A conference presented by the IBA Securities Law Committee, supported by the IBA Banking Law Committee, the IBA Closely Held Companies Committee, the IBA Corporate and M&A Law Committee and the IBA Latin American Regional Forum

The crossroads of international finance and public equity deals: New trends and financing bottlenecks

14–15 September 2023, Rio de Janeiro

There is increased activity in financed acquisitions and different types of public securities transactions involving listed companies worldwide. This growing market demands legal services that can handle all of the aspects of these deals and that pay attention to environmental, social and governance issues. This conference will be an opportunity for financial and public securities law professionals to discuss the most relevant issues and how to respond to clients’ needs.

Topics include:
• New trends and financing in hostile takeovers
• Distressed assets and restructuring of publicly traded companies
• Finance closing conditions in securities transactions
• Issuer board members’ duties in connection with public securities transactions
• The bottleneck in public securities transactions, leveraged buyouts and finance

BOOK NOW AT www.ibanet.org/conference-details/conf2311

REGISTER BEFORE 4 AUGUST 2023 TO RECEIVE EARLY REGISTRATION DISCOUNTS
Programme

Conference Co-Chairs
Judit Budai  Szecskay Attorneys at Law, Budapest; Co-Chair, IBA Securities Law Committee
Tom Fagernäs  Krogerus, Helsinki; Co-Chair, IBA Securities Law Committee
Francisco Antunes Maciel Müssnich  BMA Advogados, Rio de Janeiro; Latin American Regional Forum Liaison Officer, IBA Securities Law Committee

Organising Committee
Paola Lozano  Skadden Arps Slate Meagher & Flom, New York City, NY
Cecilia Mairal  Marval O’Farrell & Mairal, Buenos Aires; Council Member, IBA Legal Practice Division
Paula Vieira de Oliveira  Mattos Filho, São Paulo; Vice Chair, IBA Latin American Regional Forum
Fabiola Cavalcanti  TozziniFreire Advogados, Rio de Janeiro; Diversity and Inclusion Officer, IBA Latin American Regional Forum
Luciana Tornovsky  Demarest Advogados, São Paulo; Senior Vice Chair, IBA Closely Held Companies Committee
Marcelo Viveiros de Moura  Pinheiro Neto Advogados, Rio de Janeiro

Local Host Committee
BMA Advogados
KLA Advogados
Mattos Filho
Pinheiro Neto Advogados
Veirano Advogados

Thursday  14 September

0830 – 1600 Registration

0930 – 0945 Opening remarks

0945 – 1030 Keynote address
Rosiska Darcy de Oliveira  Writer, Rio de Janeiro
Rosiska is a member of Academia Brasileira de Letras and a lawyer with a doctorate from the Université de Genève. She began her career as a journalist and today is the director of the Academia Brasileira de Letras magazine. In the 1970s, she actively participated in the emerging international women’s movement. She created a new course at the Université de Genève on the ‘feminine’, a theme that supported her doctoral thesis, at the Faculté de Psychologie et Sciences de l’Education.

At an international level, she has co-chaired the Brazilian Delegation to the World Conference on Women in Beijing, integrated the Women and Development Council of the Inter-American Development Bank, represented Brazil on the OAS Inter-American Commission of Women and was the first president of the Specialized Meeting of Women in Mercosur. A UNESCO consultant on the emergence of women in culture, she has been a member of the World Panel on Education for Sustainable Development and the World Panel for Democracy.

1030 – 1100 Coffee/tea break
Thursday continued

1100 – 1230  
**New trends and financing in hostile takeovers**
The session discusses the current trends and future outlook of hostile takeovers including, but not limited to, conditions that may be attached to the offer, delisting plans of the raider and adequate disclosure. The session will analyse the increasing need for financing in these campaigns in an environment with lower liquidity and increasing competition among stock exchanges in different jurisdictions.

*Session Co-Chairs*
Francisco Antunes Maciel Münsnich  *BMA Advogados, Rio de Janeiro; Latin American Regional Forum Liaison Officer, IBA Securities Law Committee*
Paola Lozano  *Skadden Arps Slate Meagher & Flom, New York City, NY*

*Speakers*
Claudia Barrero  *Philippi Prietocarrizosa Ferrero DU & Uria, Bogota; Diversity and Inclusion Officer, IBA Women Lawyers’ Committee*
Sophie Cornette de Saint Cyr  *Bredin Prat, Paris; Vice Chair, Financial Conferences Subcommittee, IBA Securities Law Committee*
Steven Green  *Wachtell Lipton Rosen & Katz, New York City, NY*
Fabio Nazari  *BTG Pactual, São Paulo*
Fred Pletcher  *Borden Ladner Gervais, Vancouver, BC*

1230 – 1400  **Lunch**

1400 – 1530  
**Distressed assets and restructuring of publicly traded companies**
In a world where many countries are facing economic challenges in the post-pandemic era, assets of companies in formal reorganisation or bankruptcy proceedings became a great opportunity for discretionary buyers worldwide. This panel will discuss, with specialists of selected jurisdictions, the nuts and bolts of the reorganisation of publicly traded companies and how to acquire distressed assets in such jurisdictions while minimising the risks for the buyer.

