19TH ANNUAL
U.S. AND EUROPE TAX PRACTICE TRENDS
LE MÉRIDIEN ETOILE • PARIS, FRANCE
4-5 APRIL 2019

WEALTH MANAGEMENT WORKSHOP
CMS FRANCIS LEFEBVRE AVOCATS • NEUILLY-SUR-SEINE
3 APRIL 2019
CONFERENCE CO-CHAIRS
Michel Collet, CMS Francis Lefebvre Avocats, Paris, France
Olivier Dauchez, Gide Loyrette Nouel, Paris, France
Margriet Lukkien, Loyens & Loeff, Amsterdam, The Netherlands
Carol P. Tello, Eversheds Sutherland (US) LLP, Washington, DC, USA

CONFERENCE PLANNING COMMITTEE
Joan C. Arnold, Pepper Hamilton LLP, Philadelphia, PA, USA
Ewout van Asbeck, Van Doorne N.V., Amsterdam, The Netherlands
Jérôme Assouline, Sekri Valentin Zerrouk, Paris, France
Peter H. Blessing, KPMG LLP, New York, NY, USA
Thierry Boitelle, Bonnard Lawson, Geneva, Switzerland
Patrick Brown, Washington, DC, USA
Francesco Capitta, Macchi di Cellere Gangemi, Rome, Italy
Stuart Chessman, Vivendi S.A., New York, NY, USA
Eli Dicker, Tax Executives Institute, Inc., Washington, DC, USA
Torsten Engers, Flick Gocke Schaumburg, Bonn, Germany
Ana Lucía Ferreyra, Pluspetrol, Montevideo, Uruguay
Alan Granwell, Holland & Knight LLP, Washington, DC, USA
Anders Oreby Hansen, Bech-Bruun, Copenhagen, Denmark
Hal Hicks, Skadden, Arps, Slate, Meagher & Flom LLP, Washington, DC, USA
Michael Hirschfeld, Andersen Tax, New York, NY, USA
Sara Luder, Slaughter and May, London, England
Peter Maher, A & L Goodbody, Dublin, Ireland
Véronique Millischer, Baker McKenzie, Paris, France
Fred Murray, University of Florida College of Law, Gainesville, FL, USA
Grace Perez-Navarro, OECD, Paris, France
Thomas Perrot, Skadden, Arps, Slate, Meagher & Flom LLP, Paris, France
Dirk J.J. Suringa, Covington & Burling LLP, Washington, DC, USA
Sonia Velasco, Cuatrecasas, Barcelona, Spain

PAST LOCAL CONFERENCE CHAIRS (2014-2018)
Carola van den Bruinhorst, Loyens & Loeff N.V., Amsterdam, The Netherlands (2018)
Peter Flipsen, Simmons & Simmons LLP, Amsterdam, Netherlands (2018)
Albert Collado, Garrigues, Barcelona, Spain (2017)
Sonia Velasco, Cuatrecasas, Barcelona, Spain (2017)
Bruno Gangemi, Macchi di Cellere Gangemi, Rome, Italy (2016)
Stefano Petrecca, Macchi di Cellere Gangemi, Rome, Italy (2016)
Pia Dorfmueller, P+P Pöllath + Partners, Frankfurt am Main, Germany (2015)
Thierry Boitelle, Bonnard Lawson, Geneva, Switzerland (2014)
Jean-Blaise Eckert, Lenz & Staehelin, Geneva, Switzerland (2014)
WORKSHOP VENUE
CMS Francis Lefebvre Avocats
2 rue Ancelle
92522 Neuilly-sur-Seine, France

CONFERENCE VENUE
Le Méridien Etoile
81 Boulevard Gouvion Saint-Cyr
75017 Paris, France

REGISTRATION
Registration for the Workshops and Conference is available at the following website: https://www.americanbar.org/groups/taxation/events_cle/19europe_resources/. All individuals attending any part of the Workshop and Conference must register and pay the registration fee. Payment may be by check, credit card, or wire transfer. Checks should be made payable to the American Bar Association. To pay by wire transfer, email Genevieve.Lynn@americanbar.org to request banking details.

<table>
<thead>
<tr>
<th>Registration Fees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ABA, IFA, IBA, or Past Conference Attendee</td>
<td>$1,195</td>
</tr>
<tr>
<td>Non-Member</td>
<td>$1,295</td>
</tr>
<tr>
<td>Young Lawyer (under 35 years)</td>
<td>$695</td>
</tr>
<tr>
<td>Government/In-House Counsel/Academic/First-Time Attendee</td>
<td>$695</td>
</tr>
<tr>
<td>Wealth Management Workshop Only</td>
<td>$325</td>
</tr>
<tr>
<td>Full-Time Law Student</td>
<td>$25</td>
</tr>
<tr>
<td>Press</td>
<td>FREE</td>
</tr>
</tbody>
</table>

DESCRIPTION
The 19th Annual U.S. and Europe Tax Practice Trends Conference will focus on practical tax practice trends for multinational corporations and their international advisors, as well as provide insight into how government tax officials may view the international tax landscape in light of important international developments that impact corporate taxpayers. Panelists will include industry leaders, senior government and OECD officials, and leading tax practitioners from the United States and Europe.

