
Boston University School of Law

Office of Graduate and International Programs
765 Commonwealth Avenue
Boston, MA 02215



International Business Law Workshop

Offered in Partnership with
The Shanghai Bar Association

Boston University School of Law Contacts

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Proposal Background & Summary



Boston University School of Law is pleased to propose to the Shanghai Bar Association a custom program for Chinese lawyers. The proposed program is designed for legal practitioners who seek to deepen their understanding of the U.S. legal system within the context of practice-based workshops that cover key doctrines in U.S. business law.

BU Law has a history of providing successful programming for legal professionals. We have provided programming for a wide range of audiences from recent law school graduates to experienced judges. We leverage subject matter expertise from both the law school teaching faculty and through our deep network of thought-leaders in professional legal practice. By bringing these groups together, we are able to offer workshops that both provide foundational knowledge in the U.S. legal system and exposure to the critical issues that transactional lawyers are facing today.

The proposal contemplates an intensive two-week program consisting of nine days of teaching and one day of site visits to a law firm and a federal courthouse. The details of program, including the schedule, workshop topics, costs, and instructor profiles is included below.

Program Overview

- **Two-week program**
 - 9 days of workshop instruction, approximately 6 hours per day (54 hours total). Morning and afternoon breaks are included in the workshops.
 - 1 site-visit day to a law firm and the federal courthouse in Boston.
- **Workshops**
 - Workshops will be taught by experienced instructors and professionals in business law related fields. Specific subjects may be requested in advance by the Shanghai Bar Association and BU Law will make best efforts to accommodate such requests.
- **Field Trip**
 - Participants will be invited to tour the Massachusetts federal courthouse, observe proceedings, and meet a federal judge. Participants will also have the opportunity to visit a Boston law firm and meet with professionals who will present on their practice.
- **Workshop Venue**
 - All workshops will be held at Boston University School of Law, 765 Commonwealth Avenue, Boston, MA 02215.
- **Workshop Materials**
 - Prior to arrival, participants will receive any workshop materials that are available so as to give participants a chance to familiarize themselves with the workshop contents.
- **Certification of Completion**
 - At the conclusion of the program, all participants will receive a certification of completion.
- **Accommodations**
 - Program participants will stay at the Fenway Marriott Residence Inn. Breakfast and wireless internet are included. The hotel is a full-service luxury hotel and is a 10-minute walk from the law school.
- **Meals**
 - Lunch & tea will be provided during workshops and on the field trip.
 - A welcome breakfast will be served at the law school.
 - Dinner will be served during the farewell dinner.
- **Transportation**
 - Boston University will arrange for transportation on the field-trip day.

Sample Schedule

The following is a sample schedule for a 9 day series of workshops. Actual workshop subjects and the workshop order will vary depending on the delegation's interests and instructor availability, and this schedule is therefore being provided as a representative example of the general format that the workshops will take. Lunch will be served on each workshop day from 12:45 – 13:30, as well as on the field trip day. 15-minute tea breaks will also be included in the workshop time.

November 4, 2018

Participants arrive in Boston

Workshop Day 1	08:30 – 09:30	Welcome Breakfast
November 5, 2018	09:30 – 12:45	Introduction to U.S. Business Organizations I
	12:45 – 13:30	Lunch
	13:30 – 16:45	Introduction to U.S. Business Organizations II

Topics in Workshop Day 1 will include the promotion and formation of corporations; the distribution of power between management and shareholders; the limitations on management powers imposed by state law fiduciary duties and federal securities laws; shareholder derivative suits; capital structure and financing of corporations; and fundamental changes in corporate structure, such as mergers and sales of assets.

Workshop Day 2	09:30 – 12:45	International Business Transactions I
November 6, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	International Business Transactions II

Topics in Workshop Day 2 will include formation of contracts, choice of law, financing the international sale of goods through letters of credit, regulation of international trade, the organizations and operations of the institutions of the World Trade Organization, foreign investment, international dispute settlement, and international transfer of intellectual property.

