.
If you register after this date, only 50% of the amount paid minus €50 to cover administrative costs will be refunded for cancellations due to visa refusals. All cancellations due to a visa refusal must be sent in writing and reach the UIA **before the seminar**. Cancellations must be accompanied by **a proof of visa refusal**. If your visa is issued after the seminar date or if you do not have proof of visa refusal, you will not be entitled to a refund.

GENERAL CONDITIONS

All registrations received by the Union Internationale des Avocats (UIA) along with the full payment of fees corresponding to the events selected will be confirmed in writing.

The UIA reserves the right to cancel or postpone the seminar to a later date, change the seminar venue and/or programme, make any corrections or modifications in the information published in the seminar programme and cancel any invitation to participate in the seminar, at any time and at their entire discretion, without having to provide any reasons for the same.
Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature, suffered (directly or indirectly) by a delegate, accompanying person or a third party following any cancellations, changes, postponements or modifications.
The UIA strongly advises participants to subscribe to modifiable and/or refundable services, as well as to take out a cancellation insurance.
Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature whatever, suffered (directly or indirectly) by a delegate or accompanying person, except in case of death or personal injury due to gross negligence by the UIA.
The contractual relations between the UIA and each participant (delegate or accompanying person) in relation to the seminar are subject to French law and jurisdiction, to the exclusion of any other law. Paris is the city of jurisdiction.

FORMALITIES
It is the responsibility of participants to ensure compliance with police, customs and health formalities for their journey. Participants unable to take part in the seminar because of their inability to take a flight or any other means of transportation due to being unable to provide the documents required (passport, visa, vaccination certificate, etc.) cannot claim any reimbursement.

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- M&A, Corporate Law, White Collar Crimes and Dispute Resolutions

February 24 to March 3, 2018 **ZERMATT - SWITZERLAND**

REGISTRATION FORM

Register online at **www.uianet.org**
or please complete and return this form **before February 10, 2018**, by email, fax or post, to:
UNION INTERNATIONALE DES AVOCATS
20 rue Drouot, 75009 Paris, FRANCE
Tel: +33 1 44 88 55 66 / Fax: +33 1 44 88 55 77 / Email: uiacentre@uianet.org

UIA INDIVIDUAL MEMBERS
Please specify your membership number (Please check your membership card or membership fees):
M I __ __ __ __ __ __

Family Name: .....

First Name: .....

Firm: .....

Address: .....

Post Code: ..... City: .....

Country: .....

Tel: ..... Fax: .....

Email: .....

Date of Birth: .....

EU VAT ID-number: .....

Special requests (special diet, allergies, handicap…): .....

A. SEMINAR REGISTRATION FEES

	Early Bird <= 25.01.2018	*Please tick*	Standard > 26.01.2018	*Please tick*	Speaker Fees	*Please tick*
Full Course	€ 544		€ 594		€ 435	
Young Lawyers (under 35)*	€ 454		€ 504		€ 363	
Accompanying Person**	€ 292		€ 312		€ 272	
Monday to Wednesday	€ 390		€ 440		€ 312	
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** Please attach proof of age to the registration form to benefit from the young lawyer fee.*
*** Accompanying persons take advantage of reduced hotel rates. Breakfast from Monday through Friday is included in the fee but not in the hotel rate. Children under 18 are free of charge.*

B. SEMINAR SOCIAL ACTIVITIES

Please indicate below whether you plan to attend the following events included in the cost of your registration:

❍ Welcome Cocktail – Sunday, February 25, 2018

❍ Closing Dinner – Friday, March 2, 2018

C. ACCOMPANYING PERSON ACTIVITIES

Please indicate below whether you plan to attend the following events included in the cost of the accompanying person registration:

❍ Welcome Cocktail – Sunday, February 25, 2018 x __ person(s)

❍ Closing Dinner – Friday, March 2, 2018 x __ person(s)

It is intended that the seminar sessions take place in the morning from 8:00 to 10:30 am, and in the evening from 5:00 to 8:00 pm.

D. TOTAL

Total (A) – Registration Fees	€ .....

E. CANCELLATION CONDITIONS AND GENERAL CONDITIONS

I, the Undersigned, confirm that I have read and accepted the **cancellation conditions** as well as the **general conditions** given on **page 6** of the registration programme. My registration will only be taken into account on receipt of the payment.

Participants are aware that their image and/or voice may be photographed, recorded or filmed throughout the duration of the seminar. They hereby assign to the UIA, with the signature of this form, the right to exploit, reproduce and disseminate the images and recordings by all means, both known and unknown, using all media, for an unlimited term and free of charge.

F. METHOD OF PAYMENT

☐ By cheque in € payable to the UIA, addressed to: UIA - 20 rue Drouot - 75009 Paris - France

☐ By bank transfer in €, without charges to the payee, in favour of the Union Internationale des Avocats, quoting "2018 Zermatt Seminar", to the following bank and account:

Société Générale – Paris Elysées Entreprise
91, avenue des Champs Elysées – 75008 Paris - France
BIC / SWIFT N°: SOGEFRPP
IBAN: FR76 3000 3033 9200 0503 4165 164

☐ By credit card: ☐ Visa ☐ Mastercard

Card N°: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

3 digits: _ _ _ Expiry date: _ _ / _ _

Name of card holder:.....

I authorise the Union Internationale des Avocats to debit the above mentioned credit card in the amount of

€ (EUR).....

Date: ……../……../…….. Signature: .....