Designed for international tax professionals from industry and private practice, sessions will cover cooperative compliance between taxpayers and governments; the effect of U.S. Tax Reform and ATAD on mergers and acquisitions; the taxation of cryptocurrency in the U.S. and Europe; the evolving view of the OECD and others on cross border financing; how to protect taxpayers under constitutional, EU, and international human rights laws; transfer pricing cases and dispute resolution mechanisms; the digital economy; the latest EU developments on state aid in tax matters; the current state of criminal tax enforcement in the U.S. and Europe; the practical implications for cross-border corporate structures deriving from the MLI anti-treaty abuse provisions; and cross border investments in real estate by tax-exempt entities.

As in past years, the Conference will be supplemented by half-day Private Wealth Management Workshop on Wednesday, 3 April. Numerous networking opportunities will be provided and a reception will be held on Thursday evening.

For more information, visit http://shopaba.org/19taxeurope
<table>
<thead>
<tr>
<th>Time</th>
<th>Session Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:30 – 17:00</td>
<td>Registration of Delegates</td>
</tr>
<tr>
<td>12:30 – 13:30</td>
<td>Light Lunch and Introduction</td>
</tr>
<tr>
<td>13:30 – 15:00</td>
<td>Inheriting Problematic Structures: Common Tax Issues for Heirs/Beneficiaries and Pre-Death Restructuring Possibilities</td>
</tr>
<tr>
<td>15:00 – 15:30</td>
<td>Networking Coffee Break</td>
</tr>
<tr>
<td>15:30 – 17:00</td>
<td>The Tension between Tax Transparency and Tax Compliant Financial Privacy – Where Do Things Stand and Navigating the Divide?</td>
</tr>
<tr>
<td>17:00 – 18:00</td>
<td>Workshop Networking Reception</td>
</tr>
<tr>
<td>07:30 – 17:30</td>
<td>Registration of Delegates</td>
</tr>
<tr>
<td>08:00 – 08:45</td>
<td>Continental Breakfast</td>
</tr>
<tr>
<td>08:45 – 09:00</td>
<td>Conference Opens with Co-Chairs' Remarks</td>
</tr>
<tr>
<td>09:00 – 09:30</td>
<td>Opening Keynote Address: Tax Challenges of the 21st Century</td>
</tr>
<tr>
<td>09:30 – 11:00</td>
<td>Transparency, Cooperative Compliance, and the Real World of Tax Audits: What’s Working, What Isn’t, and What is the Path Forward?</td>
</tr>
<tr>
<td>11:00 – 11:30</td>
<td>Networking Coffee Break</td>
</tr>
<tr>
<td>11:30 – 13:00</td>
<td>Effect of US Tax Reform and ATAD on Mergers &amp; Acquisitions</td>
</tr>
<tr>
<td>11:30 – 13:00</td>
<td>Evolution of Blockchain and Taxation of Cryptocurrency in the United States and Europe</td>
</tr>
<tr>
<td>13:00 – 14:30</td>
<td>Keynote Luncheon: View from the United States — The Impact of Global Tax Policy</td>
</tr>
<tr>
<td>14:30 – 16:00</td>
<td>Cross Border Financing: The Evolving View of the OECD and Others</td>
</tr>
<tr>
<td>Time</td>
<td>Session Title</td>
</tr>
<tr>
<td>-----------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>14:30 – 16:00</td>
<td>Protecting Taxpayers Under Constitutional, EU, and International Human Rights</td>
</tr>
<tr>
<td></td>
<td>Laws in an Era of Increased Regulation and Heightened Enforcement</td>
</tr>
<tr>
<td>16:00 – 16:30</td>
<td>Networking Coffee Break</td>
</tr>
<tr>
<td>16:30 – 18:00</td>
<td>Transfer Pricing Cases and Dispute Resolution Mechanisms</td>
</tr>
<tr>
<td>16:30 – 18:00</td>
<td>Global Executives: When Is a Permanent Establishment Created, and What’s the</td>
</tr>
<tr>
<td></td>
<td>Income Attributable to It?</td>
</tr>
<tr>
<td>19:00 – 21:00</td>
<td>Conference Networking Reception</td>
</tr>
</tbody>
</table>

