



THE FLORIDA BAR
INTERNATIONAL LAW SECTION



International Litigation, Arbitration & Transactions (ILAT) Conference

February 26, 2016

Hotel Discount
Deadline
February 4, 2016



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COURSE CLASSIFICATION:
Intermediate Level

Course No. 2078R

ILAT Conference February 26, 2016

Table of Scheduled Panels

	INTERNATIONAL LITIGATION	INTERNATIONAL ARBITRATION	INTERNATIONAL BUSINESS TRANSACTIONS
8:00 a.m. - 8:30 a.m.	Registration, Continental Breakfast		
8:30 a.m. - 9:00 a.m.	Opening Remarks		
9:00 a.m. - 10:00 a.m.	The Cuba Phenomenon: What Does the Rapprochement Mean for Florida Lawyers?		
10:15 a.m. - 11:15 a.m.	International Judgment/Arbitration Award Enforcements	Hot Topics in International Arbitration	International Tax Issues and Profit Shifting as They Relate to On-Shore and Off-shore Captive Insurance Companies
11:15 a.m. - 11:30 a.m.	Coffee Break		
11:30 a.m. - 12:30 p.m.	Cross-Border Recognition of Insolvency Proceedings	The Use of International Arbitration From the View of In-House Counsel	International Trade Compliance for the Business Lawyer
12:30 p.m. - 1:30 p.m.	Luncheon Speaker		
1:45 p.m. - 2:45 p.m.	Hot Topics in International Litigation	Emergency and Interim Measures in International Arbitration	The Who, What, Where, When and Why of the Trans-Pacific Partnership
2:45 p.m. - 3:00 p.m.	Coffee Break		
3:00 p.m. - 4:00 p.m.	International Family Law: A Primer on Navigating an International Divorce	World-Leading International Arbitration Institutions	Due Diligence in International Mergers & Acquisitions
4:00 p.m. - 5:00 p.m.	Ethical Considerations in Litigation Funding		
5:00 p.m. - 5:30 p.m.	Closing Remarks		
5:30 p.m. - 7:30 p.m.	ILAT Closing Reception		

Gold Level Sponsor Judicial Process & Support is the proud provider of WiFi access for the conference

International Litigation, Arbitration & Business Transactions Conference (2078R)

Thursday, February 25, 2016

4:30 p.m.

ILS Executive Council Meeting at Hogan Lovells

600 Brickell Avenue, Suite 2700, Miami, Florida 33131

6:30 p.m.

Opening Cocktail Reception

Hogan Lovells, 600 Brickell Avenue, Suite 2700, Miami, FL 33131

Friday, February 26, 2016

8:00 a.m. to 8:30 a.m.

Registration, Continental Breakfast

Sponsored by Silver Sponsor Burford Capital

8:30 a.m. to 9:00 a.m.

Opening Remarks:

A brief welcome and introduction ILS Chair Eduardo Palmer followed by Co-Chairs Robert Becerra, Jacqueline Villalba and Clarissa Rodriguez explaining the format and content of the plenary and break-out sessions and the rationale of the course and panel selections.

Opening Plenary Session (Main Conference Room)

9:00 a.m. to 10:00 a.m.

**The Cuba Phenomenon: What Does the Rapprochement Mean
for Florida Lawyers?**

- The OFAC Regulations, as updated, give guidelines as to what US lawyers can do without running afoul of US law, but are those guidelines clear enough? Should they be more or less restrictive, as they have become for other professional sectors? What are the trends in the business community and will US and Cuban laws accommodate them?
- What is the status of the US Embargo against Cuba? What are the Certified Claims and why are they important? What are the other outstanding claims and issues that need to be addressed?
- How does the Cuba legal system work? How are foreign investment transactions conducted? How do law firms and lawyers in Cuba function? How are disputes resolved? How should Florida lawyers advise clients who want to invest?

