



the global voice of  
the legal profession

GEORGETOWN LAW

This course is part of an on-going programme devised by the IBA's Public and Professional Interest Division (PPID) to assist young lawyers and junior members of the profession with their understanding of the fundamentals of international legal practice.

# The Fundamentals of International Legal Business Practice

Organised by the IBA Young Lawyers Committee

**Saturday 17 September 2016**

**Georgetown University Law Center  
McDonough Hall, Room 207  
600 New Jersey Avenue NW  
Washington, DC 20001**

A set of course materials will be made available to delegates.  
The course will be conducted in English.

Registration fee of US\$40 includes lunch for all participants.

# Programme

**Saturday** 17 September 2016

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1000 – 1030 **Registration**

1030 – 1045 **Welcome remarks**

**Alberto Mata Rodríguez** *Deutsche Pfandbriefbank, Spain; Young Lawyers Initiatives Officers, Young Lawyers' Committee*

1045 – 1100 **Introduction to the IBA**

**Masha Ooijselaar** *Warner Bros, England; Student Liaison, Young Lawyers' Committee*

1100 – 1230 **Round Table: Corporate lawyers 2.0 – specialised in sustainability and human rights**

The session will explore the new role of corporate lawyers, socially responsible, adjusting to global economical needs and promoting human rights and sustainability in multinationals. Challenges and opportunities for business lawyers will be addressed. The profession has been called to take the lead in the transformation of global markets by means of pursuing positive impacts and preventing human rights violations.

*Moderator*

**Alberto Mata Rodríguez**

*Panellists*

**Ian McDougall** *LexisNexis, Legal & Professional division of RELX Group, USA*

**Carmen Pombo Morales** *Director Fernando Pombo Foundation, Spain; Vice Chair, Poverty and Social Development Subcommittee*

**Lauren Rogal** *Georgetown University Law Center, USA*

1230 – 1400 **Lunch**

## MOBILE TELEPHONES

Delegates are requested to ensure that mobile telephones and any other portable devices are switched off during the working sessions.

# Saturday continued

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## 1400 – 1530 **M&A transactions in a complex global economy**

This panel aims to discuss the particularities of the implementation of M&A transactions after the closing and how to deal with every singularity in a global M&A structure. It will be analysed the differences among the jurisdictions concerning the legal requisites to be complied by the parties, as like the governmental authorisations and agencies' approvals, and the role of the lawyers to ensure the timely performance of parties' obligations.

*Moderator*

**Bruno Oliveira Maggi** *KMM Advogados, Brazil; Website Officer, Young Lawyers' Committee*

*Speakers*

**Fernando Antas da Cunha** *Antas da Cunha Advogados, Portugal*

**David Armitage** *Gateley, England*

**Professor James V Feinerman** *Georgetown University Law Center, USA*

**Pranav Srivastava** *Phoenix Legal, India*

## 1530 – 1700 **Anything except litigation: arbitration, mediation and other forms of alternative dispute resolution**

The panellists will provide a primer on arbitration, mediation and other forms of alternative dispute resolution, highlighting issues that often come up in the international context. These forms of alternative dispute resolution will be compared to the litigation of cases in the United States, which can be fraught with costs and risks.

*Moderator*

**Mark K Hsu** *Hawkins Parnell Thackston & Young, USA; Communications Officer, Young Lawyers' Committee*

*Speakers*

**Jennifer Haworth McCandless** *Sidley Austin, USA*

**Luis M Martinez** *American Arbitration Association and International Centre for Dispute Resolution, USA*

**Dámaso Riaño** *Arias, Spain*

**Kaustubh Sinha** *Adhrit Legal, India*

**Professor Anne Marie Whitesell** *Georgetown University Law Center, USA*

## 1700 – 1730 **Georgetown Law – opportunities for international lawyers**

**Justin Swinsick** *Georgetown University Law Center, USA*

## 1730 – 1800 **Closing Remarks**

**David W Rivkin** *Debevoise & Plimpton, USA; IBA President*

## 1800 – 1930 **Reception**

*Sponsored by*

# GEORGETOWN LAW

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# Biography of speakers

(in alphabetical order)

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## **Professor James Feinerman**

Professor Feinerman joined the Law Center faculty as a visiting professor for the 1985-86 academic year. Immediately after law school he studied in the People's Republic of China. Subsequently, he joined the New York firm of Davis Polk & Wardwell as a corporate associate. During 1982-83, Professor Feinerman was Fulbright Lecturer on Law at Peking University. In 1986, he was a Fulbright researcher in Japan. In 1989, he was awarded a MacArthur Foundation fellowship to study China's practice of international law. During the 1992-93 academic year, he was a Fellow at the Woodrow Wilson International Center for Scholars. From 1993-95, on leave from the Law Center, Professor Feinerman was the Director of the Committee on Scholarly Communication with China. Professor Feinerman served as Editor-in-Chief of the ABA's *China Law Reporter* from 1986-1998. Also, Professor Feinerman was the Co-editor of *The Limits of the Rule of Law in China* (2001), and Co-Author of *China After the WTO: What You Need to Know Now* (2001).