*Session Co-Chairs*
Cecilia Mairal  *Marval O’Farrell & Mairal, Buenos Aires; Council Member, IBA Legal Practice Division*
Marcelo Viveiros de Moura  *Pinheiro Neto Advogados, Rio de Janeiro*

*Speakers*
Francisco Cestero  *Cleary Gottlieb Steen & Hamilton, São Paulo*
David Flechner  *Allen & Overy, New York City, NY; Vice Chair, Mergers and Acquisitions Subcommittee, IBA Securities Law Committee*
Clare O’Brien  *Shearman & Sterling, New York City, NY*
Marcos Spieler  *Rothschild & Co, São Paulo*
Carolina Zang  *Zang Bergel & Viñes Abogados, Buenos Aires; Council Member, IBA Legal Practice Division*

1530 – 1600  **Coffee/tea break**

1600 – 1730  
**Finance closing conditions in securities transactions**
Securities transactions are frequently used to fund business expansion globally. This panel will explore the use of different types of securities transactions in financing operations such assets, shares and bonds together, with practical examples of the most ordinary financing conditions precedent. Experts from different jurisdictions will present the current trends in their relevant countries in terms of closing conditions in securities transactions.

*Session Co-Chairs*
Fabiola Cavalcanti  *TozziniFreire Advogados, Rio de Janeiro; Diversity and Inclusion Officer, IBA Latin American Regional Forum*
Luciana Tornovsky  *Demarest Advogados, São Paulo; Senior Vice Chair, IBA Closely Held Companies Committee*

*Speakers*
Logan Anderson  *Greenberg Traurig, Atlanta, GA*
Ting Chen  *Cravath Swaine & Moore, New York City, NY*
Ivan Delgado  *Perez-Llorca, Madrid; Website Officer, IBA Closely Held Companies Committee*
Victoria Funes  *Bomchil, Buenos Aires*
Roberto Guerrero V  *Cuatrecasas Gonçalves Pereira, Santiago*

1930 – 2200  **Welcome reception offered by the local host committee**
0900 – 1130 Registration

0930 – 1100
Issuer Board Members’ duties in connection with Public Securities Transactions

The development of capital markets in many jurisdictions and new corporate structures of publicly-held corporations have raised the bar in terms of novelties and complexities in transactions and other matters involving listed securities. To address these concerns, as well as the interests of the large number of stakeholders involved in public company M&A, equity offerings and stock markets in general, corporate governance rules are becoming increasingly stricter.

In this session, we will discuss the duties and roles of the board members in the context of public securities transactions, as the ones responsible for guaranteeing that the law and applicable rules will be respected and that new policies and trends (such as environmental, social, governance (ESG)) are effectively promoted.

Session Co-Chairs
Adriana Pallis Machado Meyer Advogados, São Paulo
Paula Vieira de Oliveira Mattos Filho, São Paulo; Vice Chair, IBA Latin American Regional Forum

Speakers
Todd Crider Simpson Thacher & Bartlett, New York City, NY
Jaime Cubillos Posse Herrera Ruiz, Bogotá; Sustainability Initiatives Officer, IBA Latin American Regional Forum
Cristian Figueroa Carey, Santiago
Anna Martini Pereira Willkie Farr & Gallagher, New York City, NY
Luciana Pires Dias L Dias Advogados, São Paulo

1100 – 1130 Coffee/tea break

1130 – 1300
The bottleneck in public securities transactions, leveraged buyouts and finance

Global M&A and, more specifically, public securities transactions and buyout activity has slowed amid a shortage of debt financing caused by rising interest rates and banks' reluctance to open their money taps. The unprecedented geopolitical and macro-economic volatility around the world – and hawkish interest rate moves – drove up financing costs and weighed down valuations. The number of leveraged buyout deals announced worldwide has significantly dropped, while the overall value of transactions has taken a hit.

