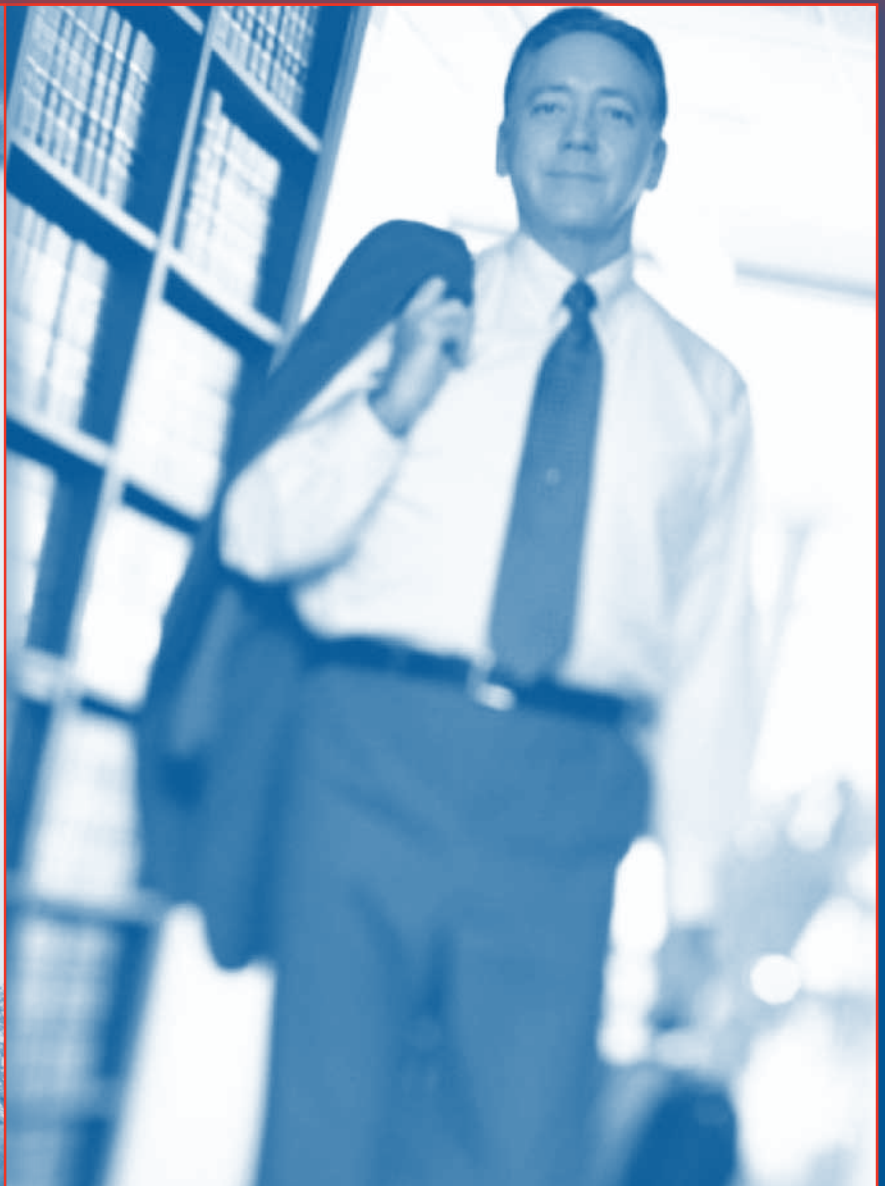


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2012 International Trade Update

February 9-10, 2012

Georgetown University Law Center • Washington, DC

13 CLE credit hours (based on a 60-minute credit hour)

15 CLE credit hours (based on a 50-minute credit hour)



Agenda

Thursday, February 9

■ 7:30 - 8:00 am Registration and Continental Breakfast

Sponsored by Covington & Burling LLP

■ 8:00 - 8:15 am Welcome and Overview

■ 8:15 - 9:00 am Keynote Presentation: "Perspectives on the Trade Agenda in 2012"

Speaker: Hon. David Camp (invited)
Chairman of the House
Ways & Means Committee

■ 9:00 - 10:15 am The State of Free Trade Negotiations

Moderator: Warren H. Maruyama
Panelists: Dorothy Dwoskin
William A. Reinsch
John K. Veroneau

2012 will be a turning point between the Doha Round and a post-Doha agenda, past and future free trade agreements, and looking forward to a Congressional mandate for further trade negotiations. Experts from the policy world and private practice will discuss what happened in trade negotiations last year; what happens next, and what it means for U.S. policy and trade practice.