## **Jennifer Haworth McCandless**

Jennifer focuses her practice in the area of international dispute resolution, including investment treaty arbitration and international commercial arbitration. In arbitration, she has advised and represented private and sovereign clients in proceedings before the International Centre for Settlement of Investment Disputes (ICSID) and its Additional Facility, as well as in ad-hoc arbitration such as under the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL). She has also advised and represented private parties and governments in WTO disputes. In addition, she has counseled clients on the selection of arbitration clauses to be included in investment treaties and in international commercial agreements. Ms. Haworth McCandless has also advised clients on domestic court litigation involving U.S. trade practice.

Ms. Haworth McCandless is consistently recognized for her arbitration work and is listed as a recommended lawyer in International Arbitration The Legal 500 Latin America 2013–2014 and The Legal 500 2014–2015. In the most recent edition of The Legal 500 Ms. Haworth McCandless is praised as “outstanding” and “never tires of responding to questions.”

Ms. Haworth McCandless has spoken on issues concerning international arbitration and investor-state dispute resolution including at seminars and workshops sponsored by American University's Washington College of Law, the U.S. Council for International Business's Young Arbitrators Forum, and the International Law Section of the D.C. Bar. In addition, Ms. Haworth McCandless has served for a number of years as the Chair of the Joint Swearing-In Ceremony for the U.S. Court of International Trade and the U.S. Court of Appeals for the Federal Circuit sponsored by the International Law Section of the American Bar Association. She also served as a member of the Investment Subcommittee of the U.S. State Department's Advisory Committee on International Economic Policy Regarding the U.S. Model Bilateral Investment Treaty in 2009 and Regarding the Implementation of the OECD Guidelines for Multinational Enterprises in 2010. Ms. Haworth McCandless is also the co-chair of the D.C. Committee on the Promotion and Retention of Women.

Prior to entering private practice, Ms. Haworth McCandless clerked for two years for Gregory W. Carman, former Chief Judge of the U.S. Court of International Trade in New York. In addition, she served as a legal intern with the U.S. Trade Representative's (USTR) office of General Counsel in Washington, D.C. and with the USTR's Office in Geneva, Switzerland. She also served as a legal intern at the United Nations in New York and has worked at the World Bank in Washington, D.C.

## Biography of speakers continued

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### **Ian McDougall**

Ian McDougall, is the Executive Vice President and General Counsel for the LexisNexis, Legal & Professional division of RELX Group.

Mr. McDougall joined LexisNexis in 2004 as Vice President and Legal Director for LexisNexis International (LNI), where he oversaw the legal function for the group, including Regulatory Compliance, Commercial Agreements, IT, Intellectual Property and Litigation. Mr. McDougall was also involved in business strategy, acquisitions and general business planning. At LexisNexis, Mr. McDougall has stepped into varying roles, including Interim HR Director for LNI and Interim Managing Director for LexisNexis New Zealand. In addition, he led the LexisNexis implementation of the U.K. Bribery Act compliance and created the organization's first broad regulatory compliance review program.

Before joining LexisNexis, he led Legal, HR and Facilities departments at Telco Global Ltd., previously one of the largest U.K. independent telecom providers. Mr. McDougall also acted as Chief European Counsel and Group Company Secretary for Hughes Electronics, a former subsidiary of General Motors Corp. Prior to that, Mr. McDougall served in various legal leadership roles for a number of technology and finance organizations; he also has extensive private practice experience.

Mr. McDougall sits on the United Nations Rule of Law Steering Committee and is a member of the UN General Counsel Advisory Board. Until Mr. McDougall's move to New York he was a Board Director and Trustee for U.K. charity Peaceful Place, which is dedicated to providing support to sufferers of early-onset dementia. He was also appointed as judge in the Barrister's Disciplinary Tribunal and is a broadcast cricket commentator in association with the Royal National Institute for the Blind. Mr. McDougall is based in New York.

### **Dámaso Riaño**

Dámaso joined Arias SLP in 2013 and he became partner in 2014. Previously, he was Counsel at Legazpi Buide & Asociados and an Associate at Uría Menéndez. Since 2011, he has also been an Associate Professor of Corporate Law at IE University. Dámaso's practice focuses on litigation and arbitration. He has also practised extensively in the fields of corporate governance and company law.

Dámaso obtained his BA in Law and Political Science, with Distinction, at the Universidad Autónoma de Madrid in 2006. In 2005, he attended Cambridge University for an academic year. Dámaso received a scholarship from the Rafael del Pino Foundation in order to pursue a LLM in Corporate and Commercial Law, which he obtained with Distinction at the London School of Economics and Political Science (LSE), in 2010.