Panelists: Pedro Freyre, *Akerman*, Miami

Oswaldo Miranda Diaz, *Attorney in Cuba, Lecturer to ILS Cuba Envoy* in May 2015

Dr. Jaime Suchlicki, *Professor at the University of Miami* and

Director of the Institute for Cuban-American Studies

John Smith, *Acting Director, Office of Foreign Assets Control,*

US Department of Treasury (Invited)

Alan Christian, *Senior Licensing Officer for Cuba Matters, U.S. Dept. of Commerce*

Panel Moderator: James Meyer, *Harper Meyer*, Miami

International Litigation, Arbitration & Business Transactions Conference

Morning Tracks: International Litigation (Breakout Room One)

10:15 a.m. to 11:15 a.m.

International Judgment/Arbitration Award Enforcements

- Defensive and offensive collection tactics against sovereigns and off-shore asset protection trusts

Panelists: Jan Dash, *Liburd and Dash, L.P.*, St. Kitts Nevis
Jonathan Gopman, *Akerman*, Naples
Charlene Sun, *King & Spalding*, New York

Panel Moderator: Jef Klazen, *Kobre & Kim*, New York

11:15 a.m. to 11:30 a.m.

Coffee Break

Sponsored by Bronze Sponsor Upchurch, Watson, White & Max

11:30 a.m. to 12:30 p.m.

Cross-Border Recognition of Insolvency Proceedings

- A discussion of the increasing trend and complications involved in multijurisdictional bankruptcies and insolvencies

Panelists: James Corbett, QC, *Kobre & Kim*, London/Caribbean
Greg Grossman, *Astigarraga Davis*, Miami
Anthony Kikivarakis, *Kikivarakis & Co.*, Bahamas

Panel Moderator: Adriana Riviere-Badell, *Kobre & Kim*, Miami

International Arbitration (Breakout Room Two)

10:15 a.m. to 11:15 a.m.

Hot Topics in International Arbitration

- The use of mediation in international arbitration proceedings.
- Recent developments in investment arbitration.
- Recent decisions from federal and state courts related to international arbitration.

Panelists: Judith Freeberg, *ICCA Publications Consultant*, Miami
Hans H. Hertell, *Hogan Lovells*, Miami
Luis S. Konski, *Fowler White Burnett*, Miami
Lauran San Roman Guijarro, *White & Case*, Mexico City

Panel Moderator: Laura Reich, *Tenzer PLLC*, Miami

11:15 a.m. to 11:30 a.m.

Coffee Break

Sponsored by Upchurch, Watson, White & Max

11:30 a.m. to 12:30 p.m.

The Use of International Arbitration from the View of In-House Counsel

Is international arbitration an effective means of dispute resolution for corporations doing business in Latin America and Europe? A debate on whether International Arbitration has been effective for multinational corporations.

Panelists: Luis F. Aparicio, *V.P. and General Counsel*, Ricoh Latin America, Inc.
Isabel C. Rivera, *Senior Corporate Counsel*, Caterpillar Inc.
Larissa Zagustin, *SVP and General Counsel*, Viacom International Media Networks – The Americas

International Litigation, Arbitration & Business Transactions Conference

Niza Motola, *VP and Assistant General Counsel, Litigation and Compliance*
Univision Communications, Inc., Miami

Panel Moderator: Violeta Longino, *Deputy General Counsel for Accor Hotels*
North America, Central America and the Caribbean

International Business Transactions (Main Conference Room)

10:15 a.m. to 11:15 a.m.

International Tax Issues and Profit Shifting as They Relate to On-Shore and Off-Shore Captive Insurance Companies

The last decade has seen a boom in captive insurance company formation in the US and internationally, particularly and most recently for Latin America businesses. Better information, an improved risk management skillset, and helpful tax treatment have helped drive the growth of the global captive market as an attractive alternative to the traditional insurance market. At the same time, US and international tax policy-makers and regulators have focused renewed attention on some captives as potentially abusive structures, leading the IRS to include one type of captive on its Dirty Dozen list and the OECD to key in on captives as part of the OECD's Base Erosion and Profit Shifting (BEPS) project. This panel will discuss the historical role of the captive insurance industry, fact and fiction surrounding it, and its current and future utility in the global insurance marketplace.