■ 10:15 - 10:30 am Networking Break

Sponsored by Covington & Burling LLP

■ 10:30 - 11:45 am The State-Owned Enterprise (SOE) Challenge

Moderator: Amelia Porges
Panelists: Sean Heather
Ayesha A. Khanna
Marguerite E. Trossevin
Daniel Watson

State-owned enterprises (SOEs) emerged as the issue of the year in 2011 for business in China and other markets abroad, for U.S. trade practice, and for the TPP negotiations, where U.S. negotiators launched proposals to include new disciplines on TPP government relations with their SOEs. Our panel will talk about the issue, the challenges from which it emerged, and how U.S. policy can respond.

■ 11:45 am - 1:15 pm Lunch (on your own)

■ 1:15 - 2:15 pm Internal Compliance Issues Beyond the Usual: Supply Chains, Social, and Security Compliance Issues

Moderator: Paul C. Rosenthal
Panelists: Marcela Manubens
Sandy Merber

For clients and their counsel, import compliance in 2012 involves an expanding range of issues and expertise—not just customs and trade, but new requirements focused on supply chains and driven by social and security concerns. Our panel of experienced in-house counsel and practitioners will examine best practices in dealing with these mandates—from "conflict minerals" to child labor; Federal procurement bans, and security mandates affecting supply chains.

■ 2:15 - 3:15 pm Customs Enforcement: The Regulatory Challenge

Moderator: William D. Outman, II
Panelists: Richard M. Belanger
John Connors
Peter A. Quinter

As trade grows increasingly central to the U.S. economy, CBP's workload increasingly focuses on enforcement of trade, food safety, product safety, and other regulatory mandates of other agencies. Our group of customs and trade experts will discuss the current enforcement challenges facing CBP, how to successfully navigate those enforcement challenges for your clients, and prospects in an era of increasing vigilance and budgetary stringency.

■ 3:15 - 3:30 pm Networking Break

Sponsored by Covington & Burling LLP

■ 3:30 - 5:30 pm Bench and Bar Dialogue: Mock Arguments Before U.S. Court of International Trade Judges

Judges: Hon. Timothy C. Stanceu
Hon. Leo M. Gordon
Lawyers: Claudia Burke
Donald B. Cameron, Jr.
James R. Cannon, Jr.
Justin R. Miller
Joseph M. Spraragen

Lawyers for importers, petitioners, respondents, and the government will present mock arguments before CIT judges in two cases (customs and trade) based on hypotheticals developed specially for this program. Afterwards, the lawyers and judges will debrief their strategies and arguments, providing insights and comments on the opportunities and challenges presented by the issues.

■ 5:30 - 6:30 pm Networking Cocktail Reception

Sponsored by Kelley Drye & Warren, LLP

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Friday, February 10

■ 7:30 - 8:00 am

Continental Breakfast

Sponsored by Adduci, Mastriani & Schaumberg, LLP

■ 8:00 - 9:00 am

Cyber-Ethics

Speakers: Prof. Michael S. Frisch
Stuart I. Teicher

The rise of social media within the legal profession has created ethics issues that the Model Rules of Professional Responsibility never anticipated. These issues affect lawyers in all practice areas, including international trade and customs law. During this highly interactive session, you will be exposed to the most critical ethics issues emanating from the social media frenzy as they affect your colleagues, your clients, your firm or agency, and you.

■ 9:00 - 9:15 am

Break

Sponsored by Adduci, Mastriani & Schaumberg, LLP

WORKSHOP SESSIONS

Simultaneous breakout sessions on key issues for customs and trade practice, led by experienced practitioners and government officials.

