

## PRELIMINARY PROGRAMME

### UIA 14<sup>th</sup> Winter Seminar

# Hot Legal Topics in the Age of Digitalization

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

**March 30 to April 6, 2019**



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## Aspen, Colorado, USA

 #UIAWinterSeminar

 @uia.winterseminar

**Seminar organised by the UIA**

**Co-sponsored by the ABA Section of Litigation and the ABA Section of International Law**

## PROGRAMME

All the information relative to our seminars is available on our Website [www.uanet.org](http://www.uanet.org) ("Events" 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, MARCH 30, 2019

**7:30 pm** Informal Get-Together

### SUNDAY, MARCH 31, 2019

**6:00 pm** Opening Reception & Opening Remarks

### MONDAY, APRIL 1, 2019

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

**am** **M&A in the Age of Digitalization – Due Diligence (Part 1)**

- DD reviews: changes in scope of review and focus due to new digital topics and challenges
  - Use of software/AI methods in legal due diligence
  - Current trends: are software/AI methods used in practice? What is the scope of its application?
  - Critical legal issues – mandate with client, lawyer's standard of care, potential liability risks and means to mitigate
  - Practical DD work: can software/AI methods substitute the work of lawyers? How do DD activities change?
- Review of publicly available information
  - Data room/VDR vs. publicly available data
  - Reliable public legal data sources
- DD reviews: Outsourcing of tasks, cooperation with other professionals in DD review, trend to commoditize certain DD review tasks
- DD reports – trends and best practices – scope, common assumptions and limitations

**Torsten ROSENBOOM**, *Watson Farley & Williams LLP, Frankfurt am Main, Germany*

**Arianna RIGHI**, *ADM International SARL, Rolle, Switzerland*

- Legal due diligence in the digital era – why lawyers will still be needed?

**Emanuel DETTWILER**, *Kellerhals Carrard Basel KIG, Basel, Switzerland*

- M&A in the age of digitalization – due diligence

**Michel BONNE**, *Van Bael & Bellis, Brussels, Belgium*

**pm** **M&A in the Age of Digitalization – Deal Structures (Part 2)**

- Acquisition of IT/technology driven companies: typical deal structures and particularities thereof

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

- Investments in high-growth businesses: possibilities and pitfalls of VC/PE transactions
- Alternative deal structures: cooperation and partnering instead of acquisition

**M&A in the Age of Digitalization – Negotiation and Documentation (Part 3)**

- Documentation trends: parties' expectations, use and benefits of model forms vs. tailor-made solutions
- Nuts and bolts in acquisition, investment and shareholders agreements

- M&A transactions for companies in distress

**Patrick DELLA FAILLE**, *Lydian, Brussels, Belgium*

### TUESDAY, APRIL 2, 2019

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

**am** **Corporate Governance in a Digitalized World**

- Duties and liability of directors and officers
  - Good governance/best practices for board organization/processes
  - Use of digital communication means: possibilities, limits and risks
  - Managing regulatory and compliance issues and risks
  - Preparing the Future Workforce Through AI and Other Transformative Technologies
- Natalie A. PIERCE**, *Littler Mendelson, P.C., San Francisco, CA, USA*

- Public corporate communication and disclosures [title tbc]

#### **Organization of Businesses and Formation of Companies**

- Forms for cooperation in multijurisdictional teams
- Existing corporate framework and limits for choosing location and resources
- The "virtual" company/cooperation: possibilities, challenges and risks
- New perspectives on ownership and control over businesses – release of open source products in the digital world

**pm**

#### **Digitalization and its Impact on Financing of Businesses and Projects**

- Funding of emerging growth businesses and companies
- New forms like crowdfunding, Initial Coin Offerings (ICO), Token Generating Events (TGE): legal and regulatory framework
- Comparative view: ICOs/TGEs vs. traditional forms of equity and debt financing

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

#### **Contracts in the Age of Digitalization**

- Established forms for contracts vs. new forms and developments
- Use of blockchain technologies
- Smart contracts

**Simon Peter QUEDENS**, *Lalive, Geneva, Switzerland*

- Negotiation and conclusion of digital contracts
- Negotiation and conclusion of digital contracts: are we ready?

