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FIRST ANNUAL
ABA SECTION OF INTERNATIONAL LAW/
ISRAEL BAR ASSOCIATION CONFERENCE

With Pre-Conference Excursion to Jerusalem May 27-30

May 30 - June 2, 2010
Eilat, Israel

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Held in conjunction with the Annual Conference of the Israel Bar Association, this Meeting will bring together members of the global legal community for more than three full days of informative and substantive programs in Eilat, Israel presented by world-class experts.

Topics presented in English include:

- Issues arising in the resolution of US-Israeli business disputes
- Extraterritorial application of employment law
- Israel-US high tech business issues: corporate/IP -licensing/export controls
- US-Israel transnational investment; with a focus on cross-border real estate transactions
- Private wealth/tax planning: Israel/US/Europe
- Oil and gas development in Israel

Simultaneous translation will be provided for the opening and other plenary and special sessions featuring top government officials (Minister level), current and former Supreme Court Justices, Israel's leading lawyers, top-level media figures and more speaking about issues and events of critical and current importance to Israel. This includes: President of the Supreme Court, Justice Dorit Beinish, Minister of Justice, Prof. Yaakov Neeman, Government's Legal Advisor, Mr. Yehuda Weinstein and others.

Leaders of the American Bar Association participating in the Meeting will include President-Elect, Steve Zack, as well as other top ABA and Section of International Law leaders, including the Section's Chair, Glenn Hendrix and Immediate Past Chair Aaron Schildhaus.

Special excursions during and after the Israel Bar Conference will be available through the Israel Bar Association and are accessible on the Israel Bar Association Conference site.

Immediately prior to the Conference, there will be an ABA-organized Excursion to Jerusalem on May 27-30, culminating in a bus-ride to Eilat on May 30 with a stopover for lunch, swimming and treatments at a Spa on the Dead Sea. The Excursion agenda combines organized events and free time for participants to explore Jerusalem on their own or in smaller groups. The organized ("ORG") and optional ("OPT") events are as follows:

May 26: OPT: Those arriving a day early may wish to attend the Works-in-Progress Concert of gifted student musicians in the Perlman Music Program, 8:00 pm at Israel Arts and Science Academy (www.jmc.co.il).

May 27: ORG: Lunch at 1:00 at Israel Supreme Court followed by tour of the Court. We hope for a presentation by a sitting or retired justice of the Court.

OPT: Evening is at leisure. You may wish to attend the Israel Chambre Project concert at the Jerusalem Music Centre at 8:30 (www.jmc.co.il).

May 28: ORG: A tour at Yad Vashem in the morning.

OPT: From Friday afternoon to Saturday evening, participants are at liberty to enjoy the Jewish Sabbath with observance or other activities.



May 29: ORG: Evening cocktail reception followed by Banquet dinner in the Reading Room of the King David Hotel.

May 30: ORG: Depart a.m. by bus for Hod Dead Sea Hotel to enjoy swimming in pools and Dead Sea, spa treatments (at additional cost), followed by lunch. Afternoon departure to Eilat in time for Conference opening.

Excursion price includes 3-night hotel stay with breakfasts, the organized events, bus transportation to organized events, the Saturday night reception and dinner, and an English-speaking guide.

Excursion Price: (1) in King David Hotel: \$910 USD per person double occupancy, or \$1475 single;

(2) in Prima Kings Jerusalem Hotel: \$580 USD per person double occupancy, or \$730 single.

Registration: provide credit card authorization to the tour operator in Israel Jean-Jacques Parienti at Ortra Ltd., email: jean@Ortra.com; tel: 972 -3-638 44 59; fax: 972-3-638 44 55.

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CONFERENCE AGENDA

Sunday: May 30, 2010

17:00 – 19:00

Preliminary Session

Institution of the Attorney-General – Gatekeeper or Consultant?

