

5th Business Law Forum
Global Integrity Challenges for Enterprise Management
Anti-Corruption and Anti-Money Laundering

MONDAY, SEPTEMBER 9, 2013

**NEW YORK
CITY, NY**

USA



Joint seminar organised by the UIA and the New York State Bar Association's International Section, with the support of the American Bar Association Section of International Law (ABA-SIL)



Introduction

Anti-bribery, anti-corruption and the expectation of fair and ethical business practices is a hot topic in today's world-wide political, economic and confidence crises.

This Forum jointly organised by the International Section of the New York State Bar Association and the Corporate, Banking and Litigation Commissions of the Union Internationale des Avocats (UIA – International Association of Lawyers) will provide a comprehensive overview of the current situation in the US, Europe and Latin America on monitoring integrity – including corruption – risks companies are facing, handling internal audits and assessing and treating unwelcome findings.

Apart from the professional programme, the attractions of New York and the hospitality of the host committee will make this an unforgettable, not-to-be-missed event.

Please join us for a memorable New York session. We have scheduled our Forum at the beginning of the week in order to give you the opportunity to enjoy an Indian summer weekend before the seminar in New York.

We look forward to seeing you in New York!

Sunday | September 8 | 2013

20:00 OPTIONAL DINNER

SD26 restaurant

19 E 26th Street, New York, NY 10010



Monday | September | 9 | 2013

08:00 – 08:45 REGISTRATION OF PARTICIPANTS

Hogan Lovells US LLP
875 Third Avenue
New York, NY 10022, USA

08:45 – 09:00 WELCOME AND OPENING OF THE SEMINAR

- **Thomas N. PIEPER**, *Chair-Elect, NYSBA International Section, Hogan Lovells US LLP, New York, NY, USA*
- **Stephen L. DREYFUSS**, *UJA President-Elect, Hellring Lindeman Goldstein & Siegal LLP, Newark, NJ, USA*

09:00 – 10:10 GENERAL OVERVIEW ON INTERNATIONAL CORRUPTION PREVENTION LEGISLATION

Recent anti-corruption enforcement trends: targeted industries and regions

The DOJ's and SEC's resource guide, new SFO guidelines and OECD standards – helpful guidance or added confusion?

- The foreign corrupt practices act and its international enforcement
- Discussion of the FCPA guidelines
- Review of recent cases pursued by the US DOJ and the SEC, as well as examples of cases where a company deftly avoided prosecution
- References to the anti-corruption laws of other countries such as the UK Bribery Act, the Indian Prevention of Corruption Act, the Chinese Anti-Unfair Competition Act, as well as the OECD's Anti-Bribery Convention
- How cooperation among prosecutors in countries across the globe has led to better-coordinated prosecution of bribery

Moderator: • **Thomas AJAMIE**, *Ajamie LLP, New York, NY, USA*

Speakers:

- **Steven J. SHORE**, *Ganfer & Shore LLP, New York, NY, USA*
- **Bruce E. YANNETT**, *Debevoise & Plimpton LLP, New York, NY, USA*

10:10 – 11:00 ANTI-CORRUPTION PROGRAMME

- Practical tips for anti-corruption programme in times of tight budgets
- Best practices in conducting anti-corruption risk assessments
- Selecting, vetting and monitoring third-party intermediaries
- Back to the roots: the essentials of anti-corruption policies, training, and monitoring
- Effective, sufficient and independent oversight by the board and senior management

Moderator: • **Peter S. SPIVACK**, *Hogan Lovells US LLP, Washington, DC, USA*

Speakers:

- **Louis SAPIRMAN**, *Chief Compliance Officer, Dun & Bradstreet, Short Hills, NJ, USA*
- **Steve PEIKEN**, *Sullivan & Cromwell, New York, NY, USA*
- **Scott PEELER**, *Managing Director, Stroz Friedberg LLC, New York, NY, USA*
- **David KING**, *Assistant Counsel, Merck, USA – to be confirmed*

11:00 – 11:30 COFFEE BREAK

11:30 – 12:30 COMMENCING AN INTERNAL ANTI-CORRUPTION INVESTIGATION

In a globalized world, the risks with which companies are faced vary significantly from region to region. This is why, frequently even world class compliance programme fail, even faced with fairly unsophisticated corrupt practices, which might have been overlooked.