**Francisco RAMOS ROMEU**, *Ramos & Arroyo Abogados, Barcelona, Spain*

### **WEDNESDAY, APRIL 3, 2019**

**MODERATOR: Maria CRONIN**, *Peters & Peters Solicitors LLP, London, UK*

**am**

#### **The New Face of White Collar Crime**

- The challenges and threats faced by corporates and governments in the digital age: compliance and cyber security
- Technology as a criminal means: cyber money laundering, cyber fraud and other forms of cyber crime
- Technology as a method of investigation: cross-border investigations, surveillance and data sharing
- Extradition in the digital era

**Angela DÍAZ-BASTIEN**, *Ernesto Díaz-Bastien & Asociados Abogados, Madrid, Spain*

**Véronique MOISSINAC MASSENAT**, *Paris, France*

**pm**

#### **Litigation in the Age of Digitalization**

- Jurisdiction for claims related to online activities: status and evolution
- Use of digital technologies in the courtroom: present and future
- Digital data in litigation: possibilities and pitfalls
- From parallel trials to fake news on social networks: the protection of justice in the digital age

**Keith E. OLIVER**, *Peters & Peters Solicitors LLP, London, UK*

- Digital data in litigation and the EU Regulation 679/2016 compliance – a comparative overview with the main rules adopted in Common Law countries

**Daniele DE BENEDETTI**, *Studio Legale Daniele De Benedetti, Turin, Italy*

- Impacts of digitalization on criminal law/human rights matters

**David SCHNEIDER-ADDAE-MENSAH**, *Karlsruhe, Germany / Strasbourg, France*

- A mixed experience of digitalisation in litigation in England

**Cecilia XU LINDSEY**, *Barrister, Arbitrator, London, UK*

- Technology in the service of judiciary and law: Saudi experience as an example for study

**Majed M. GAROUB**, *The Law Firm of Majed M. Garoub, Jeddah, The Kingdom of Saudi Arabia*

### **THURSDAY, APRIL 4, 2019**

**MODERATOR: Véronique MOISSINAC MASSENAT**, *Paris, France*

am

### ADR in the Age of Digitalization

- Online dispute resolution techniques: review of the matter

**Thierry GARBY**, *Honorary Attorney of the Paris Bar, Mediator, Trainer, Paris, France*

- Is online mediation or ADR successful? Advantages and disadvantages
- Good practices in the use of videoconferencing in dispute resolution
- The role of the mediator in the digital age

- A trial for the global collaboration of online dispute resolution – UNCITRAL, EU and APEC

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

- Mediation and arbitration a way of solving prolonged litigation in the regulated business community (Common Law approach)

**Kelechi Kenneth NWAGBO**, *Nigeria Export Processing Zones Authority, Abuja, Nigeria*

- Is online mediation or ADR successful? Advantages and disadvantages

**Alessia SIALINO**, *Studio Legale Sialino, Udine, Italy*

pm

### Arbitration in the Age of Digitalization

- E-arbitration agreements: problematic or not?
- E-discovery in the age of digitalization: *quo vadis*?
- Filing and protection of confidential information in arbitration
- Can arbitrators look for evidence online to ground their awards?

- Filing and protection of confidential information in arbitration

**Martin WIEBECKE**, *Anwaltsbüro Wiebecke, Küsnacht, Switzerland*

- Can arbitrators look for evidence online to ground their awards?

**Nicholas STEWART QC**, *Ely Place Chambers, London, UK*

- Selecting an arbitrator in the digital age

**C. Ryan REETZ**, *Bryan Cave Leighton Paisner LLP, Miami, FL, USA*

- Latest developments in e-discovery

**Robert K. KRY**, *MoloLamken, Washington, DC, USA*

## FRIDAY, APRIL 5, 2019

**MODERATOR: Robert K. KRY**, *MoloLamken, Washington, DC, USA*

am

### Legal Services in the Age of Digitalization

- Can lawyers and judges be replaced by robots? Should they be?
- Tools & the practice of law in the digital age: does and don'ts
- Legal tech: automation, artificial intelligence and management of legal services
- Use of social networks for lawyers: risks and benefits
- Public relations for clients in crisis in the digital age
- IT security for law firms

- Rule of law in a hyper-speed digital United States – Lady Justice's slipping blindfold

**James Y. RAYIS**, *Giarmarco, Mullins & Horton, P.C., Troy, MI, USA*

- Ethical rules for robots and the Old Testament

**Winfried SCHMITZ**, *SCHMITZ Law Offices, NY, USA*

- Can lawyers and judges be replaced by robots? Should they be?

