

CRIMINAL JUSTICE SECTION

The Unified Voice of Criminal Justice



CJS GLOBAL WHITE COLLAR CRIME INSTITUTE

白领犯罪国际研讨会

PROGRAM AGENDA

In collaboration with the KoGuan Law School of the Shanghai Jiao Tong University

Guided by:

Legal Daily and the Shanghai Law Society

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DAY 1 - Thursday, November 19, 2015

Last updated on November 11, 2015 – subject to change.

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| 7:30 – 8:30 AM | Grand Ballroom Foyer | <p><i>Registration Check-in / Continental Breakfast Networking Session</i> 注册、欧式早餐 <i>Please be sure to bring a business card or ID for signing out a simultaneous interpretation headset.</i></p> |
| 8:30 – 9:05 AM | Grand Ballroom 1 | <p><i>Welcome Remarks</i> 欢迎致辞 <i>Speakers:</i> 1. Prof. Lucian E. DERVAN*, Shanghai Institute Chair, Southern Illinois University School of Law 2. The Honorable Bernice B. DONALD, Chair of the ABA Criminal Justice Section, Judge, United States Court of Appeals for the Sixth Circuit 3. Dean Ji Weidong*, KoGuan Law School of the Shanghai Jiao Tong University, Shanghai</p> |
| 9:05 – 9:25 AM | Grand Ballroom 1 | <p><i>Opening Keynote Address</i> 开幕致辞 ZHANG Ya, Vice Chief Editor of Legal Daily, Beijing LIN Guoping, Executive Vice Chairman of the Shanghai Law Society, Shanghai</p> |
| 9:30 – 10:45 AM | Grand Ballroom 1 | <p><i>PLENARY SESSION I – General Counsels’ Roundtable</i> 全体会议 1 – 总法律顾问圆桌会议 <i>International business, commerce and trade all require informed and dedicated legal counsel be knowledgeable on all aspects of delivering products and services and generating profits without violating the legal and regulatory constraints of their country and those other countries where they choose to do business. This panel of Chinese and American in house counsel will explore their individual and shared perspectives on their duties and responsibilities in advising and achieving effective compliance with the laws of China, the United States, international treaties and industry standards. In specific terms the panelist will address the application of laws like the Foreign Corrupt Practices Act (FCPA), the U.K. Bribery Act, and the Anti-Unfair Competition Law and the Criminal Law of the PRC to the conduct of their employees. Also, the panelists will discuss their efforts to educate their employees on reporting activities that violate these laws to their compliance officers. In addition, the panelists will explore the manner in which they conduct their internal investigations together with the attendant issues associated with protecting the work product of these investigations in different settings internationally. Finally, the panel will evaluate in a cost-benefit manner the advice they may give their clients on voluntary disclosure of employee misconduct.</i></p> <p><i>Moderator:</i> Joe D. WHITLEY*, former General Counsel for the United States Department of Homeland Security and current Partner at Baker Donelson Bearman Caldwell & Berkowitz, P.C., Atlanta, GA and Washington, DC <i>Speakers:</i> 1. Brian R. MICHAEL, Vice President and Deputy General Counsel, 21st Century Fox, Los Angeles 2. Lyn WU, Asia Pacific General Counsel, Owens Corning, Shanghai 3. ZHANG Zhong, General Counsel, Shanghai Property Rights Trading Supervision Office, Shanghai</p> |
| 10:45 – 11:15 AM | Grand Ballroom Foyer | <p><i>Coffee & Tea Networking Break</i> 茶歇 <i>Please be certain to visit our sponsors’ tables for valuable information.</i></p> |
| 11:15 – 11:20 AM | Grand Ballroom 1 | <p><i>Brief Remarks by Mr. Akio HARADA (原田明夫)</i> Chairman of International Civil and Commercial Law Center, Tokyo Former Japanese Prosecutor General</p> |
| 11:25 AM – 12:40 PM | Grand Ballroom 1 | <p><i>PLENARY SESSION II – Enforcers’ Roundtable</i> 全体大会 2 – 执法者圆桌会议 <i>One of the principal roles of a prosecutor is to bring offenders to justice. “White Collar” offending encompasses sophisticated frauds, corrupt practices often at the highest level, money laundering, asset stripping, tax evasion etc., etc. Such crimes present numerous challenges, not least because of their transnational nature and the increasing use of E technology. What can we learn from Prosecutors in China and USA and possibly other parts about how best to tackle such offending behavior and prevent their proliferation, whilst observing the rule of law and international standards of justice and integrity and human rights? What tools, mechanisms and processes are available or should be available? These and other issues will be explored and debated during this session with reference to case studies and practical examples.</i></p> <p><i>Moderator:</i> Elizabeth HOWE*, OBE, LLD (Hon), Chair of the International Legal Assistance Consortium, Stockholm and Former Chief Crown Prosecutor England and Wales <i>Speakers:</i></p> |