This panel will discuss how acquirers are rethinking how they pull off large deals, and the challenges they have been facing in this restrictive environment, after such a contraction in global buyout activity, as the gap between buyer and vendor pricing expectations has widened, and securing debt to finance deals has also become more challenging and expensive. The panel will also tackle the perspectives for the future, taking into account any further changes in the economic and political scenarios that may affect positively deals in the pipeline.

Session Co-Chairs
Gabriella Covino Gianni & Origoni, Rome; Secretary, IBA Corporate and M&A Law Committee
Monique Mavignier BMA Advogados, São Paulo; Diversity and Inclusion Officer, IBA Banking Law Committee

Speakers
Karin Alvo KLA Advogados, São Paulo
Werner Ahlers Sullivan & Cromwell, New York City, NY
Michael Arnold Gleiss Lutz, Stuttgart; Treasurer, IBA Securities Law Committee
Nanette Heide Duane Morris, New York City, NY; Chair, Corporate Governance and Activism Subcommittee, IBA Corporate and M&A Law Committee

1300 – 1315 Closing remarks

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

IBA Harassment Policy
IBA conferences provide unrivalled professional development and networking opportunities for international legal practitioners and their professional associates. The IBA values the participation of every delegate and member of the IBA and wants all attendees to have an enjoyable and fulfilling experience. Accordingly, all conference attendees are expected to show respect and courtesy to other attendees, IBA staff and those involved with hosting the events throughout the conference and at all conference events, receptions, and parties, whether officially organised by the IBA or others. All delegates, guests, attendees, speakers, exhibitors, staff and volunteers at any IBA event are required to conform to the IBA Harassment Policy.

See www.ibanet.org/conferences/harassment-policy.aspx

Continuing Professional Development / Continuing Legal Education
For Conference delegates from jurisdictions where CPD/CLE is mandatory, the IBA will provide a Certificate of Attendance for the Conference. Subject to CPD/CLE requirements, Conference delegates can use this to obtain the relevant number of hours’ accreditation. The number of CPD/CLE hours available may vary depending on the rules applied by the members’ bar association/law society on time recording criteria.

A Certificate of Attendance is available to Conference delegates on request. Please ask at the IBA conference registration desk for information on how to obtain the certificate.
Information

Date
14−15 September 2023

Venue
Fairmont Copacabana Hotel
Av Atlantica 4240 - Copacabana
Rio de Janeiro, Brasil
Tel: +55 (21) 2525 1232
Website: www.fairmont.com/copacabana-rio

Language
All conference working sessions and conference materials will be in English.

How to register
Register online by 4 September at www.ibanet.org/conferencedetails/CONF2311 and make payment by credit card to avail of the ten per cent online registration discount or complete the attached registration form and return it to Camila Campelo at camila.campelo@int-bar.org. You should receive emailed confirmation of your registration within five days; if you do not please contact Camila Campelo.

Fees
Online registrations received:

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After 4 September registrations must be received in hard copy at the IBA office.

Hard copy registration forms and fees received:

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* The IBA Corporate Group Member is a reduced rate offered to the in-house legal department of international corporations. This rate is only applicable if your company has a corporate group membership with the IBA.

** By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this conference is held, which entitles you to the following benefits:
(1) Password access to certain parts of the IBA website.
(2) Receipt of IBA E-news and access online versions of IBA Global Insight.
(3) Pay the member rate for any subsequent IBA conference registrations for this calendar year.
(4) Take advantage of IBA Special Offers.

A reduced rate is offered to lawyers who are over the age of 65, have been an IBA member for more than 20 years and are no longer practising law.

Full payment must be received in order to process your registration.

Fees include:
• Attendance at all working sessions on 14 and 15 September
• Conference materials, including any available speaker’s papers presented at the conference
• Access to the above conference working materials from the IBA website (www.int-bar.org) approximately seven days after the conference
• Lunches on Thursday and Friday
• Coffee/tea during breaks
• Invitation to the Welcome reception offered by the local host committee on 14 September

Guest fee includes:
• Invitation to the Welcome reception offered by the local host committee on 14 September

A guest must not be a member of the legal profession or seek to use the Conference as a business networking opportunity. Access to working sessions is not permitted for guests. Checks are made to ensure members of the legal profession are not registered as guests, if this is the case, registration will be refused unless the guest registers as a full delegate for the conference. Only registered guests (ie, those paying the guest fee) are eligible to participate in the social programme.

List of participants
In order for your name to appear in the list of participants, which will be made available seven days prior to the conference, your registration form must be received by 4 September at the latest.

Live delegate search
Delegates are able to use the live delegate search via the IBA website, in order to use this function delegates will need to be logged into their MyIBA. This will allow search access to up-to-date attendance lists.

