



*National Legislation
and Extraterritorial
Effects*

NYSBA

**International Law and
Practice Section
Fall Meeting 2003**

Amstel InterContinental Hotel • Amsterdam,
The Netherlands
October 22-26, 2003

CO-SPONSORS:

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Union Internationale des Avocats





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(US Ambassador to the Netherlands)

The Honorable W.E. Haak
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INTRODUCTION

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James P. Duffy, III, *Berg & Duffy LLP, Garden City*

Program Chair

Marco A. Blanco, *Curtis, Mallet-Prevost, Colt & Mosle LLP, New York City*

Chapter Chair, Amsterdam

Steven R. Schuit, *Allen & Overy, Amsterdam*

Important CLE Information

The New York State MCLE Board requirement for Attorneys in practice beyond the first two years after admission to the Bar is 24 credit hours per biennial registration cycle; with four hours of these credit hours earned in the area of ethics and professionalism. *This program will satisfy 2 hours in ethics and 14 hours in areas of practice management, or 16 hours in areas of practice management, depending on the programs selected.* The ethics portion of this program (up to 2 hours) will qualify for MCLE credit for newly admitted attorneys; however, the balance of the program will not qualify since it is not a basic practical skills program.

The Dutch Bar Association has confirmed that attendance at this conference provides Dutch lawyers with points in accordance with the Besluit Aanmerken als Opleiding (see *Vademecum Advocatuur, 2003, Wet & Regelgeving*) in the context of the Permanent Education of the Dutch Bar Association.

Don't miss your chance to earn these CLE credits. Sign up now!

Spouse Programs

There will be optional tours for spouses and family, including, visits to the Rijksmuseum and the Anne Frank House or a City Tour.

Discounts and Scholarships

New York State Bar Association members may apply for a discount or scholarship to attend this program, based on financial hardship. This discount applies to the educational portion of the program only. Under that policy, any member of our Association who has a genuine basis for his/her hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. To apply for a discount or scholarship, please send your request in writing to Linda L. Castilla at: New York State Bar Association, One Elk Street, Albany, New York 12207.

Updates

Keep yourself abreast of the newest developments, such as optional tours, additional speakers, new sponsors, program changes, etc. by checking our website at <http://www.nysba.org/sections/ilp/ilpsdesc.html>.

SCHEDULE OF EVENTS

Tuesday, October 21

6:00 – 8:00 pm **Chapter Chairs' Reception**
Amstel InterContinental Hotel Lobby

Wednesday, October 22

10:00 am - 2:00 pm	Chapter Chairs' Luncheon Apollolaan 15, Amsterdam Sponsored by Allen & Overy	6:30 – 8:00 pm	Welcoming Reception Transfer by canal boat to the Braggiotti Gallery Singel 424, Amsterdam Hosted by the Braggiotti Gallery
2:00 pm	Conference Registration Amstel InterContinental Hotel		
4:00 – 6:00 pm	Executive Committee Meeting Garden Room	8:15 pm	Dinner D'Vijff Vlieghen - "The Five Flies" Restaurant Spuistraat 294-302, Amsterdam