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| | | <ol style="list-style-type: none"> 1. <i>Kathryn R. HAUN</i>, Assistant US Attorney, Northern District of California, Organized & Violent Crime Strike Force, US Department of Justice, San Francisco 2. <i>The Honorable Judge Virginia M. KENDALL*</i>, United States District Court, Northern District of IL, Chicago 3. <i>XIAO Kai</i>, Director of Financial Procuratorial Division of Shanghai People's Procuratorate, Shanghai 4. <i>YU Jian</i>, Vice Chief Judge of the First Criminal Division of Shanghai First Intermediate People's Court, Shanghai |
| 12:45 – 2:15 PM | Grand Ballroom 2 | <p>Luncheon - Keynote Address Delivered by: Sung-Hee SUH, Deputy Assistant Attorney General for the Criminal Division, United States Department of Justice</p> <p>午餐会 主旨发言: Sung-Hee SUH, 美国司法部刑事法分部, 副总检察长</p> <p><i>Introduction by Gary G. GRINDLER*</i>, Partner at King & Spalding, Washington, DC and former Acting Deputy Attorney General of the United States</p> |
| 2:30 – 3:45 PM BREAKOUT SESSION – please select one | Amber Room | <p>BREAKOUT SESSION I (Track A) How to Conduct an International Internal Investigation 分组会议 1 (A组) 如何进行国际性的内部调查</p> <p><i>Part I: The panel will address such topics as: recent trends in international internal investigations; strategies in selecting an appropriate investigatory model; best practices for collecting, reviewing, and transferring documents internationally; pitfalls in interviewing employees; coordination among key players in an internal investigations, including external counsel, internal counsel and forensic accountants; impact of parallel regulatory investigations, and; concerns during disclosure and settlement.</i></p> <p>Moderator: <i>Jimmy PAPPAS</i>, Managing Director - Forensic Services at PricewaterhouseCoopers, Boston</p> <p>Speakers:</p> <ol style="list-style-type: none"> 1. <i>Ronald CHENG</i>, Partner at O'Melveny & Myers LLP, Hong Kong and Los Angeles 2. <i>Philip ROHLIK</i>, Partner at Debevoise & Plimpton LLP, Shanghai 3. <i>Kareena TEH</i>, Partner at Dechert LLP, Hong Kong 4. <i>ZOU Linlin</i>, Partner at Boss & Young, Attorneys-At-Law, Shanghai |
| 2:30 – 3:45 PM BREAKOUT SESSION – please select one | Beige Room | <p>BREAKOUT SESSION I (Track B) Recent Developments in Global Antitrust Cartel Enforcement and Anticipated Implications for China and Asia 分组会议 1 (B组) 全球反垄断卡特尔执法的近期发展及对中国和亚洲的预期影响</p> <p>Panelists will engage in a comparative examination of recent developments in cartel enforcement in China, the U.S. and beyond, and discuss strategies for anticipating and addressing antitrust issues in Asia and elsewhere. Topics will include the extraterritorial application of U.S. law, including extradition, border watches and Interpol Red Notices; the potential impact of follow on civil damages actions in the U.S. and EU and China; emerging enforcement trends focusing on particular industry sectors and atypical cartels; and heightened information sharing between enforcers. Panelists will provide practical advice for counseling advising clients now facing heightened risk and introduce cutting edge compliance concepts for discussion.</p> <p>Moderator: <i>Kirby BEHRE</i>, Member, Miller & Chevalier's Litigation Department, Washington, DC</p> <p>Speakers:</p> <ol style="list-style-type: none"> 1. <i>GAO Huandong</i>, Vice President and General Counsel of Shanghai Yi, Agel Ecommerce Ltd., Shanghai 2. <i>Craig P. SEEBALD</i>, Partner, Vinson & Elkins LLP, Washington, DC 3. <i>WANG Xianlin</i>, Executive Vice President and Professor of KoGuan Law School of Shanghai Jiao Tong University, Shanghai 4. <i>Dr. ZHAN Hao</i>, Managing Partner at AnJie Law Firm, Beijing |
| 3:45 – 4:15 PM | Grand Ballroom Foyer | <p>Coffee & Tea Networking Break 茶歇</p> <p><i>Please be certain to visit our sponsors' tables for valuable information.</i></p> |
| 4:15 – 5:30 PM BREAKOUT SESSION – please select one | Amber Room | <p>BREAKOUT SESSION II (Track A) How to Approach Disclosure & Settlement After an International Internal Investigation 分组会议 2 (A组) 如何对待国际内部调查后的信息披露和结算</p> <p><i>Part II: Panel members will discuss, as a preliminary question, whether attorneys conducting international internal investigations have the luxury to wait until after they have completed their often lengthy internal investigations to disclose their findings and, as appropriate, notify regulators. The panel will also explore the challenges facing a global corporation in prioritizing the notifications that need to be made to multiple governments and government agencies, each of whom may consider itself the "primary" regulator. On the civil side, panelists will explore the relative advantages of different dispute resolution approaches: local courts, international arbitration and the setting up of a special fund with an administrator. Finally, speakers will explore what attorneys can do to reach global settlements where fairness, logic and efficiency trump the politics and regionalism that all too often impede the disclosure and settlement process.</i></p> <p>Moderator: <i>Pamela CHEPIGA*</i>, Partner at Allen & Overy, New York</p> <p>Speakers:</p> <ol style="list-style-type: none"> 1. <i>Graeme HAMILTON</i>, Associate at Borden Ladner Gervais LLP, Toronto 2. <i>HU Yong</i>, Minister of the Department of Legal Affairs, Sino Pharm Group Co. Ltd., Shanghai 3. <i>Mr. Takeo KOSUGI</i>, Partner at Matsuo & Kosugi Law Firm & Former Chairman of Law Asia, Tokyo |