(simultaneous English translation)

Isrotel Royal Beach Hotel

Opening Remarks:

Adv. Eytan Epstein, Epstein, Chomsky, Osnat & Co.,
Tel-Aviv, Israel

Greetings:

Mr. Meir Yitzhak Halevi, Mayor, Eilat, Israel

Program Chair:

Professor Suzie Navot, College of Management,
Rishon Lezion, Israel

Speakers:

Mr. Moshe Lador, State Prosecutor, Jerusalem, Israel

MK Tzipi Livni Adv., Jerusalem, Israel

Justice Eliakim Rubinstein, Israel Supreme Court,
Jerusalem, Israel

Mr. Gilad Arden, Minister of the Environment,
Jerusalem, Israel

Dr. Shlomo Cohen, Adv., Dr. Shlomo Cohen & Co.,
Tel-Aviv, Israel

MK David Rotem, Adv., Knesset Constitution, Law
and Justice, Jerusalem, Israel

Adv. Dan Avi Yitzhak, Dan Avi-Yitzhak Law Office,
Jerusalem, Israel

Professor David Libai, Adv., Tel-Aviv, Israel

21:00

Party of the Decade

Isrotel Royal Beach Hotel

Israelite Concert – “Sarit Hadad”

Monday: May 31, 2010

10:15 – 12:45

Opening Session, Court Intervention on Issues of Budgetary Implications

(simultaneous English translation)

Isrotel Royal Beach Hotel

Opening Remarks:

Adv. Yori, Geiron, President, Israel Bar Association
Justice Dorit Beinisch, President, Israel Supreme
Court, Jerusalem, Israel

Professor Yaakov Neeman, Minister of Justice,
Jerusalem, Israel

Mr. Yehuda Weinstein, Government’s Legal Advisor,
Jerusalem, Israel

Program Chair: Adv. Orna Lin, Orna Lin & Co., Tel-
Aviv, Israel

Speakers:

Rt. Justice Itzhak Zamir, Israel Supreme Court,
Jerusalem, Israel

MK Ronnie Bar On, Adv., Jerusalem, Israel

Mr. Menachem Mazuz, Former Attorney
General, Jerusalem, Israel

Mr. Gideon Saar, Minister of Education,
Jerusalem, Israel

Mr. Sever Plotzker, Yedioth Ahronoth, Tel-Aviv,
Israel

Adv. Pinhas Rubin, Tel-Aviv, Israel

13:00 – 15:00

Lunch Break

15:00 – 15:10 **Opening Remarks by ABA
President-Elect Stephen N. Zack**



15:10 – 16:30

Israel-U.S. Cross Border Investment: Real Estate and Corporate

Hilton Queen of Sheba Hotel

This program will present an overview of the opportunities and pitfalls of investment in U.S. real estate, as well as corporate investments, contrasting the similarities/differences with real estate practices in Israel as well as the required U.S. disciplines. This session will include needed resources, various jurisdictional issues, financial considerations and geographic concerns and an analysis of various product markets.

Program Chair:

Abe Shear, Arnall Golden Gregory LLP,
Atlanta, Georgia

Speakers:

Adv. Dubi Zoltak, Goldfarb Levy Eran, Tel-Aviv, Israel

Mr. Boaz Schwartz, Deutsche Bank, Israel
Adv. Eyal Lev Ari, Arlon Global, Israel

16:30 – 17:00

Coffee/Networking Break

17:00 – 18:30

The Surprisingly Long Arm of the Law: Extraterritorial Application of Employment Law

Hilton Queen of Sheba Hotel

Employment-related statutes, often seen as applying only to domestic matters, can stand as exceptions to the rule that national laws stop at national borders. Recent decisions under American statutes (the Sarbanes-Oxley Act, the Alien Tort Claims Act, and anti-discrimination statutes), the U.K.'s Public Interest

Disclosure Act and aspects of Canada's privacy regime and whistle-blowing statutes, illustrate how these statutes wield extraterritorial power. A discussion of these rules, and how privacy rules affect discovery in transnational litigation, will illustrate the areas of potential exposure that Israeli employers may face when they expand overseas, or bring foreign employees to Israel. The panel will also focus on ethics initiatives, such as the Global Reporting Initiative, SA 8000 (Social Accountability International) and ISO 26000 (Social Responsibility) standards, which can enable employers to avoid such claims, as well as the correlation between corporate social responsibility and financial performance.