Thursday, October 23

8:30 am	Conference Registration – Tulpsaal		Speaker
9:00 – 9:15 am	Welcoming Remarks – Spiegelzaal James P. Duffy, III <i>Chair, International Law and Practice Section</i> A. Thomas Levin <i>President, New York State Bar Association, Albany</i> Marco A. Blanco <i>Program Chair</i>	1:00 – 2:15 pm	John G. Malcolm <i>Deputy Assistant Attorney General, US Department of Justice, Washington, D.C.</i> Attorneys Luncheon , Stadhouders Room Speaker: To be announced. Sponsored by Curtis, Mallet-Prevost, Colt & Mosle LLP
9:15-10:55 am	Plenary Session I – Spiegelzaal Corporate Control Contests in Europe - How Different is the Understanding of Shareholder Value In Europe and the US? Co-Chairs Professor Steven R. Schuit <i>Allen & Overy, Amsterdam</i> George J. Sampas <i>Sullivan & Cromwell LLP, London</i>	2:15 – 3:55 pm	Program III – Spiegelzaal The Legal Environment in Europe, and Notably the Netherlands, To Transact Hostile Take-Overs Co-Chairs Scott V. Simpson <i>Skadden, Arps, Slate, Meagher & Flom LLP, London</i> Joost van Lanschot <i>Stibbe, Amsterdam</i>
11:00 - 11:15 am	Coffee break Sponsored by Flemming, Zulack & Williamson, LLP		Speakers David A. Katz <i>Wachtell, Lipton, Rosen & Katz, New York City</i> Peter N. Wakkie <i>De Brauw Blackstone Westbroek, Amsterdam</i>
11:20 am – 1:00 pm	Program I – Spiegelzaal Trends in the Extraterritorial Enforcement of Antitrust Law Chair Onno W. Brouwer <i>Freshfields Bruckhaus Deringer, Amsterdam</i> Program II – Tuinzaal Privacy, Internet and Intellectual Property - Legal Issues Related to Peer-to-Peer Sharing Over the Internet Co-Chairs Sarah B. Deutsch <i>Vice President and Associate General Counsel, Verizon Communications, Inc., New York City</i> Christiaan Alberdingk Thijm <i>SOLV Advocaten, Amsterdam</i>		Program IV – Tuinzaal The Impact of EU Law on Cross Border Taxation Co-Chairs Roderik Bouwman <i>NautaDutilh, Rotterdam</i> James R. Shorter, Jr. <i>Thacher, Proffitt & Wood, New York City</i> Speakers Dr. Thomas Link <i>CMS Hasche Sigle, Frankfurt</i> Derk Prinsen (Tax Advisor) <i>NautaDutilh, Luxembourg</i> Jonathan Schwarz <i>Tax Barrister, London</i>

SCHEDULE OF EVENTS *(continued)*

Thursday, October 23 (continued)

4:30 - 5:15 pm
5:30 - 11:00 pm

Transfer to The Hague
Visit to the Peace Palace (Seat of the International Court of Justice) at The Hague
Carnegieplein 2, The Hague

Keynote Speaker
The Honorable Thomas Buergenthal
Judge at the International Court of Justice
Reception - Lobby of The Peace Palace
Dinner - The Kurhaus in The Hague
Sponsored by Stibbe

Friday, October 24

8:30 - 9:15 am
9:15 - 10:55 am

Continental Breakfast
Sponsored by Allen & Overy
Plenary Session II – Spiegelzaal
Developments in the Exercise of International and Extraterritorial Jurisdiction by US Courts: Are US Courts Becoming International Courts of Claim?
Co-Chairs
Joseph D. Pizzurro
Curtis, Mallet-Prevost, Colt & Mosle LLP
New York City
Peter von Schmidt auf Altenstadt
Houthoff Buruma, The Hague
Speaker
Richard T. Marooney, Jr.
King & Spalding LLP, New York City
Margaret K. Pfeiffer
Sullivan & Cromwell LLP, Washington, D.C.

11:00 - 11:15 am
11:20 am - 1:00 pm

Coffee break
Sponsored by Phillips Nizer LLP
Program V – Tuinzaal
Sarbanes-Oxley Act One Year After - Theory and Practice for Foreign Companies Listed on a US Stock Exchange
Co-Chairs
Thijs Alexander
Clifford Chance LLP, Amsterdam
Bill Hobbs
Linklaters, New York City
Program VI – Spiegelzaal
Legal Preparation for the World Wide Trade of Carbondioxide Emission Rights in Europe and the United States
Co-Chair
Constantine Sidamon-Eristoff
Lacher & Lovell-Taylor, New York City
Rutger de Witt Wijnen
De Brauw Blackstone Westbroek, Amsterdam
Attorneys Luncheon, Stadhouders Room
Speaker: To be announced
Sponsored by Alston & Bird LLP