Workshop Day 3	09:30 – 12:45	Cross-Border Mergers and Acquisitions I
November 7, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	Cross-Border Mergers and Acquisitions II

Topics in Workshop Day 3 will include the principal legal, tax and business issues of cross-border mergers and acquisitions. The workshop will explore various modes of business acquisition including statutory mergers, asset purchases, and stock purchases.

Workshop Day 4	09:30 – 12:45	Securities Regulation I
November 8, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	Securities Regulation II

Topics in Workshop Day 4 will include key issues under the U.S. federal securities laws, principally the Securities Act of 1933 and the Securities Exchange Act of 1934, with respect to the offer, sale, and trading of securities. The workshop will explore what constitutes a security, the public offering process, mandatory disclosure requirements for public companies, exemptions from registration, and potential liabilities and sanctions.

Workshop Day 5	09:30 – 12:45	International Trade Law I
November 9, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	International Commercial Insurance Law

Topics in Workshop Day 5 will include the origins and development of the WTO, with emphasis on the WTO legal process and its interaction with U.S. trade agencies. The workshop explores free trade and its impact on developed, developing, and least developed countries. International Commercial Insurance Law focuses on strategies of risk transfer, including insurance and contractual indemnity in international business transactions, and covers such topics as general liability, directors and officers, errors and omissions/professional liability, and owner-controlled insurance programs.

November 10-11, 2018	Free time to explore Boston
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Workshop Day 6	09:30 – 12:45	Law Firm Management
November 12, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	Law Practice and Technology

Topics in Workshop Day 6 will include the management and business development issues that lawyers in small, medium, and large firms face. In the afternoon session, the latest tools and technologies regarding law firm management and practice will be presented by an expert in the field.

Workshop Day 7	09:30 – 12:45	International Arbitration I
November 13, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	International Arbitration II

Topics in Workshop Day 7 will include the legal dimensions of resolution of cross-border economic disputes through binding arbitration, the treaty framework for determining the validity of an arbitration agreement and for recognition and enforcement of arbitral awards, in particular 1958 New York (UN) Convention and 1965 Washington (World Bank) Convention.

Workshop Day 8	09:30 – 12:45	Compliance and Risk Management I
November 14, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	Compliance and Risk Management II

Topics in Workshop Day 8 will include the key U.S. and global compliance laws, including anti-corruption/bribery, competition, data privacy and anti-money laundering laws, coupled with an

exploration of general ‘best practices’ that may assist practitioners in addressing a wide range of potential compliance issues. Case studies involving the Foreign Corrupt Practices Act and other important compliance related laws will be analyzed.

Workshop Day 9	09:30 – 12:45	Intellectual Property Protection
November 15, 2018	12:45 – 13:30	Lunch
	13:30 – 16:45	Cyber Law and Corporate Governance

Topics in Workshop Day 9 will include legal protection of inventions, creative expression, and other kinds of information through the use of patents, copyrights, trademarks, and trade secrets. Issues around cyber law will explore the legal frameworks for surveillance, crime prevention, international law, privacy rights and the harmonization of cyber security laws among different cultures and countries.

Field Trip Day	09:30 – 12:00	Visit a Federal Courthouse
November 16, 2018	12:30 – 16:30	Lunch and a visit to a Boston law firm for presentation on international business law practice
	18:00 – 20:00	Farewell Dinner

Program Fees

Program Participant Cost:	\$6,900 per participant
Anticipated Number of Participants:	10

Program Items

The following services are included in the above stated program fees:

- Faculty teaching costs
- 13 (thirteen) nights of hotel accommodations at the Fenway Marriott Residence Inn (Arrival on Sunday, November 4, 2018; departure on Saturday, November 17, 2018)
- Chartered bus service for the field trip
- Technology and facilities fees
- Law school administrative costs
- Workshop materials and supplies
- Welcome breakfast and farewell dinner
- Lunches, tea, and snacks on the workshop and field trip days

Simultaneous translation services are not included in the Program Fee. The Program participants are responsible for their round-trip transportation costs to Boston, airport transfers, personal living expenses and all other costs other than those listed above.