Panelists: Maria Escobar, *Marsh Captive Management*, New York
Daniel Pilarski, *Watson Farley & Williams*, New York
Bruce Wright, *Sutherland Asbill & Brennan*, New York
James Wrynn, *former New York Superintendent of Insurance*, New York
Jorge Rodriguez, *Rodriguez Lawfirm PLLC*, New York & Washington, DC

Panel Moderator: Pete Maloney, *Hinshaw & Culbertson*, New York

11:15 a.m. to 11:30 a.m.

Coffee Break

Sponsored by Upchurch, Watson, White & Max

11:30 a.m. to 12:30 p.m.

International Trade Compliance for the Business Lawyer

This panel will provide an overview and discussion of recent developments in Customs and Trade Law.

Panelists: Deborah M. Morrissey, *Western Union*, Hallandale
Edgar J. Asebey, *Jones Day*, Miami
John F. Tobon, *ASAC, Homeland Security Investigations*, Miami

Panel Moderator: Peter Quinter, *Gray Robinson*, Miami

Luncheon Speaker: Wifredo Ferrer, *United States Attorney for the Southern District of Florida* (Main Conference Room)

12:30 p.m. to 1:30 p.m.

Included in registration fee.

International Litigation, Arbitration & Business Transactions Conference

Afternoon Tracks: International Litigation (Breakout Room One)

1:45 p.m. to 2:45 p.m.

Hot Topics in International Litigation

- Ex-parte recognition of ICSID awards in the U.S.: NY vs. DC approaches
- Recent 1782 decisions
- Extraterritorial application of RICO
- Department of Justice announcement
- International Copyright Issues

Panelists: Rafael Ribeiro, *Hogan Lovells*, Miami
Ricardo Puente, *Jones Day*, Miami
Carlos Osorio, *Aballi Milne*, Miami
Rima Mullins, Miami

Panel Moderator: Edward Mullins, *Astigarraga Davis*, Miami

2:45 p.m. to 3:00 p.m.

Coffee Break

Sponsored by Kroll & Associates

3:00 p.m. to 4:00 p.m.

International Family Law: A Primer on Navigating an International Divorce

- Conflicts of law issues in the recognition of patrimonial agreements
- Securing marital assets in different jurisdictions to enforce divorce decrees
- The Hague Convention on Civil Aspects of International Child Abduction

Panelists: Ester di Napoli, Italian attorney
Brett Barfield, *Holland & Knight*, Miami
Hendrik Milne, *Aballi Milne*, Miami
Jeannie Etter, *Buckner Shifrin*, Miami

Panel Moderator: Professor Timothy Arcaro, *Nova Southeastern University*, Ft Lauderdale

International Arbitration (Breakout Room Two)

1:45 p.m. to 2:45 p.m.

Emergency and Interim Measures in International Arbitration

Discussions on interim, interlocutory and emergency relief sought before arbitral tribunals and courts.

Panelists: Mauricio Gomm Santos, *Gomm & Smith*, Miami
Nigel Blackaby, *Freshfields*, Washington DC
Marcos Pena, *Jimenez Cruz Pena*, Santo Domingo
Alvin F. Lindsay, *Hogan Lovells*, Miami

Panel Moderator: Cristina Pérez Soto, *Jones Day*, Miami

2:45 p.m. to 3:00 p.m.

Coffee Break

Sponsored by Kroll & Associates

3:00 p.m. to 4:00 p.m.

World-Leading International Arbitration Institutions

International Litigation, Arbitration & Business Transactions Conference

Panelists from the ICDR, ICC, LCIA, JAMS, CCBC and CBAR will discuss the latest trends from their institutions, rules, fees, times, challenges, etc.

Panelists: Juan Pablo Moyano, *International Case Manager*, American Arbitration Association, *International Centre for Dispute Resolution*, Miami
Carlos Suplicy de Figueiredo Forbes, *President*, *Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada (CAM/CCBC)*, São Paulo, Brazil
Rocio Digon, *Managing Director and Counsel*, *International Court of Arbitration, International Chamber of Commerce*, New York
Judge Scott Silverman, *Mediator/Arbitrator*, JAMS, Miami

Panel Moderator: Nancy M. Thevenin, *Thevenin Arbitration & ADR, LLC*, New York

International Business Transactions (Main Conference Room)

1:45 p.m. to 2:45 p.m.