**Malcolm McNEIL**, *Arent Fox LLP, Los Angeles, CA, USA*

### Review of the Seminar, Concluding Remarks

7:30 pm

Closing Dinner

## SATURDAY, APRIL 6, 2019

Informal interaction on the slopes

Organizing Committee	
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<b>Louis F. BURKE, Esq.</b> <i>Louis F. Burke PC</i> New York, NY, USA T +1 (212) 682 1700 <a href="mailto:lburke@lfbllaw.com">lburke@lfbllaw.com</a>	<b>Winfried F. SCHMITZ, Esq.</b> <i>SCHMITZ Law Offices</i> New York, NY, USA T +1 (917) 257 1537 <a href="mailto:winfried.schmitz@schmitzlaw.de">winfried.schmitz@schmitzlaw.de</a>
<b>Honorary Member of the Organizing Committee</b> <b>Bradley RICHARDS, Esq.</b> <i>Haynes and Boone LLP</i> 1221 McKinney Street 77010-2007 Houston, TX, USA T +1 (713) 547 2028 / F +1 (713) 236 5568 <a href="mailto:brad.richards@haynesboone.com">brad.richards@haynesboone.com</a>	

## GENERAL INFORMATION

### SEMINAR VENUE

#### Aspen Square Hotel

617 E. Cooper Avenue | Aspen, CO 81611, USA  
+ 1 (970) 925 1000

This seminar, organised by the UIA, 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

Follow the UIA on the social networks!





## REGISTRATION FEES

	On or before Febr. 28, 2019	After Febr. 28, 2019	Speaker Fees
<b>FULL COURSE</b>	<input type="checkbox"/> € 699	<input type="checkbox"/> € 759	<input type="checkbox"/> € 594.15
Young Lawyers (under 35)*	<input type="checkbox"/> € 599	<input type="checkbox"/> € 649	<input type="checkbox"/> € 509.15
Accompanying Person**	<input type="checkbox"/> € 200	<input type="checkbox"/> € 220	<input type="checkbox"/> € 200.00
<b>MONDAY TO WEDNESDAY</b>	<input type="checkbox"/> € 520	<input type="checkbox"/> € 570	<input type="checkbox"/> € 442.00
Young Lawyers (under 35)*	<input type="checkbox"/> € 445	<input type="checkbox"/> € 495	<input type="checkbox"/> € 378.25
Accompanying Person**	<input type="checkbox"/> € 100	<input type="checkbox"/> € 120	<input type="checkbox"/> € 100.00
<b>WEDNESDAY TO FRIDAY</b>	<input type="checkbox"/> € 570	<input type="checkbox"/> € 620	<input type="checkbox"/> € 485.50
Young Lawyers (under 35)*	<input type="checkbox"/> € 355	<input type="checkbox"/> € 405	<input type="checkbox"/> € 301.75
Accompanying Person**	<input type="checkbox"/> € 170	<input type="checkbox"/> € 190	<input type="checkbox"/> € 170.00

\* 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.

### Registration fees include:

the participation to the seminar, online access to the seminar presentations available on the Seminar Website, breakfast in the morning and refreshments in the evening during seminar sessions, as well as an opening reception on March 31 (full course and Monday to Wednesday registrations only) and the Closing Dinner on April 6 (full course and Wednesday to Friday registrations only).

## HOTEL RESERVATION

### Aspen Square Hotel

617 E. Cooper Avenue | Aspen, CO 81611, USA  
+ 1 (970) 925 1000 / [reservations@aspensquarehotel.com](mailto:reservations@aspensquarehotel.com)

A **limited number** of rooms has been pre-booked at a preferential rate at **Aspen Square Hotel** as shown below. Reservations should be made directly through the hotel indicating "UIA Group". A deposit of \$ 500 per week of stay is required. Final payment is due 30 days prior to arrival date. **Please book the hotel room as early as you can.** The pre-reserved room block expires on **January 31, 2019**, if any rooms will be left at that time. Credit card details must be given in order to secure your reservation.

Hotel & Rates			
<u>Description:</u>	<u>Rate:</u>	<u>Occupancy based on:</u>	<b><u>Cancellation policy:</u></b> If reservation is cancelled more than 30 days prior to arrival, the deposit of that room will be refunded less a \$ 50 cancellation fee. No cancellation fee will be deducted for a maximum of seven rooms if the reservation is cancelled more than 45 days prior to arrival. If any reservation is cancelled less than 30 days prior to arrival, the guest forfeits all monies received. In the event of a cancellation, the hotel is committed trying to rebook the room so that no costs beyond the cancellation fee may be incurred.
<b>Fireplace Studio</b>	<b>\$199</b>	2 people	
<b>Two-Bedroom</b>	<b>\$309</b>	4 people	
<b><u>NOT included:</u></b> Local and state taxes and fees currently at 17% combined.			