**Friday, 5 April at Le Méridien Etoile**

<table>
<thead>
<tr>
<th>Time</th>
<th>Session Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>07:30 – 15:30</td>
<td>Registration of Delegates</td>
<td>15</td>
</tr>
<tr>
<td>07:30 – 08:30</td>
<td>Breakfast Symposium sponsored by TMF Group</td>
<td>15</td>
</tr>
<tr>
<td>07:30 – 08:30</td>
<td>Breakfast Symposium sponsored by the UC Irvine School of Law Graduate Tax</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Program</td>
<td></td>
</tr>
<tr>
<td>08:00 – 09:00</td>
<td>Continental Breakfast</td>
<td>15</td>
</tr>
<tr>
<td>09:00 – 10:30</td>
<td>Addressing the Tax Challenges of the Digital Economy</td>
<td>15</td>
</tr>
<tr>
<td>10:30 – 11:00</td>
<td>Networking Coffee Break</td>
<td>16</td>
</tr>
<tr>
<td>11:00 – 12:30</td>
<td>State Aid: What We Now Know and What We Don't Know Yet</td>
<td>16</td>
</tr>
<tr>
<td>11:00 – 12:30</td>
<td>Identifying the Line Between Avoidance and Evasion: Global Criminal Tax</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>Enforcement</td>
<td></td>
</tr>
<tr>
<td>12:30 – 14:00</td>
<td>Networking Luncheon</td>
<td>17</td>
</tr>
<tr>
<td>14:00 – 15:30</td>
<td>After the MLI: What’s New with Tax Treaties?</td>
<td>17</td>
</tr>
<tr>
<td>14:00 – 15:30</td>
<td>Cross Border Investments in Real Estate by Tax-Exempt Entities, Including</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Sovereigns, Pension Funds and Charitable Entities</td>
<td></td>
</tr>
</tbody>
</table>
WEALTH MANAGEMENT WORKSHOP

Venue: CMS Francis Lefebvre Avocats, 2 rue Ancelle, 92522 Neuilly-sur-Seine

1230 – 1700
Registration of Delegates

1230 – 1330
Light Lunch and Introduction

1330 – 1500  Wealth Management Workshop I

Inheriting Problematic Structures: Common Tax Issues for Heirs/Beneficiaries and Pre-Death Restructuring Possibilities

In this panel, we’ll examine some examples of structures that create tax inefficiencies for heirs and beneficiaries who are tax resident in the U.S., France, the UK, Germany, Switzerland and Italy. We will explore alternative structures that could be put in place prior to death that ideally would provide for a tax-efficient transition to the next generation, and how those alternatives may work in some jurisdictions but not others.

Co-Chairs
Jérôme Assouline, SVZ, Paris, France
Jenny L. Longman, Patterson Belknap Webb & Tyler LLP, New York, NY, USA

Speakers
Laura Dadswell, Penningtons Manches LLP, London, England
Gerd Kostrzewa, Heuking Kühn Lüer Wojtek, Düsseldorf, Germany
Nicola Saccardo, Maisto e Associati, London, England
Fouad G. Sayegh, Walder Wyss, Geneva, Switzerland

1500 – 1530
Networking Coffee Break
1530 – 1700  Wealth Management Workshop II
The Tension between Tax Transparency and Tax Compliant Financial Privacy – Where Do Things Stand and Navigating the Divide?

Tax Transparency through the automatic exchange of information is becoming ubiquitous through FATCA, CRS and DAC 6. On one hand, advisors and financial institutions must understand their ethical and legal obligations as “gatekeepers” to avoid civil, criminal and reputational exposures, and, on the other hand, appreciate the legitimate desire of clients to obtain tax compliant financial privacy. Our panel will explore these issues and tensions through an interactive discussion under the laws of Austria, France, Spain, Switzerland and the United States.

Co-Chairs
Thierry Boitelle, Bonnard Lawson, Geneva, Switzerland
Alan W. Granwell, Holland & Knight LLP, Washington, DC, USA

Speakers
Guadalupe Díaz-Súñico, Cuatrecasas, Barcelona, Spain
Bruno Gangemi, Macchi di Cellere Gangemi, Rome, Italy
Céline Pasquier, CMS Francis Lefebvre Avocats, Paris, France
Niklas Schmidt, Wolf Theiss, Vienna, Austria

1700 – 1800
Workshop Networking Reception

The Wealth Management Workshop is sponsored by:

C/M/S/ Francis Lefebvre
Avocats
THURSDAY

4 APRIL 2019

TAX PRACTICE TRENDS CONFERENCE — DAY 1

Venue: Le Méridien Etoile, 81 Boulevard Gouvion Saint-Cyr, 75017 Paris

07:30 – 17:30
Registration of Delegates

08:00 – 08:45
Continental Breakfast

08:45 – 09:00
Conference Opens with Co-Chairs’ Remarks

Co-Chairs
Michel Collet, CMS Francis Lefebvre Avocats, Paris, France
Olivier Dauchez, Gide Loyrette Nouel, Paris, France
Margriet Likkien, Loyens & Loeff, Amsterdam, The Netherlands
Carol P. Tello, Eversheds Sutherland (US) LLP, Washington, DC, USA

09:00 – 09:30
Opening Keynote Address
Tax Challenges of the 21st Century

Speaker
Pascal Saint-Amans, Director, Centre for Tax Policy and Administration, OECD, Paris, France

09:30 – 11:00
Plenary Session
Transparency, Cooperative Compliance, and the Real World of Tax Audits: What’s Working, What Isn’t, and What is the Path Forward?

This panel of government officials, practitioners and company representatives will explore how the dominant trends in tax administration (including the push for greater transparency and detailed information disclosure, the emphasis on aligning taxable profits with economic activity, and the push for “cooperative compliance” between taxpayers and tax administrations) are being applied by tax authorities in their audits of MNEs. The panel will consider questions such as the following:
What are taxpayers’ and practitioners’ experiences of tax audits? How have they changed over time?

What have been the practical impacts of “cooperative compliance” initiatives from the perspective of taxpayers and tax authorities? What are the obstacles to achieving better outcomes from these initiatives?

How much do government/OECD policymakers consider the practical challenges of auditing taxpayers (e.g., information asymmetries, administrative burden, time pressure) when formulating policy?

To what extent are investment decisions influenced by the tax administration atmosphere in particular countries?

What changes would company representatives and practitioners like to see to ease administrative burdens and protect data privacy? What changes would policymakers like to see in order to improve the effectiveness of audits? That is, what does success look like for policymakers and tax administrators? For companies and practitioners?

Co-Chairs
Patrick Brown, PwC, Washington, DC, USA
Carola van den Bruinhorst, Loyens & Loeff N.V., Amsterdam, The Netherlands

Speakers
Paolo Valerio Barbantini, Deputy Director General, Italian Revenue Agency, Rome, Italy
Wilhelm Haarmann, McDermott Will & Emery Rechtsanwälte Steuerberater LLP, Frankfurt am Main, Germany
Antoine Magnant, Deputy Director General, General Directorate of Public Finance (DGFIP), Paris, France
Grace Perez-Navarro, Deputy Director, Centre for Tax Policy and Administration, OECD, Paris, France
Robert Stack, Deloitte Tax LLP, Washington, DC, USA
Jo Wakeman, Large Business Director, HMRC, London, England

11:00 – 11:30
Networking Coffee Break
11:30 – 13:00  Concurrent Session A

Effect of US Tax Reform and ATAD on Mergers & Acquisitions

This panel will examine various impacts of recent tax legislation and tax developments, including US Tax Reform under TCJA and the EU’s adoption of ATAD, on cross-border M&A transactions and other restructurings from the perspective of a number of key jurisdictions. The panel will also address other important M&A developments and transactions.

Co-Chairs
Hal Hicks, Skadden, Arps, Slate, Meagher & Flom LLP, Washington, DC, USA
Sara Luder, Slaughter and May, London, England

Speakers
Guillermo Canalejo, Uría Menéndez, Madrid, Spain
Wiebe Dijkstra, De Brauw Blackstone Westbroek, Amsterdam, The Netherlands
Nadine Gelli, De Pardieu Brocas Maffei, Paris, France
Peter Maher, A & L Goodbody, Dublin, Ireland
Riccardo Michelutti, Maisto e Associati, Milan, Italy
Eric Solomon, Chair, ABA Section of Taxation, Washington, DC, USA

11:30 – 13:00  Concurrent Session B

Evolution of Blockchain and Taxation of Cryptocurrency in the United States and Europe

This panel will provide an overview of regulatory guidance in the United States and Europe and discuss the following:

- The view from the G20 – “A Taxation System for Cross-Border Electronic Payment Services.”
- Tax considerations in structuring initial coin offerings.
- U.S. enforcement initiatives and information reporting issues with cryptocurrencies.
- Classification of cryptocurrencies for tax purposes.