Sample Instructor Profiles

Final instructor selections are subject to availability.

David I. Walker

Professor of Law

Maurice Poch Faculty Research
Scholar

BE summa cum laude, Vanderbilt
University

JD magna cum laude, Harvard
University

Professor David Walker is the recipient of BU Law's Michael Melton Memorial Award for Teaching Excellence and Boston University's Metcalf Award for Excellence in Teaching. His research lies at the intersection of taxation and corporate governance, with a particular focus on executive compensation. Recent projects include "A Tax Response to the Executive Pay Problem," published in the *Boston University Law Review*, and "Evolving Executive Equity Compensation and the Limits of Optimal Contracting," published in the *Vanderbilt Law Review*.

Professor Walker is a 1998 graduate of Harvard Law School and a recipient of Harvard's John M. Olin Prize in Law and Economics. After graduation, he clerked for Judge Karen Nelson Moore of the US Court of Appeals for the Sixth Circuit, returned to Harvard Law School for a year as an Olin Fellow, and worked as an associate in the tax department at Ropes & Gray, where he had a general tax practice with an emphasis on executive compensation.

Prior to law school, Professor Walker enjoyed an interesting and varied career in the oil industry that included roles as a chemical engineer, crude oil trader, and assistant to the president of BP Oil Company, the US arm of British Petroleum. His undergraduate degree in chemical engineering is from Vanderbilt University.

Virginia Greiman

Lecturer

BS, cum laude, Pennsylvania State
University

MEd, with honors, Boston

Professor Greiman has more than 20 years of experience in international law and international development, and is a recognized expert on international contracting, mega project finance, legal reform, privatization, foreign direct investment and

University
JD, with honors, Suffolk University
LLM in Taxation, Boston University
School of Law

corporate reorganizations. She is presently an Assistant Professor at Boston University where she teaches international development and project finance and international business transactions, and she teaches trial advocacy at Harvard Law School. She lectures internationally and publishes extensively in the areas of international business transactions, project finance, commercial investment arbitration and dispute resolution, cybercrime and international regulation and reform.

Prior to entering academia, she served as international legal counsel to the US Department of State, the US Agency for International Development, and the World Bank in Eastern and Central Europe, Asia and Africa on privatization, infrastructure development and legal reform projects. She recently served as Chief of Party for a State Department Delegation to Liberia on post-conflict reconstruction and institutional reform. She has held several high level federal and state positions including Deputy Chief Legal Counsel to Boston's \$14.7 billion Central Artery/Tunnel Project, United States Trustee to the U.S. Department of Justice for the first and fourth circuits where she managed the successful reorganizations of Seabrook Nuclear Power Plant and the Bank of New England, the first bank holding company to file for chapter 11 relief, and she served as Deputy Director and General Counsel to the Massachusetts Department of Economic Development where she assisted international businesses in foreign direct investment.

Philip D. O'Neill, Jr.
Lecturer
BA Hamilton College
JD, Boston College Law School

Philip D. O'Neill, Jr. is currently an independent arbitrator, educator and author. He was a partner at Edwards Wildman Palmer LLP (now Locke Lord Edwards), where his global legal practice for more than 35 years included adjudicating billions of dollars in cross-border commercial claims, as well as general counsel projects in as many as 50 countries per year. Repeatedly, he has been listed in the International Arbitration section of *The Best Lawyers in America* and *Expert Guides to the World's Leading Practitioners*. He is a Fellow in the College of

Commercial Arbitrators, in England's Chartered Institute of Arbitrators, and is a Chartered Arbitrator as well.