In this connection, assessing all relevant concerns, international and local regulations and practices; coordinating teams often scattered around the world is a great challenge, even before considering time and budget constraints.

Special knowledge and skills not only to identify, prevent and detect the risks but potentially, to carry out effective investigations is key to success. Learning about the issues and the potential adverse consequences in case of failure is crucial for those in charge of advising, deciding or implementing compliance programme.

In the merits the panel will also discuss:

- How to early detect corruption and bribery – warning signs, red flags, and whistleblowers
- How to deal with data protection issues – while documenting, recording and investigating

Moderator: • **Patricia LOPEZ AUFRANC**, *Marval, O'Farrell & Mairal, Capital Federal, Argentina*

Speakers:

- **Glenn POMERANTZ**, *BDO Consulting, New York, NY, USA*
- **Michael BARBA**, *BDO Consulting, New York, NY, USA*

12:30 – 14:00 LUNCH

14:00 – 15:10 EXPECT THE UNEXPECTED: CRISIS MANAGEMENT WHEN RESPONDING TO REGULATORY ISSUES

Clear, effective crisis management protocols are essential for financial institutions and public companies operating in the era of the whistleblower and the twenty-four hour news cycle. Even those companies with properly functioning risk management systems must be prepared to react when unanticipated problems arise. Our experienced panel will discuss the core components of the crisis management toolbox, including:

- Controls over internal and external communications
- Touchstones in evaluating whether to make disclosure to regulators, when to make disclosure, and what to disclose
- Principles by which to evaluate disclosure to investors and the market
- Procedures to assure that the company is ready to react in the first few days after a crisis erupts

Moderator: • Patricia LOPEZ AUFRANC, *Marval, O'Farrell & Mairal, Capital Federal, Argentina*

Speakers:

- William BARRY, *Richards Kibbe & Orbe LLP, Washington, DC, USA*
- Patricia LOPEZ AUFRANC, *Marval, O'Farrell & Mairal, Capital Federal, Argentina*

15:10 – 16:00 CASE STUDY

Dealing with international investigations in an international context

The panel will share experience on the organizational framework of an international cross-border investigation in the proceedings initiated by SEC. Assess possible actions and sanctions. Analyse the effects on the non-US company of any possible Non-Action or Deferred Prosecution Agreements with the SEC or DoJ. In connection with the internal investigation at the investigated non-US company will extend on EU particularities, like personal data protection and privacy, employment law questions, business secrets, questions which may arise in connection with international administrative or judicial cooperation in relation to fact finding and taking evidences.

Moderators: • Arthur MIDDLEMISS, *Lewis Baach PLLC, New York, NY, USA*

• Evans RICE, *Hogan Lovells US LLP, Washington, DC, USA*

Speakers:

- Judit BUDAI, *Szecskey Attorneys at Law, Budapest, Hungary*
- Richard N. DEAN, *Backer & Mc Kenzie, Washington, DC, USA*
- Christoph R. RAMSTEIN, *Pestalozzi Attorneys at Law LTD, Zurich, Switzerland*
- Sulaksh SHAH, *Pricewaterhousecoopers LLP, New York, NY, USA*
- David M. SIEGAL, *Partner, Haynes and Boone, LLP, New York, NY, USA*

16:00 – 16:30 COFFEE BREAK

16:30 – 17:30 ROUND-TABLE

Practical advice from and to compliance officers on conducting an international audit and treating findings

Moderator: • Oliver J. ARMAS, *Hogan Lovells US LLP, New York, NY, USA*

Speakers:

- Louis SAPIRMAN, *Chief Compliance Officer, Dun & Bradstreet, Short Hills, NJ, USA*
- Kelly TULLIER, *PepsiCo, New York, NY, USA*
- Mara DAVIS, *Univision, Teaneck, NJ, USA*
- Daryl KREML, *Boston Scientific Corporation, Natick, MA, USA*

17:30 – 17:45 CLOSING REMARKS

17:45 COCKTAIL RECEPTION

Hosted by Hogan Lovells US LLP

875 Third Avenue
New York, NY 10022, USA



Organising Committee

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General Information

SEMINAR VENUE

Hogan Lovells US LLP
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REGISTRATION FEES

	UIA/NYSBA Member		Non Member	
	≤ 09.08.2013	> 10.08.2013	≤ 09.08.2013	> 10.08.2013
STANDARD REGISTRATION	€ 350/USD 480	€ 400/USD 550	€ 400/USD 550	€ 450/USD 620
YOUNG LAWYER (<35)*	€ 300/USD 410	€ 350/USD 480	€ 350/USD 480	€ 400/USD 550

* Please attach proof of age to the registration form to benefit from young lawyer fee.