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| | | 4. <i>Samuel G. WILLIAMSON</i> , Partner at Quinn Emmanuel Urquhart Sullivan LLP, Hong Kong |
| 4:15 – 5:30 PM BREAKOUT SESSION – <i>please select one</i> | Beige Room | BREAKOUT SESSION II (Track B) Comparative Legal Systems and Special Enforcement Issues in China, The US & Beyond 分组会议 2 (B 组) 中国、美国和其他国家的法律体系比较和特别执法的问题 <i>With a panel comprised of lawyers practicing in Shanghai, Hong Kong, London and the United States, this session will explore current trends and developments in corporate criminal liability across various jurisdictions. The focus will be on areas where there may be significant differences in approach that exist between countries (in terms of the underlying laws, as well as how investigations, mutual legal assistance, extradition and enforcement operate in practice). The panel will also share relevant “war stories” and practical tips for how lawyers can best help their clients to navigate the dynamic, and sometimes conflicting, expectations of authorities around the world.</i> Moderator: Aaron STEPHENS*, Partner at Berwin Leighton Paisner, London Speakers: 1. Kevin J. NAPPER*, Shareholder at Carlton Fields Jordan Burt, Tampa 2. Keith WILLIAMSON, Managing Director, Alvarez & Marsal, Hong Kong 3. William F. MCGOVERN, Partner at Kobre & Kim LLP, Hong Kong 4. ZHANG Shaoqian, Professor of KoGuan Law School of Shanghai Jiao Tong University, Shanghai 5. WANG Xiumei, Director of Office of International Exchange & Cooperation and Professor of Beijing Normal University, Beijing |
| 6:00 – 8:00 PM | Flair, Rooftop Lounge, 58 th Floor | Official Institute Cocktail Reception 鸡尾酒招待会 <i>Don't miss the opportunity to visit the Flair Rooftop Lounge – the highest indoor/outdoor bar and restaurant in all of mainland China. Located on the 58th Floor of the Ritz-Carlton Shanghai-Pudong Hotel, this is THE place where movers and shakers of Shanghai go to be seen.</i> |