Dámaso has been a member of the Madrid Bar Association since 2006. He is also a member of the Club Español del Arbitraje, the Rafael del Pino Alumni Association and the Oriol-Urquijo Foundation Alumni Association. Since 2016, Dámaso is a member of the IBA Arbitration Guidelines and Rules Subcommittee.

Dámaso is ranked as up and coming in Dispute Resolution Spain by Chambers Global and Chambers Europe 2016.

### **David W Rivkin**

David W Rivkin is the President of the International Bar Association (IBA). His tenure is for the calendar years of 2015 and 2016.

Mr Rivkin is the first US lawyer to hold the position of IBA President for a quarter of a century. His membership of the IBA spans a period of nearly three decades, during which time he has held many senior positions. In addition to being a member of the IBA's Management Board since 2003, posts have included: Vice-President (2013–2014); Secretary General (2011–2012); Chair, IBA Foundation (2009–2010); Chair, Legal Practice Division (LPD) (2007–2008); Secretary-Treasurer, LPD (2003–2004); Council Member, LPD (2000–2003); and Chair, Arbitration Committee (1998–2001). As Chair of the Arbitration Committee, he led the drafting of the IBA Rules on the Taking of Evidence in International Arbitration – an internationally accepted resource to parties and arbitrators that provides an efficient, economical and fair process for the conduct of international arbitration.

## Biography of speakers continued

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Mr Rivkin is a litigation partner at Debevoise & Plimpton LLP in both the New York and London offices. He has broad experience in the areas of international litigation and arbitration and has handled international arbitrations throughout the world under common law, civil law and Islamic law systems.

He is identified as one of the top 11 international arbitration practitioners worldwide in Chambers Global (2013) and is consistently ranked in the top tier of International Arbitration counsel and arbitrator in Chambers USA, where he is lauded as 'a true giant in the field, whose depth of knowledge is incredible'.

Other recognitions include:

- Listed among the 'Stars' of International Arbitration by International Financial Law Review Benchmark: Litigation (2014). This publication acknowledged him for his resourcefulness and ability to represent a diverse set of clients.
- Listed as a 'leading lawyer' for International Arbitration in The Legal 500 (2013), which has described him as 'a brilliant lawyer and tactician' with an 'analytical mind'.
- Who's Who Commercial Litigation (2013) described him as 'a superb practitioner with broad experience of advising major companies in transnational litigation.'
- Along with Debevoise partner Christopher Tahbaz and co-counsel Bae Kim & Lee, awarded the GAR 2010 Arbitration Win of the Year for representation of Hyundai Heavy Industries.

Mr Rivkin has held leadership positions in many arbitration bodies including the London Court of International Arbitration (LCIA), the Arbitration Institute of the Stockholm Chamber of Commerce (SCC), the Singapore International Arbitration Centre (SIAC) the American Arbitration Association (AAA) and the Court of Arbitration for Sport (CAS). Among other positions, Mr Rivkin is also a member of the Council of the American Law Institute and an active member of the Council on Foreign Relations and various committees of the US Department of State. He has served as a member of the Ad Hoc Division of the Court of Arbitration for Sport at the Olympic Games in 2002, 2004 and 2008.

Mr Rivkin graduated magna cum laude from Yale University in 1977 with a BA in history and received his JD from Yale Law School in 1980. He has been married to Marilyn Aloï Rivkin for more than 30 years. They have two daughters, Jessica Rivkin Larson and Catherine Aloï Rivkin, and a grandson, Andrew David Larson.

### **Alberto Mata Rodríguez**

Alberto is the Director of the Legal Department in Spain of Deutsche Pfandbriefbank AG (pbb), a leading European specialist bank for real estate financing and public investment finance. Prior to joining pbb, he practiced with the Spanish law firm Gómez-Acebo & Pombo, where he worked as a finance attorney. He focuses in national and cross-border restructuring and debt workout transactions and private sector financing such as corporate financings, project financings (energy and infrastructure), asset financings (real estate and vessels), and public financings. In addition to that, he has been an extern of the Financial and Fiscal Law Unit of the International Monetary Fund in its headquarters in Washington D.C. and he has collaborated with World Bank in the "Doing Business Reports 2015, 2016 & 2017" –Getting Credit Indicator– as an expert in the field of secured transactions and insolvency in Spain.

Mr. Mata Rodríguez obtained his a B.B.A. and his *licenciatura* (J.D. equivalent) from Universidad Carlos III de Madrid (Spain). In 2013 he pursued a LL.M. in Securities and Financial Regulation from Georgetown Law, where he was a member of the Committee on Investment and Social Responsibility of Georgetown University Investment Office.