These fees cover participation in the cocktail, participation in the seminar, coffee breaks, lunch on Monday, September 9, 2013, as well as the documentation of the seminar. The dinner on Sunday, September 8 is optional and at additional charge. Please note that the number of places at the seminar is limited. The organisers reserve the right to refuse registrations in the event of excess applications.

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. CLE Certification: This program is pending approval for CLE credit in New York and California. For all other jurisdictions, attendees will receive a Uniform Certificate of Attendance.

Note to NY Attorneys: This program is appropriate for both newly-admitted and experienced attorneys.

A financial aid policy is available for US attorneys who are seeking financial aid.

NOTICE FOR FOREIGNERS TRAVELLING TO THE USA

As of January 12, 2009, all citizens of VWP (Visa Waiver Programme) countries who plan to travel to the United States for business or tourism using the VWP must pre-register with the Electronic System for Travel Authorization ("ESTA") programme and receive an electronic travel authorization prior to boarding a U.S.-bound airplane or cruise ship. (The requirement will not affect U.S. citizens travelling overseas.) ESTA applications may be submitted at any time prior to travel, although it is recommended that the VWP traveller apply for ESTA travel authorization at least 72 hours before departing for the United States. VWP travellers may apply for ESTA authorization at <https://esta.cbp.dhs.gov>. Once approved, ESTA travel authorizations will be valid for multiple entries for up to two years or until the applicant's passport expires, whichever occurs first. Please take note of this new requirement, as failure to register with ESTA will result in travel delays.

LANGUAGE

The working language will be **English**.

HOTEL ROOM RESERVATION

A limited number of rooms has been pre-booked at a preferential rate. Reservations should be made directly through the hotel. Credit card details must be given in order to secure your reservation. Please note that the number of rooms is limited. We recommend that you proceed with your reservations as soon as possible. **The booking deadline is August 7, 2013.** After this date the rates are applicable upon request and availability.

Hotels	Rates
COURTYARD MIDTOWN EAST HOTEL 866 Third Avenue New York, New York 10022, USA T +1-212-644-1300 F +1-212-317-7940 Sales: +1-212-644-1300 Sales fax: +1-212-317-7940 Toll-free: +1-800-894-6380	Single Room USD 299 Double room USD 329 Breakfast and taxes NOT included Breakfast: USD 17 Room Tax: 14.75% + USD 3.50 per room per night Occupancy Tax

Reservations should be made: • **By phone: +1 (800) 321-2211 or +1 (212) 644-1300** using the following name: "Union Internationale des Avocats", when calling in the reservations • **Online** following the instructions indicated on the seminar Website: www.uianet.org

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 August 9, 2013**. 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 August 9, 2013** to ensure there is enough time to obtain a visa.

All cancellations will be refunded in full, minus €50/USD 70 to cover administrative costs, provided that the UIA has received the registration documents and **total registration fees no later than August 9, 2013**.

If you register after this date, only 50% of the amount paid minus €50/USD 70 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.

FORCE MAJEURE

"Force majeure" means any events external to the parties, of both an unforeseeable and insurmountable nature that prevents either the client or the participants, or the agency or service providers involved in organising the seminar, from executing all or part of the obligations provided for in the present agreement. By express agreement, such will be the case in the event of a strike affecting the means of transport, hotel staff, air traffic controllers, an insurrection, a riot or any prohibition whatever decreed by Governmental or public authorities.

It is expressly agreed that for the parties, a case of force majeure would suspend the execution of their reciprocal obligations. At the same time, each of the parties shall bear the burden of all the expenses incumbent upon them, resulting from the case of force majeure.

HEALTH

The organisers decline any responsibility in case of any health problems existing prior to the seminar that may lead to complications or be aggravated during the entire period of the stay: pregnancy, cardio-vascular problems, any allergies, special diets, any disorders under treatment and not yet consolidated on the day the seminar starts, psychic or mental or depressive illness, etc. (Non exhaustive list).