Program Chair:

Eric A. Savage, Littler Mendelson, P.C.,
Newark, New Jersey

Speakers:

Paul Callaghan, Taylor Wessing, London,
United Kingdom

Theodore Goloff, Robinson Sheppard and
Shapiro, Montreal, Canada

Alan M. Koral, Vedder Price P.C., New
York, New York

Roxane Peyser, Maurgood, LLC, Atlanta,
Georgia

Adv. Orna Lin, Orna Lin & Co., Tel-Aviv,
Israel

19:30

Celebratory Reception for International Guests and Bar Leaders

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Tuesday: June 1, 2010

9:30 – 11:00

**Acquiring and Licensing Israeli High-Tech: A Review of Corporate, Competition, Intellectual Property and Export Control Issues
Hilton Queen of Sheba Hotel**

Intellectual property law and antitrust law are inextricably intertwined, each advancing the common goal of encouraging innovation, industry and competition. Not surprisingly, many of the most exciting and challenging recent developments in both disciplines have arisen at the intersection of innovation and competition in technology industries. This program will take a detailed and critical look at some of the unique challenges that arise in connection with aggregation of market share in connection with emerging technologies, inappropriate or overbroad grants of intellectual property rights, or in connection with the transfer, license or acquisition of intellectual property rights. The program will also explore the relationships among competition, market structure and innovation, in the context of a hypothetical technology transaction between an Israeli technology company and a larger well-established U.S.-based competitor. This hypothetical will address the legal issues that arise under Israeli and U.S. law from the time such a transaction is proposed through regulatory review. In doing so, it will serve as a platform to highlight some of the most challenging issues presented by the intersection of corporate, antitrust, intellectual property and export control law in technology markets, including the following topics: (a) due diligence issues related to IP transactions; (b) structuring alternatives, including those related to an acquisition, technology licensing, and joint venture; (c) market definition, concentration and related antitrust considerations in the context of the transfer,

license or acquisition of intellectual property rights; (d) when are grants of intellectual property rights inappropriate or overbroad and when do they raise export control issues; (e) market dominance of an innovative product, including when and whether it is appropriate to attribute market dominance to the innovating firm (considering that when a new, innovative, product is launched, the initial period is dedicated to market penetration and the development of demand); and (f) resale price maintenance and unilateral refusals to license intellectual property.

Moderator:

David A. Schwartz, Wachtell Lipton Rosen & Katz, New York, New York

Program Chair:

Mark Katz, Davies Ward Phillips & Vineberg, Toronto, Canada

Speakers:

Rachel Brass, Gibson Dunn & Crutcher, San Francisco, California

Adv. Tamar Dolev-Green, Epstein, Chomsky, Osnat & Co., Tel-Aviv, Israel

Adv. Maya Liquornik, Meitar Liquornik Geva & Leshem Bradwein, Ram-Gan, Israel

11:00 – 11:30

Coffee/Networking Break

11:30 – 13:00

Private Wealth/Tax Planning: Israel/ US/ Europe

Hilton Queen of Sheba Hotel

Many family fortunes have been structured and diversified to include the use of offshore trusts or companies. While substantial assets may be held offshore, the investors and their families may reside anywhere between the U.S.,



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continental European countries or Israel. This program will cover the tax and estate planning implications of such structures. Are they outdated in light of current tax and regulatory initiatives? What problems arise for the management of such funds, their re-investment into the business of the investor, or the estate planning of the family? What tax and regulatory obstacles may arise in unwinding or modifying cross-border or offshore structures, particularly if such structures pre-date the more rigorous regulatory framework that is now in effect? The panel discussion will have a strong focus on tax implications and will include estate planning and money laundering issues.

Speakers:

Michael Ben-Jacob, Kaye Scholer LLP, New York, New York
Dimitria Coucouni, Andreas Coucounis & Co., Larnaka, Cyprus
Huang Lester Garson
Adv. Meir Linzen, Herzog, Fox & Neeman, Tel-Aviv, Israel
Michael Spielman, Ernst & Young LLP, Cleveland, Ohio
Markus Zwicky, Zwicky Windlin & Partner, Switzerland
William D. Rohrer, Carlton Fields PA, Miami, Florida

13:00 – 14:30

Break

14:30 – 16:00

**Solving Disputes in Israeli-North American/
European Commerce**

Hilton Queen of Sheba Hotel

An overview of key contemporary issues, including service of process, enforcement of judgments and arbitration awards, discovery

and evidence-gathering, proof of foreign law in domestic courts, cross-cultural issues in mediation and arbitration.