Mr. Mata Rodríguez is currently an Associate Professor at IE University (Madrid, Spain) where he teaches Business Law. He has also spoken on issues concerning pro bono and low bono in institutions such as Club Siglo XXI and Ilustre Colegio de Abogados de Madrid, and has published several finance-related articles in the main Spanish economic news papers –Expansión and Cinco Días–. In addition to his responsibilities as an Officer of the Young Lawyer's Committee of the International Bar Association, Alberto is a member of the Board of Director of the Spain-American Bar Association.

## Biography of speakers continued

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In 2013 Alberto received the International Bar Association Outstanding Young Lawyer of the Year Award, in recognition of William Reece Smith Jr., being the first Spanish and European lawyer to receive such award. The year after, in 2014, his alma mater, Universidad Carlos III de Madrid awarded him with the Excellence Award – Alumni Category–.

### **Lauren Rogal**

Lauren Rogal is a Supervising Attorney and Clinical Teaching Fellow in the Social Enterprise & Nonprofit Law Clinic. She previously spent three years at the DC firm of Klamp & Associates, P.C., which exclusively serves nonprofits and social enterprises. During her time as an associate, Lauren focused on developing sustainable financing structures for community development and facilitating complex international transactions. Her background also includes positions at the United Nations Development Programme, the Calvert Social Investment Foundation, and the Community Legal Education Center, which works on natural resource rights in Cambodia. Lauren earned her JD from the University of Michigan Law School and MA from the School of Advanced International Studies at the Johns Hopkins University. At Michigan, she was a Clarence Darrow Scholar and received the Hessel Y. Yntema Award for international and comparative law.

### **Kaustubh Sinha**

Kaustubh is a co-founder and Partner of Adhrit Legal, a full-service law firm, based in National Capital Region of New Delhi, India.

Kaustubh heads corporate and commercial, dispute resolution practice of the firm. He is regularly consulted on pre-litigation and litigation strategies including, but not limited to advising on pre-determined alternate modes of dispute resolution, exit strategies in case of deadlock, choice of applicable law and all possible legal solutions to balance the conflicting interests. Kaustubh also handles the complete real estate portfolio for well-known family owned businesses, where he advises on all aspects of compliances, transactions and monetization of assets.

As part of the firm's advocacy and research initiative, Kaustubh has written several research papers and conducts legal awareness workshop and seminars. Kaustubh is the Website Officer of the Mediation Committee of the IBA.

### **Professor Anne Marie Whitesell**

Anne Marie Whitesell is Professor, LL.M. Program and Faculty Director of International Dispute Resolution Programs at Georgetown University Law Center in Washington D.C. Prior to joining Georgetown, she practiced with the law firm Dechert LLP in Washington and Paris. Ms. Whitesell was Secretary General of the ICC International Court of Arbitration from 2001 to 2007. She also previously taught at the Université de Paris I, the Institut de Droit Comparé and Georgetown. Ms. Whitesell has practised with law firms in both the United States and in France, and has acted as counsel and arbitrator in numerous international arbitration cases. She serves as a member of various boards and committees related to dispute resolution and is the Director of the Alternative Dispute Resolution Center of the International Law Institute. Ms. Whitesell received her J.D. from the University of Virginia School of Law and her Doctorate in Law from the Université de Paris I, Panthéon-Sorbonne. She is admitted to the New York State Bar, the District of Columbia Bar and the US District Courts for the Southern and Eastern Districts of New York.



# International Bar Association

the global voice of the legal profession

The **International Bar Association** (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 individual lawyers and more than 190 bar associations and law societies spanning over 160 countries and has considerable expertise in providing assistance to the global legal community.

Grouped into two divisions – the **Legal Practice Division** and the **Public and Professional Interest Division** – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law around the globe. Additionally, the IBA's world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners, senior business professionals, regulators and government officials.

## European Regional Forum overview

The European Regional Forum has been developing and strengthening the existence of the IBA within the whole of Europe by promoting the goals of the IBA to members, non-members and others, disseminating professional know-how, and assisting the committees and other constituencies of the IBA to increase their presence in the different sub-regions of Europe, including parts of North Africa and the Middle East.

The goals of the forum include addressing current and long-term needs of professional organisations and individual members within the geographical reach of the Forum, as well as increasing membership and participation in the IBA and integrating them within the organisation. The Forum will also facilitate cross-border activity between lawyers and bars in different European countries. The Forum has a particular focus on cross-disciplinary activities. It seeks to facilitate relevant networking and information/experience sharing opportunities and encompasses the social and collegial interests of both members and potential members with other regional fora, the Corporate Counsel Forum and the Young Lawyers' Committee and all LPD committees in general. The Forum has 7,700 members and its membership continue to increase as it becomes one of the most integrated and dynamic fora in the IBA.

## Contact information

### International Bar Association

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