■ 9:15 - 10:30 am

Customs I: Valuation

Moderator: Damon V. Pike
Panelists: Monika Brenner
John Malone
William M. Methenitis
William C. Sjoberg

This panel will focus on recent developments at CBP HQ regarding the issue of related party pricing for imports. Specifically, CBP has proposed a change in policy that would allow importers to report post-importation pricing adjustments made pursuant to a transfer pricing formula as part of the "transaction value" of the merchandise. As long as this formula is in place at or prior to the time of importation, downward adjustments (resulting in duty refunds) and upward adjustments (resulting in duty payments) would be allowed if the importer participates in CBP's Reconciliation Prototype program and satisfies various other specific requirements. The panel will discuss these specific requirements, as well as the overall topic of "harmonizing" income tax transfer pricing policies and rules with

customs valuation mandates and procedures – especially in light of the "global nature" of inter-company transfer pricing and the cross-border impact of such harmonization.

Trade I: Year-in-Review: Trade

Moderator: Timothy C. Brightbill
Panelists: Matthew J. Clark
James M. Lyons
John D. McInerney
Valerie A. Slater

Review the regulatory, legislative, and judicial highlights and lowlights of 2011, and hear predictions for your practice in 2012 from experienced private and government practitioners.

■ 10:30 - 10:45 am

Break

Sponsored by Adduci, Mastriani & Schaumberg, LLP

■ 10:45 am - 12:00 pm

Customs II: Year-in-Review: Customs

Moderator: Michael S. O'Rourke
Panelists: Michael T. Cone
Jay L. Eizenstat
Myles B. Harmon

Experts from CBP and private practice analyze the court cases and regulatory developments that made news in 2011 and forecast the outlook for 2012.

Trade II: WTO Case Update

Moderator: Gary N. Horlick
Panelists: Mark A. Barnett
Kathleen W. Cannon
Johann Human
Bruce Wilson

Experts from the WTO Secretariat, the U.S. government, and private practice engage on the WTO decisions of 2011 that will affect trade remedies practice and the Washington policy agenda – from Airbus/Boeing, to cases by and against China, to regulatory issues.

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Georgetown Law CLE has an established tradition with over 30 years of experience providing the legal community high quality programs. Our programs are developed with the profession's ever-changing needs in mind, while at the same time meeting the mandatory CLE requirements of various state bars. Located in the heart of the nation's capital, we feature the country's leading officials, judges and practitioners.

■ 12:00 - 12:15 pm

Box Lunch Distribution

Lunch Sponsored by Wiley Rein, LLP

■ 12:15 - 1:30 pm

Luncheon Dialogue on the WTO Appellate Body

Facilitator: Bruce Stokes
Speakers: James Bacchus
Jennifer A. Hillman

Two former Chairs of the WTO's Appellate Body join a leading trade journalist for a conversation on the lessons of 17 years of WTO dispute settlement, and their thoughts on the trends and challenges ahead in trade.

■ 1:30 - 1:45 pm

Break

Sponsored by Adduci, Mastriani & Schaumberg, LLP

■ 1:45 - 3:00 pm

Customs III: Meeting the Client

Moderator/Lawyer: Lawrence M. Friedman
Client: Michelle F. Forte
Client: David R. Grace

The initial meeting between lawyer and client is a key point where issues are framed and strategies are discussed. During this mock client meeting you will learn how the lawyer and client discuss informed compliance, the supply chain, obtaining a ruling letter, continuous importations, 10+2 requirements, tariff engineering, and non-customs laws.

Trade III: Meeting the Client

Moderator: John D. Greenwald
Lawyer: Jeffrey Gerrish
Lawyer: Kristin Heim Mowry
Client: Andrew W. Kentz
Client: Alice A. Kipel

Just as in customs cases, the initial meeting between lawyer and client is paramount in influencing the path of a matter. This mock client meeting will be split into two segments – a petitioner's meeting and a respondent's meeting.