Registration confirmation
All documentation regarding your attendance at the conference can now be obtained from the IBA website. Upon receipt of your payment for the conference a confirmation email will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.
Photography and filming
Certain sessions and/or social functions may be photographed and/or filmed and some of this content may be used for future IBA marketing materials, member communications, products or services. Should you have any concerns with regard to this, or do not wish to be featured in any of these materials please contact the IBA Marketing Department on ibamarketing@int-bar.org

Payment of registration fees by bank transfer or BACS payment
Registration forms received without proof of payment will NOT be processed until proof of payment has been received. US dollars: by bank transfer to the IBA account at the National Westminster Bank, St James’s & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NW8KB2L, IBAN GB55NWBK60730101286498

Please ensure that a copy of the bank transfer details is attached to your registration form.

Online credit card payments: by Visa, MasterCard or American Express. No other cards are accepted.

PLEASE ENSURE THAT YOUR NAME AND ‘CONF2311SECURITIES’ APPEAR ON ANY TRANSFER OR DRAFT.

Conference sell-outs
The IBA places its conference in venues of a suitable size for the event; however there are times when our conferences may sell out. Should this happen, prospective delegates will be informed and a waitlist will operate. The waitlist will function on a ‘first come, first served’ basis, subject to receiving registered delegate cancellations. The IBA will not be liable for any travel or accommodation expenses incurred by an individual who travels to the conference without a confirmed place at the event.

Cancellation of registration
If cancellation is received in writing at the IBA office by 4 August 2023, fees will be refunded less a 25 per cent administration charge. Refunds will be made minus any monies owed to the IBA. We regret that no refunds can be made after this date. Registrations received after 4 August will not be eligible for any refund of registration fees.

Provided you have cancelled your registration to attend an IBA conference in accordance with the terms of the ‘cancellation of registration’ clause included in the ‘Information’ section of the relevant conference programme, you must then confirm to us in writing at the IBA office as soon as possible but in no event later than one year (12 calendar months) from the date of any such conference all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant conference.

Hotel accommodation
A limited number of rooms have been reserved at the Fairmont Copacabana Hotel for the nights of 12, 13 and 14 September.

Fairmont Copacabana Hotel
Av Atlantica 4240 - Copacabana
Rio de Janeiro, Brasil
Tel: +55 (21) 2525 1232
Website: https://all.accor.com/

The following rates are per room, per night and inclusive of breakfast. Service charges and local taxes are not included.

City view - single room R$1.398,00 (approx. US$280)
City view - double room R$1.503,00 (approx. US$300)
Deluxe ocean view - single room R$1.848,00 (approx. US$370)
Deluxe ocean view - double room R$1.953,00 (approx. US$390)

Reservations are subject to availability.

Promotional literature
Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the Sponsorship Department at sao.paulo@int-bar.org

No deductions or withholdings
All fees payable to us by you in accordance with the terms contained in this ‘Information’ section shall be paid free and clear of all deductions or withholdings whatever. If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this ‘Information’ section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have been had no such deductions or withholdings been required.

Weather
The climate in Rio de Janeiro in mid-September is generally warm, humid and a little damp, with daily highs around 25°C (77°F).

Travel arrangements and visas
It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

Please apply for your visa in good time.

Vaccine
Please, check with your local health agency if yellow fever and Covid-19 vaccinations are mandatory for your inbound or outbound travel to Brazil.

Airport
Aeroporto Internacional Antonio Carlos Jobim (Galeão) is located approximately 12.5 miles north of Rio de Janeiro city centre.

Taxi
The best form of transport available from the airport to the Fairmont Copacabana Hotel is by taxi. The journey costs around US$20, plus tip. It takes approximately 50 minutes.

Please contact the reservations department at copacabana.reservations@fairmont.com and mention promo code IBARIO to make your reservation under the discounted fee. The hotel requires the guarantee through a credit card to secure your reservation, in case of no show and late cancellations.

Any cancellation or modification must be made 30 days prior arrival to avoid any penalty charge of 1-night stay. The same applies for no-shows.

Delegates are responsible for making accommodation reservations and entering into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

Unauthorized accommodation agents
The IBA is not using any travel or accommodation agents for this conference. To make your reservation please contact any of the six hotels directly. Those are the only official accommodation booking systems.

Disabled access
The Fairmont Copacabana Hotel is wheelchair accessible. Please notify us if you require special assistance.

Hotel accommodation disputes between a delegate and the hotel.