Co-Chairs
Sahel A. Assar, Buchanan Ingersoll & Rooney PC, Washington, DC
Reto Heuberger, Homburger, Zurich, Switzerland

Speakers
Lauri Lehmusuoja, Confederation of Finnish Industries (EK), Helsinki, Finland
Caroline Malcolm, Head, Blockchain Policy Centre, OECD, Paris, France
Dirk J.J. Suringa, Covington & Burling LLP, Washington, DC, USA
Stefan Richter, Schnittker Möllmann Partners, Hamburg, Germany
Christian Wimpissinger, Binder Grösswang, Vienna, Austria
13:00 – 14:30  Keynote Luncheon

**View from the United States — The Impact of Global Tax Policy**

**Moderator**
Carol P. Tello, Eversheds Sutherland (US) LLP, Washington, DC, USA

**Keynote Speakers**
Hal Hicks, Skadden, Arps, Slate, Meagher & Flom LLP, Washington, DC, USA
Eric Solomon, Chair, ABA Section of Taxation, Washington, DC, USA
Robert Stack, Deloitte Tax LLP, Washington, DC, USA

14:30 – 16:00  Concurrent Session A

**Cross Border Financing: The Evolving View of the OECD and Others**

The panel will review structuring intra-group loans, guarantees and related financial transactions (such as cash pooling or hedging) including transfer pricing approaches to develop an appropriate arm’s length consideration. Recent developments on OECD level on the pricing of financial transactions will be discussed as well as anti-abuse or interest deduction limitations regulations and challenges of financing in a low interest environment. The panel will then explore the opportunities and possible pitfalls that cross border lending and financing techniques offer as well as recent trends.

**Co-Chairs**
Michael Hirschfeld, Andersen Tax, New York, NY, USA
Susanne Schreiber, Bär & Karrer, Zurich, Switzerland

**Speakers**
Stefanie Beinert, Hengeler Mueller, Frankfurt am Main, Germany
Sandy Bhogal, Gibson Dunn, London, England
Anders Oreby Hansen, Copenhagen, Denmark
Raul-Angelo Papotti, Chiomenti Studio Legale, Milan, Italy
Thomas Perrot, Skadden, Arps, Slate, Meagher & Flom LLP, Paris, France
Stanley C. Ruchelman, Ruchelman P.L.L.C., New York, NY, USA
Protecting Taxpayers Under Constitutional, EU, and International Human Rights Laws in an Era of Increased Regulation and Heightened Enforcement

Domestic and international tax environments are evolving fast as tax administrators seek to prevent tax fraud and aggressive tax planning and to promote tax fairness. At the same time, the economy continues to evolve dramatically; digital taxation, for example, remains to be determined on a multilateral basis. National tax authorities and multilateral organizations continue to change the relevant treaties, law and regulations. They are increasing tax, closing loopholes, and implementing anti-abuse measures. Transfer pricing rules are tightened, tax law is increasingly criminalized, and new tax investigation and tools expand. Information exchange is becoming universal and automatic.

The panel will explore whether taxpayers in this climate can rely on certain non-tax principles deriving from constitutional rights, EU law (for member states and non-members), human rights declarations and international law and courts in defending against new measures on taxation, anti-abuse rules, information exchange and new tax investigation procedures at the multilateral and domestic levels.

Co-Chairs
Michel Collet, CMS Francis Lefebvre Avocats, Paris, France
Scott Michel, Caplin & Drysdale, Washington, DC, USA

Speakers
Luzius Cavelti, Altenburger Ltd. legal + tax, Zurich, Switzerland
Torsten Engers, Flick Gocke Schaumburg, Frankfurt am Main, Germany
Paul Hondius, Policy Advisor, Centre for Tax Policy and Administration, OECD, Paris, France
Francisco Lavandera, Garrigues, Barcelona, Spain
Elena Novikova, ALRUD Law Firm, Moscow, Russia

Networking Coffee Break
16:30 – 18:00 Concurrent Session A

Transfer Pricing Cases and Dispute Resolution Mechanisms

The introduction of multiple anti-tax avoidance measures as a result of the BEPS-action plan, the increased focus of tax administrations on tax planning as a result of the BEPS-discussion and the impact of US tax reform will lead to an increasing number of double or multiple taxation disputes with potentially high amounts at stake. This climate adds urgency to the existing need for an effective and efficient framework for the resolution of tax disputes.

This panel will focus on recent high-profile transfer pricing cases, those likely to arise in the future and recent developments surrounding disputes resolution mechanisms. Specifically, we will explore the impact of the MLI on dispute resolution mechanisms in existing treaties, the implementation by the EU-Member States of the 2017 EU-Directive on tax dispute resolution, and the existing EU-Arbitration Convention.