### CANCELLATION CONDITIONS OF THE UIA

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 February 28, 2019**. 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 February 28, 2019** 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 February 28, 2019**.

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.

### PERSONAL DATA PROTECTION

The personal data that you communicate to us shall be processed by the International Association of Lawyers (UIA – Union Internationale des Avocats), with its registered office at 20 rue Drouot, 75009 Paris (Tel: +33 1 44 88 55 66 - Fax: +33 1 44 88 55 77 - [privacy@uianet.org](mailto:privacy@uianet.org)), in accordance with Act No. 78-17 of January 6, 1978 relating to data, files and freedoms and Regulation No. 2016/679 on data protection, as of its entry into force on May 25, 2018. Your data will be managed by UIA's General Services, Events and Accounts Section:

- For the purpose of administering your registration for the event and your on-site access to the event;
- In order to pay for the selected services - your bank details will be deleted after receipt of your payment;
- In order to communicate information messages from UIA.

To the extent necessary for the execution of their respective tasks, our subcontractors in charge of our seminar organisation, our IT infrastructure, our management, the production and maintenance of our website and extranet, are likely to gain access to your data from time to time. Their servers are located in the European Union.

Data relating to your participation in the event shall be stored for a period of 10 years. We are obliged to archive billing data until the end of the period required for our tax and accounting obligations, i.e. for 7 full tax years. We shall store your contact information to keep you informed until you ask us to stop. You have the right to access your data and have it corrected if necessary.

You may object to any processing of your data undertaken by us for the purposes of our legitimate interests. If you wish for more information, or to lodge a complaint, please contact CNIL (French Data Protection Authority).

# UIA 14<sup>th</sup> Winter Seminar

ASPEN, COLORADO / USA

Hot Legal Topics in the Age of Digitalization

March 30 to April 6, 2019

Register online at: [www.uianet.org](http://www.uianet.org)

or please complete and return this form before March 15, 2019, by email, fax or post, to:

**UIA (International Association of Lawyers)**

**20 rue Drouot, 75009 Paris, France**

**Tel: +33 1 44 88 55 66 • Fax: +33 1 44 88 55 77 • Email: [uiacentre@uianet.org](mailto:uiacentre@uianet.org)**

Family Name: .....

First Name: .....

UIA Identification number (if you already have one): M I \_ \_ \_ \_ \_

Firm: .....

Address: .....

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

Country: .....

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

Email: .....

Date of Birth: .....

EU VAT ID-number: .....

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

Arrival/departure times & flight numbers: .....

## A. SEMINAR REGISTRATION FEES

<i>Please tick</i>	On or before Febr. 28, 2019	After Febr. 28, 2019	Speaker Fees
<b>FULL COURSE</b>	<input type="checkbox"/> € 699	<input type="checkbox"/> € 759	<input type="checkbox"/> € 594.15
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## B. SEMINAR SOCIAL ACTIVITIES

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

- ☐ Opening Reception, Welcome Cocktail – Sunday, March 31
- ☐ Closing Dinner – Friday, April 5

## C. ACCOMPANYING PERSON ACTIVITIES

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

- ☐ Opening Reception, Welcome Cocktail – Sunday, March 31                      x \_\_\_\_ person(s)
- ☐ Closing Dinner – Friday, April 5    x \_\_\_\_ person(s)

## D. TOTAL

<b>Total (A) – Registration Fees</b>	€ .....
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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.

## E. CANCELLATION CONDITIONS AND GENERAL CONDITIONS

I, the undersigned, confirm having read and accepted the cancellation policy and the general terms and conditions given on page 6 of the registration programme. My registration will only be taken into account after receipt of my payment.

The participant is aware that his/her image and/or voice may be recorded or filmed during the entire duration of the seminar and, by signing this registration form, grants UIA the right to use, reproduce and distribute the concerned images and recordings by any known or unknown means and on all types of media, for an unlimited duration, completely free of charge.

The undersigned acknowledges having been informed of the processing of the personal data contained in this form by UIA, as detailed on page 6 of the registration programme.

## F. METHOD OF PAYMENT

- ☐ By cheque in € payable to 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 "2019 Aspen Seminar", to the following bank and account:

**Société Générale – Paris Ellysées Entreprise**  
**91, avenue des Champs Ellysées – 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: .....