DAY 2 - Friday, November 20, 2015

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| 7:30 – 8:30 AM | Grand Ballroom Foyer | Registration / Continental Breakfast Networking Session 注册、欧式早餐 <i>Please be sure to bring a business card or ID for signing out a simultaneous interpretation headset.</i> |
| 8:30 – 10:00 AM | Grand Ballroom 1 | PLENARY SESSION III – Social Responsibility of Corporations 全体大会 3 — 企业的社会责任 <i>This panel will discuss the expanding legislation requiring corporations to monitor their business practices and supply chains for potential violations of human rights and other international laws. From the advent of the transparency in supply chain laws in the United States to the UK's antislavery act, corporations are increasingly obligated to ensure their status as socially conscious corporate citizens. This panel will discuss those laws and how corporations are responding and also voluntarily adopting corporate social responsibility programs to comply as well as the broader financial and societal implications of such compliance.</i> Moderator: The Honorable Judge Virginia M. KENDALL* , United States District Court, Northern District of IL Speakers: 1. Bruce A. GREEN, Louis Stein Professor at Fordham Law School, New York 2. Larry Dean THOMPSON, John A. Sibley Professor in Corporate and Business Law, University of Georgia Law, Athens and former United States Deputy Attorney General, Athens 3. WANG Xiaoguang, Director, Beijing Rongzhi Corporate Social Responsibility Institution, Beijing 4. YANG Li*, Vice Dean and Professor of KoGuan Law School of Shanghai Jiao Tong University, Shanghai |
| 10:00 – 10:30 AM | Grand Ballroom Foyer | Coffee & Tea Networking Break 茶歇 <i>Please be certain to visit our sponsors' tables for valuable information.</i> |
| 10:30 AM – 12:00 PM | Grand Ballroom 1 | PLENARY SESSION IV – Trends Regarding Anti-Corruption Enforcement & Espionage in China and the United States 全体大会 4 – 中国和美国反腐败侦查和执法的趋势 <i>With President Obama and FBI Director Comey publicly prioritizing prosecutions of Chinese kickback and espionage cases, federal law enforcement is now focused on the People's Republic of China. This panel will examine the nature of these cases, how the government is gathering evidence, and how private counsel are responding. The panel will provide key lessons for U.S. and Chinese lawyers in navigating through these investigations in China and addressing charges after they are filed. Finally the panel will discuss what we can expect in this area over the next several years.</i> Moderator: Gary S. LINCENBERG*, Principal at Bird Marella P.C., Los Angeles Speakers: 1. Gary G. GRINDLER*, Partner at King & Spalding, Washington, DC and Former Acting Deputy Attorney General of the United States |