Delegates are responsible for making accommodation reservations and entering into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

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Dates to remember

- **4 August** is the date by which your registration form and payment must be received at the IBA office if you are taking advantage of the early registration fee and is the date by which any cancellation must be received at the IBA office in order for fees to be refunded, less a 25 percent administration charge. No refunds can be made after this date.

- **4 September** is the date by which your registration form and payment must be received at the IBA office in order for your name and company to be included in the list of participants, which will be made available seven days prior to the conference. After this date no registration forms can be accepted at the IBA office – please therefore register at the conference.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).

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**Social programme**

**Thursday 14 September**

1930 – 2200

Welcome reception offered by the local host committee

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**The 2023 Annual Conference will be held in Paris, the capital city of France and one of the world’s leading centres for finance, diplomacy, commerce, fashion, gastronomy, science and the arts.**

Paris, known as ‘the City of Lights’, is a major European business hub, and the location of the European head office for 75 per cent of large, 500+ employee, multinational companies in Europe.

Paris is home to more Fortune 500 companies with European operations than any other city in Europe.

With the IBA Annual Conference located at the crossroads of Europe, with easy travel links to other European capitals, and with an abundance of business and networking opportunities on offer, Paris will be a fantastic location for the largest, most prestigious event for international lawyers.

**WHAT WILL IBA 2023 OFFER YOU?**

- Access 5,000+ attendees representing over 2,700 law firms, corporations, governments and regulators from more than 130 jurisdictions
- Hear from leading international figures, government officials, general counsel and experts from across all practice areas and continents
- Opportunities to win more work and referrals at the world’s best networking and business development event for lawyers and law firms
- Save time and money by meeting all of your legal contacts under one roof

**REGISTER NOW** : Visit: [www.ibanet.org/conference-details/CONF2244](http://www.ibanet.org/conference-details/CONF2244)

To receive details of all exhibiting and sponsorship opportunities for the IBA Annual Conference in Paris, email: andrew.webster-dunn@int-bar.org
# Registration form

The crossroads of international finance and public equity deals: New trends and financing bottlenecks
14–15 September 2023  Fairmont Copacabana Hotel, Rio de Janeiro, Brazil

Please read the ‘Information’ section before completing this form and return it together with your bank transfer to Camila Campelo at the address overleaf.

**REGISTER ONLINE AT [WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2311](http://WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2311) TO MAKE IMMEDIATE AND SECURE PAYMENT BY CREDIT CARD AND OBTAIN A 10 PER CENT DISCOUNT ON THE FEES BELOW**

## PERSONAL DETAILS (Please attach your business card or write in block capitals)

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<tr>
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Name and country to be shown on badge (if different from above)

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Firm/company/organisation

Address

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Email

Guest

Guests are not entitled to attend the working sessions. No member of the legal profession may be registered as a guest.

### SPECIAL DIETARY REQUIREMENTS

If you have special dietary requirements, due to allergen intolerances, medical, religious reasons or a life choice, please specify the requirement below. The IBA is unable to cater for dietary requirements other than for the above reasons.

- [ ] Please tick box if you have allergen intolerances and specify __________________________________________________________________________
- [ ] Please tick box if your guest has allergen intolerances and specify _______________________________________________________________________

Please state all other dietary requirements clearly, i.e. I am a vegetarian; I do not eat red meat.

_Disclosure of dietary information denotes you have agreed to the IBA sharing this information with relevant third parties who are providing catering on our behalf._

### TO OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW,

**PLEASE REGISTER BY 4 AUGUST ONLINE AT [WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2311](http://WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2311)**

IBA MEMBERS CAN REGISTER ONLINE BY 4 AUGUST FOR US$770

PLEASE SEE ‘INFORMATION’ FOR FURTHER ONLINE REGISTRATION DETAILS.

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<tr>
<td>Public lawyers</td>
<td>US$640</td>
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<td>Corporate counsel</td>
<td>US$770</td>
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<tr>
<td>Guest fee</td>
<td>US$60</td>
<td>US$60</td>
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*Guests are not entitled to attend the working sessions. No member of the legal profession may be registered as a guest.*
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PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.

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<th>TOTAL AMOUNT PAYABLE</th>
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The focus of the committee is the intersection of national capital markets with each other in a world of cross-border transactions. Key areas of focus, as reflected in the subcommittee structure, are developments in underwriting and distribution of all types of capital markets products, the securities laws as they impact cross-border mergers & acquisitions, the regulation of market players such as investment banks, brokers and exchanges, securities laws as they impact public companies, and a close watch on cross-border and international regulatory developments in particular from IOSCO, CESR, the EU, the SEC, the FSA and a range of developing countries.

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