Co-Chairs
Peter Flipsen, Simmons & Simmons LLP, Amsterdam, The Netherlands
Jill Weise, Duff & Phelps, Miami, FL, USA

Speakers
Nikolaj Bjørnholm, Bjørnholm Law, Hellerup, Denmark
Xavier Daluzeau, CMS Francis Lefebvre Avocats, Paris, France
Ailish Finnerty, Arthur Cox, Dublin, Ireland
Chris Kinsella, MinterEllison, Sydney, Australia
Andrea Silvestri, BonelliErede, Rome, Italy
E. Miller Williams, EY, Washington, DC, USA
16:30 – 18:00 Concurrent Session B
Global Executives: When Is a Permanent Establishment Created, and What’s the Income Attributable to It?

Using case studies, the panel will discuss various fact patterns that are occurring as companies use global roles, and whether a permanent establishment is created. Does the employment agreement matter? Does local employment law matter? Are the rules different for administrative roles vs. client facing roles? What can companies do to mitigate the PE risk? What are the taxing authorities saying? The words in our treaties are the same, but it appears that the interpretation is not always consistent. If a PE exists, what income is attributable to it? Join us for an active debate.

Co-Chairs
Joan C. Arnold, Pepper Hamilton LLP, Philadelphia, PA, USA
Ewout van Asbeck, Van Doorne N.V., Amsterdam, The Netherlands

Speakers
Dana Goldberg, Textron, Inc., Providence, RI, USA
Carsten Heinz, Noerr, Berlin, Germany
Emilie Lecomte, August Debouzy, Paris, France
Sonia Velasco, Cuatrecasas, Barcelona, Spain

19:00 – 20:30
Conference Networking Reception

Join your fellow delegates for an offsite reception at the Shangri-La Hotel, the former residence of Napoleon Bonaparte’s grandnephew, featuring commanding views of the Eiffel Tower and the River Seine.

Location: Shangri-La Hotel, 10 Avenue d'Iéna, 75116 Paris, France
TAX PRACTICE TRENDS CONFERENCE — DAY 2

Venue: Le Méridien Etoile, 81 Boulevard Gouvion Saint-Cyr, 75017 Paris

07:30 – 15:30
Registration of Delegates

07:30 – 08:30   Breakfast Symposium

*Topic to be announced.*

*Description and speaker(s) to be announced.*

*This Breakfast Symposium is sponsored by:*  

[Logo: TMF Group]  

Global reach  
Local knowledge

07:30 – 08:30   Breakfast Symposium

How to Successfully Apply for a Tax LLM in the United States

Are you interested in pursuing a Graduate Tax degree in the United States? Are you interested in practicing tax law or advancing your career in tax law abroad or in your home country? If so, please attend this breakfast session hosted by UC Irvine School of Law Graduate Tax Program. The Executive Director, Natascha Fastabend, will discuss the process required and answer your questions!

*This Breakfast Symposium is sponsored by:*  

[Logo: UCI Law]  

Graduate Tax Program

08:00 – 09:00
Continental Breakfast
09:00 – 10:30     Plenary Session
Addressing the Tax Challenges of the Digital Economy

The taxation of the digital economy is at the forefront of policymaking agendas. This panel will explore the current state of play, including the OECD's interim report on taxing digital goods and services, the OECD's public consultation documents and the attempts of the EU to levy a digital tax. Given the current lack of a multilateral approach, national initiatives such as alternative applications of PE thresholds and withholding and turnover taxes have proven to be a challenge to taxpayers. The panel will also examine broader anti-base erosion measures that are directed at large multinational corporations and disproportionately impact digitalised businesses, and discuss the reaction of the United States to such measures. The panel will look at U.S. tax reform, and whether the new U.S. laws will influence legislation in other jurisdictions. Finally, the panel will consider what practical advice practitioners can give to clients despite the continual evolution of these rules.

Co-Chairs
Olivier Dauchez, Gide Loyrette Nouel, Paris, France
Rachel D. Kleinberg, Davis Polk & Wardwell LLP, Menlo Park, CA, USA

Speakers
Peter H. Blessing, KPMG LLP, New York, NY, USA
Stuart Chessman, Vivendi S.A., New York, NY, USA
Margriet Lukkien, Loyens & Loeff, Amsterdam, The Netherlands
Marco Ottenwaelder, P+P Pöllath + Partners, Frankfurt am Main, Germany
Luca Romanelli, Fantozzi & Associati Studio Legale Tributario, Rome, Italy
Jeffrey Van Hove, Senior Tax Advisor, Tax Treaty, Transfer Pricing and Financial Transactions Division, OECD, Paris, France

10:30 – 11:00
Networking Coffee Break

11:00 – 12:30     Concurrent Session A
State Aid: What We Now Know and What We Don’t Know Yet

The panel will discuss the latest EU developments on state aid in tax matters. It will examine lessons that can be learned from recent cases and contrasts with previous state aid decisions. The panel will also address the current state of play in terms of ruling policy in EU member States and possible interactions with EU mandatory disclosure rules.
Co-Chairs
Patrick Brown, PwC, Washington, DC, USA
Thierry Lesage, Arendt & Medernach, Luxembourg, Luxembourg