An adjunct law professor for nearly three decades, he presently teaches seminars on International Arbitration at Boston University School of Law and Boston College Law School. Mr. O'Neill previously taught International Arbitration at Harvard Law School, and International Business Transactions at the Fletcher School of Law and Diplomacy. He also taught National Security Law at Boston University School of Law for many years and at Boston College Law School as well.

The author of two national security law books published by Oxford University Press, Mr. O'Neill also has authored five book chapters and sixteen legal journal articles, most relating to international arbitration. The American Arbitration Association includes two of his chapters in the Association's current handbooks on international and domestic commercial arbitration. In addition, Mr. O'Neill is the author of a textbook: *International Commercial Arbitration*, that was published by West Academic Press, which is the text for his course in the Executive LLM program.

Stacey Dogan

Professor of Law

Law Alumni Scholar

BS in Economics, Massachusetts

Institute of Technology

JD, magna cum laude, Harvard Law School

Professor Stacey Dogan is a leading scholar in intellectual property and competition law. Her recent articles explore cutting-edge topics in trademark, copyright, and right of publicity law, including questions of intermediary liability, the rights of trademark parodists, and evolving norms underlying trademark law.

Professor Dogan has presented her research at numerous national and international conferences, and her writings have appeared in journals including the *Stanford Law Review*, *Emory Law Journal*, *Iowa Law Review* and *Texas Law Review*. She has served as chair of the Intellectual Property Section of the Association of American Law Schools, and was co-editor-in-chief of the *Journal of the Copyright Society* from 2008 to 2011. Dogan is an active participant in educational programs with the local bar, leading seminars and discussions for

the Boston Bar Association, Massachusetts Continuing Legal Education and the Massachusetts Volunteer Lawyers for the Arts.

Before joining the BU faculty, Professor Dogan taught for more than a decade at Northeastern University School of Law, where she focused on intellectual property and antitrust law. She came to teaching after several years of practicing law with the Washington, DC law firm of Covington & Burling, where she specialized in antitrust, trademark, and copyright law. After law school, she practiced with Heller, Ehrman, White & McAuliffe in San Francisco and served as a law clerk to the Honorable Judith Rogers of the US Court of Appeals for the District of Columbia.

Sidd Pattanayak

Lecturer

AB, Cornell University
JD cum laude, Boston University
School of Law

Sidd Pattanayak has served as an international counsel (both in in-house and outside counsel capacities) with 10+ years of experience in multiple areas (corporate law, regulatory compliance, M&A, joint ventures, franchising and licensing, corporate governance, and other areas) and in multiple jurisdictions (across the Americas, Europe, Middle East, India, People's Republic of China, Southeast Asia, Korea, Japan, Australia and several other jurisdictions). His clients have included large multinational corporations, private equity and venture capital firms and startups. Mr. Pattanayak is currently Senior Counsel, Development and Transactions at TripAdvisor, Inc. He began his career with the law firms Ropes & Gray and Proskauer Rose and has spent time as in house counsel at TripAdvisor, Inc., Dunkin' Brands, Inc. and Payless ShoeSource Worldwide.

Mary-Pat Cormier

Lecturer

LLB, McGill University
BCL, McGill University
BA, McGill University

Mary-Pat Cormier is a civil litigator with 20 years of experience at both the trial and appellate levels of state and federal courts. She was a partner at Edwards Angel Palmer & Dodge and at Bowditch & Dewey in Boston. She is currently coverage counsel at Liberty Mutual. Mary-Pat's practice is primarily focused on financial services and securities litigation. She has worked extensively with professional and management liability insurers on market analysis, product development, and policy drafting for risks. Mary-Pat is

also actively involved in the representation of liability insurers in coverage and bad faith/extra contractual litigation throughout the country in state and federal courts, including bankruptcy courts. She is a frequent guest speaker and author on matters including data security and a wide variety of financial and insurance related topics. Mary-Pat is fluent in French.