CENTER FOR INTERNATIONAL LEGAL STUDIES

# Liabilities of Lawyers in Crossborder Transactions and Disputes

Joseph M. Matthews
Colson, Hicks, Eidson, Coral Gables, Florida

## Sunday, 23 January 2005

**Welcome Cocktail**

6:00 PM 7:00 PM Kaminhalle

**Opening Dinner**

7:00 PM 10:00 PM Restaurant

## Monday, 24 January 2005

**Extraterritorial Effects of Intellectual Property and Competition Law Panel**

7:15 AM 9:30 AM Gobelinsaal

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|---|---|---|
| **Moderator** | James F. Roegge | |
| **Panellist 1** | Thomas J Burger | Fact Pattern #1 |
| **Panellist 2** | Clement H. Luken, Jr. | Fact Pattern #2 |
| **Panellist 3** | Jeffrey M. Thompson | United States Discovery - Protective Orders |
| **Panellist 4** | Thomas Gering | European Considerations |

**International Lawyers**

4:30 PM 6:30 PM Gobelinsaal

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|---|---|---|
| **Moderator** | Joseph M. Matthews | |
| **Speaker A** | Peter Urwantschky | The International Aviation Community - Freedom above the Clouds? |
| **Speaker B** | Timothy D. Richards | Providing Tax Advice in Crossborder Transactions |
| **Speaker C** | Bernard Ortwein | Cross Border Business Transactions for Legal Professionals |
| **Speaker D** | James E. Towery | Multijurisdictional Practice in the United States and Europe |

**Individual Dinner (anytime after 06:45 p.m.)**

6:45 PM Restaurant

## Tuesday, 25 January 2005

**Multi-Jurisdictional Regulation of the Practice of Law**

7:15 AM 9:30 AM Gobelinsaal

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| **Moderator** | Lowry Barfield | |
| **Speaker A** | Bruce A. Green | United States Regulation of Multijurisdictional Practice |
| **Speaker B** | A. Grant McCrea | The "Unauthorized Practice of Law": Lessons from United States and Canadian Practice |
| **Speaker C** | Janis Zelmenis | Liability and Multi Disciplinary Practices |
| **Speaker D** | Matthew T. Graff | Law Firm Management and Ethics in a Growing Industry and a Shrinking World |

**Codes of Conduct, Ethics and Professional Standards for International Arbitrators**

4:30 PM 6:30 PM Gobelinsaal

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| **Moderator** | Richard Myslil | |
| **Speaker A** | Richard W. Naimark | The Importance of the International Perspective |
| **Speaker B** | Joseph M. Matthews | Arbitrator Conflicts of Interest |
| **Speaker C** | Mark A. Nadeau | Good and Bad Qualities of Arbitrators |

**Individual Dinner (anytime after 06:45 p.m.)**

6:45 PM Restaurant

## Wednesday, 26 January 2005

### Representing Specific Interests in International Transactions

7:15 AM 9:30 AM Gobelinsaal

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| **Moderator** | Joseph Hetrick | |
| **Speaker A** | Mary Lou Martin | Representing the Interests of Children in the International Realm |
| **Speaker B** | Howard O. Godnick | Litigation in the United States over the Acquisition of European Companies |
| **Speaker C** | Robert W. Shaffer, Jr. | Lawyers and Business Qualifications to Do Business in the United States |

### Evaluation and Litigation/Arbitration of Legal Malpractice Claims

4:30 PM 6:30 PM Gobelinsaal

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|---|---|---|
| **Moderator** | Thomas W. Studwell | |
| **Speaker A** | James Coyne King | Standards of Care in Malpractice Claims Involving Cross Border Transactions: Theory and Practice |
| **Speaker B** | Christopher Gooding | Liability of Lawyers in Multijurisdictional Trade / Project Finance Transactions |
| **Speaker C** | Johann-Volker Peter | "Organs of Judicature" in Germany Between Truth and Success - How to Avoid Personal Responsibility in Cross Border Legal Transactions |

### Individual Dinner (anytime after 06:45 p.m.)

6:45 PM Restaurant

### Optional Night Walk around the Schwarzsee with Glühwein

9:00 PM

## Thursday, 27 January 2005

### Evaluation, Litigation and Resolution of Legal Malpractice Claims

7:15 AM 9:30 AM Gobelinsaal

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| **Moderator** | Reginald L. Robinson | |
| **Speaker A** | Kevan F. Hirsch | Legal Malpractice in the United States - Jurisdiction Over Foreign Lawyers, Liability and Damages |
| **Speaker B** | Joseph M. Matthews | How to Evaluate the Plaintiff's Legal Malpractice Case |
| **Speaker C** | John J. Allan | Mediation of Legal Malpractice Claims |

### Corporate Governance and Transnational Securities Issues

4:30 PM 6:30 PM Gobelinsaal

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|---|---|---|
| **Moderator** | Gregory Triantafillopoulos | |
| **Speaker A** | Jan Lawrence Handzlik | Regulatory Imperialism? - The Long Arm of the United States Securities and Exchange Commission and Department of Justice |
| **Speaker A** | Karl G. Herold | Differentiating Between Duty of Loyalty to the Client and the Profession; Convergence under Sarbanes-Oxley |
| **Speaker B** | Vincent R. Johnson | How the Sarbanes-Oxley Act Changes the Duties of United States and Foreign Lawyers |
| **Speaker C** | Joseph T. Kelley, Jr. | Sarbanes-Oxley's Impact on Corporate Governance and Crossborder Transactions |

### Individual Dinner (anytime after 06:45 p.m.)

6:45 PM Restaurant

## Friday, 28 January 2005

### Marketing Legal Services for International Transactions and Disputes

7:15 AM 9:30 AM Gobelinsaal

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| **Moderator** | Silvia Coulter | |
| **Panellist 1** | Timothy B. Corcoran | Tools and Tactics for Supporting Your Business Development Efforts |
| **Panellist 2** | Paul M. Jaffa | Tips for Effectively Building and Managing Media and other Public Relations Contacts |
| **Panellist 3** | William Flannery | Effective Methods for Selling Your Services and Building Client Loyalty |

### Ethical Obligations

4:30 PM 6:30 PM Gobelinsaal

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| **Moderator** | Jwani T. Mwaikusa | |
| **Speaker A** | Ivan G. Whitehall | Ethical Obligations of Legal Professionals: The Protection of State Secrets and Commercially Sensitive Documents |
| **Speaker B** | Keith Fisher | Regulating Lawyers after Enron and Other Corporate Scandals |
| **Speaker C** | Richard Taylor | Ethical Due Dilligence |

### Concluding Dinner

7:30 PM 9:30 PM Restaurant

## Saturday, 29 January 2005

### Individual Departure