Speakers
Heather Gething, Herbert Smith Freehills LLP, London, England
Benoît Le Bret, Gide Loyrette Nouel, Brussels, Belgium
Catherine O’Meara, Matheson, Dublin, Ireland
Eelco van der Stok, Freshfields Bruckhaus Deringer, Amsterdam, The Netherlands
Anne Van de Vijver, University of Antwerp, Antwerp, Belgium

11:00 – 12:30  Concurrent Session B
Identifying the Line Between Avoidance and Evasion: Global Criminal Tax Enforcement

Whistleblowers, data leaks, and cooperators have brought allegations of criminal tax violations the forefront and countries around the world are facing increased pressure to take aggressive action, hold those involved accountable, and recover lost revenue.

Using cases ripped from the headlines, the panelists will discuss the current state of criminal tax enforcement in their respective jurisdictions, including what constitutes a tax crime, the government agencies involved, the investigation and charging process, the application of privileges, the government’s use of information obtained through illegal means, and the potential consequences of conviction.

Co-Chairs
Caroline D. Ciraolo, Kostelanetz & Fink, LLP, Washington, DC, USA
Albert Collado, Garrigues, Barcelona, Spain

Speakers
Eric Meier, Baker McKenzie, Paris, France
Sarah E. Paul, Assistant United States Attorney, Southern District of New York, United States Department of Justice, New York, NY, USA
Stefano Petrecca, Macchi di Cellere Gangemi, Rome, Italy
Nicolai B. Sørensen, Lundgrens, Hellerup, Denmark
Polly Sprenger, Katten Muchin Rosenman LLP, London, England

12:30 – 14:00
Networking Luncheon
14:00 – 15:30 Concurrent Session A
After the MLI: What’s New with Tax Treaties?

The MLI entered into force on 1 July 2018 and its provisions became effective on 1 January 2019 for the first tax treaties concluded among the participating jurisdictions. Therefore, the BEPS tax treaty related measures are now a reality.

After providing an update on the current status of the MLI, including the new guidance on the Synthesized texts, the panel will focus on the practical implications for cross-border corporate structures deriving from the MLI anti-treaty abuse provisions. In particular, the panel will discuss - also with reference to concrete examples – the possible impact of these new provisions and the interaction with general anti-avoidance rules (such as the GAAR in the EU Anti-Tax Abuse Directive) or specific anti-avoidance rules.

The complexity of the application of the MLI provisions coupled with the proliferation of unilateral domestic anti-avoidance measures may render the application of tax treaties more and more difficult and may raise the question of the future of tax treaties and their effectiveness to avoid double taxation.

Co-Chairs
Kimberly S. Blanchard, Weil, Gotshal & Manges LLP, New York, NY, USA
Francesco Capitta, Macchi di Cellere Gangemi, Rome, Italy

Speakers
Antonio Barba de Alba, Cuatrecasas, Madrid, Spain
Gauthier Blanluet, Sullivan & Cromwell LLP, Paris, France
Sophie Chatel, Head, Tax Treaty Unit, Centre for Tax Policy and Administration, OECD, Paris, France
Fred Murray, University of Florida Levin College of Law, Gainesville, FL, USA
Clemens Schindler, Schindler Attorneys, Vienna, Austria
Jan van den Tooren, Hamelink & van den Tooren, The Hague, The Netherlands
14:00 – 15:30  Concurrent Session B

Cross Border Investments in Real Estate by Tax-Exempt Entities, Including Sovereigns, Pension Funds and Charitable Entities

Tax-exempt entities regularly invest in real estate in order to receive current cash flow as well as benefit from long-term appreciation. Such investments can be made directly or, more commonly, through real estate funds. This panel will address how cross-border real estate investments should be arranged for multiple jurisdictions, with an emphasis on the manner in which tax-exempt entities and funds can structure such investments so as to minimize tax “leakage.”

Particular attention will be paid to withholding requirements as well as the impact of the EU Anti-Tax Avoidance Directive, anti-hybrid legislation, and the impact of GILTI, BEAT and other base-erosion rules on cross-border real estate investments by tax-exempt entities. In addition, to the extent that sovereigns, pension funds and other charitable entities are subject to differing rules, these differences will be addressed.