The Who, What, Where, When, and Why of the Trans-Pacific Partnership

Panelists: Cristina Cardenas, *Astigarraga Davis*, Miami
Christine Alden, Weiss, *Alden & Polo*, Miami
Leonela Vaccaro Padron, *Hogan Lovells*, Miami
Barry Appleton, *Appleton & Associates*, Toronto, Ontario

Panel Moderator:

2:45 p.m. to 3:00 p.m.

Coffee Break

Sponsored by Kroll & Associates

3:00 p.m. to 4:00 p.m.

Due Diligence in International Mergers & Acquisitions

What transactional lawyers should be looking for when performing due diligence for companies in international M&A transactions in order to avoid FCPA, fraud, money laundering and other potential criminal liability.

Panelists: Richard Montes de Oca, *MDO Partners*, Miami
Mariana Conti Craveiro, *BCBO*, Sao Paulo
Jim Faulkner, *Kroll & Associates*, Miami

Panel Moderator: Jacqueline Arango, *Akerman*, Miami

Closing Plenary Session (Main Conference Room)

4:00 p.m. to 5:00 p.m.

Ethical Considerations in Litigation Funding

Panelists: Aviva O. Will, *Burford Capital LLC*, New York
Mark McDonald, *Grant Thornton*, BVI
Professor Manuel A. Gómez, *FIU*, Miami

Panel Moderator: Edward H. Davis, Jr., *Astigarraga Davis*, Miami

5:00 p.m. to 5:30 p.m.

CLOSING REMARKS

5:30 p.m. to 7:30 p.m.

ILAT Closing Reception

Sponsored by Meadon & Moore

Registration

ONLINE

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Completed form with check

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Completed form to 850.561.9413

Register me for the International Litigation, Arbitration & Transactions (ILAT) Conference

ONE LOCATION: (313) Conrad Miami Hotel, Miami, Florida (February 26, 2016)

TO REGISTER OR ORDER COURSE BOOKS BY MAIL, SEND THIS FORM TO The Florida Bar, Order Entry Department: 651 E. Jefferson Street, Tallahassee, FL 32399-2300 with a check in the appropriate amount payable to The Florida Bar or credit card information filled in below. If you have questions, call 850/561-5831. ON-SITE REGISTRATION, ADD \$25.00.

On-site registration is by check only.

Name: _____ Florida Bar#: _____

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*E-mail address is required to receive electronic course material and will only be used for this order. ABF: Course No. 2078R

ILAT (2078R) – REGISTRATION (CHECK ONE)

Early registration by January 20, 2016:

☐ Member International Law Section \$400.

☐ Non-section member: \$450

Registration after January 20, 2016:

☐ Member of International Law Section: \$475

☐ Full-time Law Student: \$50

☐ Non-section member: \$525

☐ Full-time college faculty \$275

(If registering for reduced fee, full-time college faculty or full-time law student, call or fax form only. No online registration for reduced fee, full-time college faculty or full-time law student.)

*Includes Supreme Court, DCA, Circuit and County Judges, Magistrates, Judges of Compensation Claims, Administrative Law Judges and full-time legal aid attorneys if directly related to their client practice. (We reserve the right to verify employment.)


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CLE CREDITS

ILAT Conference (LIVE) (2078R)

Maximum CLE Credit:	7.0 hours
General:	7.0 hours
Ethics:	1.0 hours

CERTIFICATION PROGRAM

Maximum Certification Credit:	7.0 hours
Business Litigation:	7.0 hours
International Law:	7.0 hours

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HOTEL RESERVATION INFORMATION: A block of rooms has been reserved at the Conrad Miami at the rate of \$315 single/double occupancy. To make reservations, call Conrad Miami at (305) 503-6500. Reservations must be made by February 4, 2016 to assure the group rate and availability. After that date, the group rate will be granted on a "space available" basis.

REFUND POLICY: A \$25 service fee applies to refund requests. Requests must be in writing and postmarked no later than two business days following the live course presentation or receipt of product. Registration fees are non-transferable, unless transferred to a colleague registering at the same price paid. Registrants who do not notify The Florida Bar by 5:00 p.m., February 19, 2016 that they will be unable to attend the seminar will have an additional \$150 retained.

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