■ 3:15 - 4:30 pm

Congress and Trade Policy in 2012

Moderator: Greg Mastel
Panelists: Amber Cottle
Everett Eissenstat
Angela Ellard
Viji Rangaswami

Key trade staff from Capitol Hill offer their perspectives and predictions on the agenda facing the new Congress and the Administration in 2012.

■ 4:30 pm

Adjournment

CLE courses online through West LegalEdcenter.
Website at www.law.georgetown.edu/cle.

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Paul C. Rosenthal

Kelley Drye & Warren LLP
Washington, DC

Keynote Speaker

Hon. David Camp (Invited)

Chairman of the House Ways & Means Committee
U.S. House of Representatives
Washington, DC

Luncheon Speakers

James Bacchus

Greenberg Traurig, LLP
Washington, DC

Jennifer A. Hillman

WTO Appellate Body
Geneva, Switzerland

Bruce Stokes

National Journal
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Amber Cottle

Committee on Finance
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International Trade Update (February 9-10, 2012)

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Disclaimer

Speakers are subject to change.

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Please fax your cancellation notice to (202) 662-9891 or email to cle@law.georgetown.edu by 5:00 pm EST on Thursday, February 2, 2012 for a refund (less \$100 administrative fee). Rain checks for a future program will be granted for cancellations received after February 2 and prior to the start of the program. Substitutions are accepted at anytime prior to the program.

Course Materials

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2012 International Trade Update

February 9-10, 2012

Georgetown University Law Center • Washington, DC



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10 Reasons Why You Should Attend

- 1. Hear directly** from the Chairman of the House Ways and Means Committee about the majority's priorities in trade for 2012.
- 2. Assess litigation and regulatory developments** in trade and customs law in the past year and what they mean for your practice and government policy.
- 3. Obtain tips** about the biggest trade issue in 2011 – state-owned enterprises – and learn how the U.S. is poised to respond.
- 4. Receive updates** on the state of play in global and regional trade negotiations, and what they mean for your practice and the Washington policy agenda.
- 5. Participate** in the “Bench and Bar” roundtable with a new format: mock arguments in both trade and customs cases with lawyers representing the government, petitioners, and respondents. De-brief the arguments with the judges and lawyers afterwards, receiving practical tips you can use the next time you are in court.
- 6. Learn about best practices** for responding to internal compliance mandates that affect the supply chain – and how they affect your clients and your practice.
- 7. Receive** timely tips on ethics issues surrounding social media, a subject lawyers in all practice areas must be aware of, whether you are in private practice or with the government.
- 8. Review** the current enforcement challenges facing U.S. Customs and learn how to successfully navigate customs enforcement for your clients in this era of heightened vigilance.
- 9. Observe and learn** from two live “Meet the Client” sessions, one focusing on trade and one focusing on customs, as lawyers meet with their clients for the first time to frame the issues and plan strategies.
- 10. Obtain an overview** from key Capitol Hill staff members on the customs and trade agenda in Congress during the coming year.

Update Summary

The 2012 International Trade Update will give you practical, topical, and timely information that you can use back at your desk, whether you are a private practitioner, government lawyer, or in-house counsel. Our approach each year is to provide you with the most important new developments affecting the trade and customs bars, as well as critical interpretations of those developments by senior partners at law firms, top government officials, judges, and corporate counsel. This annual program – developed over the past year by our Advisory Board of trade and customs experts – emphasizes not only practical advice about how you can perform your jobs more effectively, but also offers educated predictions about what will unfold in the coming year. You will be receiving advice from the “household names” in the trade and customs bar; people who help make policy, enforce policy, and interpret policy. You will receive cogent pointers from CIT judges, DOJ and DOC officials, senior Congressional staff members, and private practitioners from the respondent and petitioner sides who have been in the trenches for many years. These experts will review all the critical developments from 2011, analyze their meaning for your company, clients, or firms, and assist you in understanding how things transpire in Washington, DC and at the WTO. Concurrent workshops on customs and trade law will allow you to design your own educational experience.