Co-Chairs
Richard M. Lipton, Baker McKenzie, Chicago, IL, USA
Heike Weber, Allen & Overy LLP, Frankfurt am Main, Germany

Speakers
Vincent Agulhon, Darrois Villey Maillot Brochier, Paris, France
Michele Citarella, CBA Studio Legale E Tributario, Milan, Italy
Eduardo Martínez-Matosas, Gómez-Acebo & Pombo Abogados, Barcelona, Spain
Floran Ponce, Lenz & Staehelin, Geneva, Switzerland
António Rocha Mendes, Campos Ferreira, Sá Carneiro & Associados, Lisbon, Portugal
Cathryn Vanderspar, Eversheds Sutherland, London, England

15:30  Conference Adjourns
CLE CREDIT
The American Bar Association will seek 13.5 hours of CLE credit in 60-minute states and 16.2 hours of CLE credit for this program in 50-minute states. Credit hours are estimated and are subject to each state’s approval and credit rounding rules. For more information about CLE accreditation in your state, visit https://www.americanbar.org/events-cle/mcle/inpersonevents/ or email tim.brady@americanbar.org.

CPE CREDIT
The American Bar Association is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org. Recommended CPE Credits and Fields of Study: Program attendees can earn CPE credits in the Taxes field of study. Prerequisites: Previous experience in tax law; Advanced Preparation: None; Program Level: Intermediate; Delivery Method: Group-Live

ABA OPEN MEETINGS POLICY
In accordance with the American Bar Association Open Meetings Policy, all ABA programs are open to the media unless they are to conduct business sessions of a confidential nature. The Association encourages media coverage of its activities. If you have questions about this policy, please contact the ABA Tax Section at +1.202.662.8670.

CONTENT DISCLAIMER
All Workshop and Conference content, including live, recorded, and written presentations, represents the opinions of the authors and speakers and should not be construed to be those of either the American Bar Association or Section of Taxation unless adopted pursuant to the bylaws of the Association. Nothing contained herein is to be considered as the rendering of legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel. This Workshop and Conference content and any forms and agreements herein are intended for educational and informational purposes only.

All rights reserved. No part of these materials may be reproduced, stored in a retrieval system, or transmitted, in any form by any means, electronic, mechanical, photocopying, recording, or otherwise, without the written permission of the American Bar Association.

PHOTOGRAPHY AND VIDEO
Note that by attending the Conference, attendees have agreed to the terms of the American Bar Association Image/Audio/Video Release which allows images, audio, and video recorded on site to be used for educational and promotional purposes by the American Bar Association.
As the national representative of the legal profession, the mission of the ABA Section of Taxation is to serve our members and the public through education and leadership to achieve an equitable, efficient, and workable tax system. The Tax Section puts all of the latest information on administrative and procedural developments right at your fingertips. Our publications, programs, and expert advice help you navigate the constantly changing landscape of tax law.

The International Bar Association (IBA) is the world’s leading organization of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of over 45,000 individual lawyers and 200 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community as well as being a source of distinguished legal commentators for international news outlets.

Formed in 1938, the International Fiscal Association is a leading non-governmental, international organization dealing with tax matters. The USA Branch is the largest national IFA branch, with approximately 1,000 members. The Branch hosts a two-day conference in late February/early March of each year with presentations by eminent international tax experts on topics, planning ideas and issues of current importance. The USA Branch also holds joint meetings each year with branches from other countries.
<table>
<thead>
<tr>
<th>DATE</th>
<th>PROGRAM</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-11 May 2019</td>
<td>2019 May Tax Meeting</td>
<td>Grand Hyatt Washington, Washington, DC, USA</td>
</tr>
<tr>
<td>12-14 June 2019</td>
<td>12th Annual U.S. and Latin America Tax Practice Trends</td>
<td>Mandarin Oriental, Miami, FL, USA</td>
</tr>
<tr>
<td>3-5 October 2019</td>
<td>2019 Fall Tax Meeting</td>
<td>Hyatt Regency, San Francisco, CA, USA</td>
</tr>
<tr>
<td>30 Jan - 1 Feb 2020</td>
<td>2020 Midyear Tax Meeting</td>
<td>Boca Raton Resort, Boca Raton, FL, USA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DATE</th>
<th>PROGRAM</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-12 September 2019</td>
<td>73rd Congress of the International Fiscal Association</td>
<td>Southbank Centre, London, England</td>
</tr>
<tr>
<td>27-28 February 2020</td>
<td>Annual Conference of the USA Branch of the International Fiscal Association</td>
<td>Boston, MA, USA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DATE</th>
<th>PROGRAM</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>22-27 September 2019</td>
<td>IBA Annual Conference 2019</td>
<td>Seoul, South Korea</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DATE</th>
<th>PROGRAM</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-13 April 2019</td>
<td>2019 Annual Conference of the Section of International Law</td>
<td>Capital Hilton, Washington, DC, USA</td>
</tr>
</tbody>
</table>