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| | | <p>2. <i>Scott L. MARRAH*</i>, Partner at Kilpatrick Townsend, Atlanta</p> <p>3. <i>PEI Xuelong</i>, General Counsel of Shanghai JuneYao Group Co., Ltd., Shanghai</p> <p>4. <i>Karen A. POPP*</i>, Partner at Sidley Austin LLP, Washington, DC</p> <p>5. <i>YIN Yunxia</i>, Editorial Writer of 2014-2015 China Anti Commercial Bribery Investigation Report, Beijing</p> |
| 12:15 – 1:45 PM | Grand Ballroom 2 | <p>Networking Luncheon – Brief Remarks Delivered by: <i>Elizabeth ANDERSEN</i>, Associate Executive Director and Director, Rule of Law Initiative, American Bar Association, Chicago 午餐会</p> |
| 2:00 – 3:30 PM | Grand Ballroom 1 | <p>PLENARY SESSION V – Cyber Crime and Virtual Currencies 全体大会 5 – 网络犯罪与虚拟货币</p> <p><i>Although cybercrime may be relatively cheap to commit, its costs can be massive. It is also hard to detect and even harder to pinpoint in jurisdictional terms, leading to calls for greater international cooperation in the area. This panel will tackle such issues as: What special challenges cybercrimes pose for prosecutors compared to more traditional crimes? What are the changing trends in cybercrime in the U.S. and in China? This will include a discussion on the role digital currencies play. Lastly, the panel will discuss how jurisdictional problems impede investigations in the cybercrime arena.</i></p> <p>Moderator: <i>Kathryn R. HAUN</i>, Assistant US Attorney, Digital Currency Crimes Coordinator, Northern District of California, US Department of Justice, San Francisco</p> <p>Speakers:</p> <ol style="list-style-type: none"> 1. <i>Cori A. LABLE</i>, Partner at Ropes & Gray LLP, Hong Kong 2. <i>David A. O'NEIL</i>, Partner at Debevoise & Plimpton LLP, Washington, DC 3. <i>Professor Pauline C. REICH</i>, J.D. Director, Asia-Pacific Cyberlaw, Cybercrime and Internet Security Research Institute, Waseda University School of Law, Tokyo |
| 3:30 – 3:45 PM | Grand Ballroom Foyer | <p>Short Coffee & Tea Networking Break 茶歇</p> |
| 3:45 – 5:15 PM | Grand Ballroom 1 | <p>PLENARY SESSION VI – Year in Review: Lessons Learned from Recent White Collar Crime Prosecutions in China & the United States 全体会议 6 – 年度回顾：近期中国和美国白领犯罪起诉的经验教训</p> <p><i>Over the last year, there have been a number of significant white collar prosecutions in both China and the United States. This panel will examine some of the most important cases of the year and use these case studies as vehicles for introducing and analyzing areas of enforcement concentration in both countries. Along with offering insights about enforcement trends and specific cases, this panel will also discuss how these matters fit into today's larger cross border enforcement environment and examine the same through representative case studies.</i></p> <p>Moderator: <i>Debra WONG YANG*</i>, Partner at Gibson, Dunn & Crutcher, Los Angeles</p> <p>Speakers:</p> <ol style="list-style-type: none"> 1. <i>Ronald CHENG</i>, Partner at O'Melveny & Myers LLP, Hong Kong and Los Angeles 2. <i>Brian R. MCGINLEY</i>, Partner, Forensic Services, PricewaterhouseCoopers, Hong Kong 3. <i>Zhengyu TANG</i>, Partner at Sidley Austin LLP, Shanghai 4. <i>WU Jinfeng</i>, General Counsel, Daphne International Holdings Ltd., Shanghai 5. <i>ZHAO Bin</i>, Counsel General of Asian-Pacific Area, SCA (China) Investment Inc., Shanghai |
| 5:15 – 5:30 PM | Grand Ballroom 1 | <p>Closing Remarks 闭幕词</p> <p><i>Prof. Lucian E. DERVAN*</i>, Shanghai Institute Chair, Southern Illinois University School of Law <i>GONG Peihua</i>, Vice Prosecutor General of Shanghai People's Procuratorate, Shanghai</p> |
| 5:30 – 7:00 PM | Grand Ballroom Foyer | <p>Closing Networking Reception 闭幕酒会</p> |

* Shanghai Institute Planning Committee Member

Last updated on November 11, 2015 – subject to change.

Special Academic Support Provided by:

The China Institute of Corporate Legal Affairs (CLA)

Additional Institute Support Provided by:

Shanghai Federation of Economic Organizations (SFEO)

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MCLE INFORMATION

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 7.5 CLE credit hours in 60-minute states, and 9 credit hours in 50-minute states, including 1.25 Ethics credit hours in 60-minute states, and 1.5 Ethics credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://www.americanbar.org/publications_cle/mandatory_cle.html or contact Carol.Rose@americanbar.org. Limited scholarships are available for this program. For more information, please contact Carol Rose.

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