2:15 - 3:55 pm

Program VII – Spiegelzaal
Decoding the Legal Conundrum of Cross Border Transactions - Help for Practitioners Through Harmonization
Co-Chairs
Dr. Christophe Bernasconi
First Secretary, Hague Conference on Private International Law, The Hague
Joyce M. Hansen
Deputy General Counsel and Senior Vice President, Federal Reserve Bank of New York, New York City
Speakers
Spiros Bazinas
UNCITRAL, Vienna
Philippe Dupont
Arendt & Medernach, Luxembourg
Guy Morton
Freshfields Bruckhaus Deringer, London

7:00 - 9:30 pm

Program VIII – Tuinzaal
Transatlantic Estate Planning: How Far Beyond Borders Do National Inheritance, Trust and Tax Laws Reach?
Co-Chairs
Michael W. Galligan
Phillips Nizer, LLP, New York City
Ineke A. Koele
Van Mens & Wisselink, Utrecht
Speakers
Glenn G. Fox
Alston & Bird LLP, New York City
Lawrence E. Shoenthal
M.R. Weiser LLP, New York City
Erik J. Stapper
Stapper & Van Doren, New York City
R. Mark Williamson
Alston & Bird LLP, Atlanta
Reception with Dinner Buffet
Piano Factory Cristofori
Prinsengracht 583, Amsterdam
Sponsored by Loyens & Loeff

Saturday, October 25

9:15 – 10:55 am

Program IX – Spiegelzaal
Creating an Integrated European Securities Market - The Need to Coordinate with the SEC

Co-Chairs

Pim Horsten

Allen & Overy, Amsterdam

William J. Williams, Jr.

Sullivan & Cromwell LLP, New York City

Program X – Tuinzaal
Transnational Practice and Legal Professionalism

Co-Chairs

Dolf Segaar

CMS Derks Star Busmann, Utrecht

Philip von Mehren

*Curtis, Mallet-Prevost, Colt & Mosle LLP
 New York City*

Speakers

Carlos E. Alfaro

Alfaro Abogados, Buenos Aires

Jonathan Goldsmith

Secretary General of the Council of the Bars and Law Societies of the European Union, Brussels

Clifford J. Hendel

Arãoz & Rueda, Madrid

11:00 - 11:15 am

Coffee break

11:20 am - 1:00 pm

Program XI – Spiegelzaal
US and European Experiences in Privatizing the Electricity Industry and other Energy Providers

Chair

Max W.F. Oosterhuis

Loyens & Loeff, Rotterdam

Program XII – Tuinzaal
Choice of Law and Choice of Forum Clauses as Dispute Resolution Strategies or Pitfalls

Co-Chairs

Johan Droogmans

Alston & Bird LLP, Atlanta

Arent van Wassenauer

Norton Rose, Amsterdam

Speakers

Speakers from the following firms will participate:

Gide Loyrette Nouel

Lalive & Partners

Loyens & Loeff

Nörr Stiefenhofer Lutz

Norton Rose

7:00 - 11:00 p.m.

Formal Gala Dinner

*Park Plaza
 Rokin 78, Amsterdam*

Sponsored by De Brauw Blackstone Westbroek

PLANNING COMMITTEE

James P. Duffy, III, Esq., *Section Chair*
 Berg & Duffy, Garden City

Marco A. Blanco, Esq., *Program Chair*
 Curtis, Mallet-Prevost, Colt & Mosle LLP,
 New York City

Steven R. Schuit, Esq., *Chapter Chair, Amsterdam*
 Allen & Overy, Amsterdam

Ewout Van Asbeck, Esq.
 NautaDutilh, Amsterdam

Paul M. Frank, Esq., *Chair-Elect*
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Patrick Keijsers, Esq.
 Clifford Chance LLP, Amsterdam

Thomas Laurer, Esq.
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 Stibbe, Amsterdam

Jude Wu
 Curtis, Mallet-Prevost, Colt & Mosle LLP

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Host of Welcoming Reception

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