Program Chair:

Marc J. Goldstein, Marc J. Goldstein Litigation & Arbitration Chambers, New York, New York

Speakers

Professor Janet Walker, Osgoode Hall Law School, Toronto, Canada
Dominique Brown-Berset, Brown & Page LLP, Geneva, Switzerland
Adv. Zvi Firon, M. Firon & Co., Ramat-Gan, Israel

16:00 – 16:30

Coffee/Networking Break

16:30 – 18:00

**Oil and Gas Development in Israel
Hilton Queen of Sheba Hotel**

Israel is emerging as a natural gas producer with three large natural gas discoveries, including the Tamar field, offshore Israel. This program will provide an introduction to the international petroleum industry and the legal regulatory schemes for petroleum exploration and production in Israel, the U.S. and other jurisdictions. A focal point for the program will be global and practical legal considerations from a U.S. perspective for entering into an international petroleum development project, including key elements of project execution, such as contracting and procurement and corporate social responsibility. An Israeli perspective will be presented, which will include a detailed and analytical look at the oil and gas operational, legal and regulatory framework in Israel, including the Gas Law, oil and gas license structure, government



authorizations, import/export considerations, transmission and international investment considerations. A review of global anti-corruption laws and initiatives will lead into a dialogue from the U.S. and Israeli perspectives of ethics and compliance considerations when conducting a large development project, and will culminate with a panel discussion of the prevailing issues challenging legal professionals in the international petroleum industry and in supporting a project development in Israel.

Program Chair:
Bellanne (“Belle”) Meltzer Toren, Office of Bellanne Meltzer Toren, Calgary, AB, Canada & Coppell, Texas

Speakers:
Arnold Johnson, Noble Energy, Inc., Houston, Texas
Dan Hacoheh, Rosenberg, Hacoheh, Goddard & Ephrat, Tel-Aviv, Israel
Representative of the Ministry of National Infrastructures, Israel

21:00
Cocktail Party
Show of Waterloo – songs of ABBA
Isrotel Royal Beach Hotel

Wednesday: June 2, 2010

9:00 – 12:00
Dead Sea Cruise (tour in English)
Departure from Hilton Queen of Sheba Hotel

12:30 – 14:30
International Criminal Jurisdiction: Universal Justice or Judicial Imperialism?
Isrotel Royal Beach Hotel

Program Chair:
Dr. Ilana Dayan, Channel 2, Israel
Speakers:
Professor Alan M. Dershowitz, Cambridge, Massachusetts
Mark S. Ellis, International Bar Association, London, United Kingdom
The Rt Hon Lord Peter Goldsmith, QC, Debevoise & Plimpton LLP, London, United Kingdom
Dr. Yousef Jabareen, University of Haifa, Haifa, Israel
MG Avihai Mandelblit, Tel-Aviv, Israel
Professor Mordechai Kremnitzer, Hebrew University, Jerusalem, Israel

16:00 – 16:30
Coffee/Networking Break

16:30 – 18:30
Media Law Program
Isrotel Royal Beach Hotel

Program Chair:
Adv. Dana Weiss, Channel 2, Israel

Speakers:
Justice Eliezer Rivlin, Supreme Court, Jerusalem, Israel
Dr. Aviad Hacoheh, Mishpat College, Hod HaSharon, Israel
Adv. Eli Zohar, M. Seligman & co., Tel-Aviv, Israel
Mr. Baruch Kra, Channel 10, Israel
Adv. Bruria Lekener, Tel-Aviv, Israel

21:00
Farewell Party
Concert – “Shlomo Artzi”
Dekel Beach – Transportation will be provided from conference hotels



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<http://new.abanet.org/calendar/israelbarprogramming/Pages/Registration.aspx>

Early bird discounted rate (\$450) applies until April 30, 2010.

For information on other programming at the Israel Bar Conference and for information and registration for excursions, please visit the Israel Bar website:

<http://www.israelbar.org.il/english.asp?catid=3349>