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Asset Recovery America

September 18 - 20, 2019

Convene at 810 Seventh Avenue
New York, USA



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Asset Recovery Americas: Day 1

Thursday, 19 September 2019

8:30am - 9:00am 30 mins

Registration & Welcome Refreshments

9:00am - 9:40am 40 mins

Breakfast briefing – what can jurisdictions with new bankruptcy codes learn from the US bankruptcy code?

This panel will discuss how the US courts interpret key provisions of the US bankruptcy code, and how other jurisdictions with new bankruptcy legislation based on the code might use US case law to interpret their new laws. In particular, the panel will consider how Brazilian Courts might look to US case law to interpret their new laws. This panel will discuss how the US courts interpret key provisions of the US bankruptcy code, and how other jurisdictions with new bankruptcy legislation based on the code might use US case law to interpret their new laws. In particular, the panel will consider how Brazilian Courts might look to US case law to interpret their new laws.

Caio Machado Filho - Partner, Chediak Lopes Da Costa Cristofaro Menezes Cortes Simoes (Brazil)

Fabio Weinberg Crocco - Associate, Sullivan & Cromwell LLP (New York, USA)

Illana Volkov - Partner, McGrail & Bensinger LLP (New York, USA)

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Keynote Address

Long before it became fashionable, the original 'rogue trader' lost £860m of Barings' money - and spent four years in a Singapore jail. Nick tells his compelling and still cautionary tale without making any excuses for his wrong-doing.

Nick Leeson, The Original Rogue Trader

10:35am - 11:05am 30 mins

Morning Refreshment Break

11:05am - 11:45am 40 mins

View from the Bench - Asset Recovery in a Globalized World

Current and former judges from different jurisdictions discuss their views of international fraud litigation - the interim remedies available to claimants, whether they are effective, and how the law will evolve

Justice Ian Kawaley, Financial Services Division, Cayman Islands Grand Court (Former Chief Justice of Bermuda)

Daniel Carnio Costa - Judge, First Bankruptcy Court of Sao Paulo, Sao Paulo State Court of Justice (Brazil)

Hon. Allen L. Gropper - United States Bankruptcy Judge, Southern District of New York (retired) (USA)

11:45am - 12:25pm 40 mins

Whistleblowers – friend or foe? How to assess and manage whistle blowers

This panel will introduce our case study, involving a fraud/corruption scenario of a Latin American subsidiary of a US parent company. Our panel will discuss different jurisdiction's approaches to dealing with a whistleblower, including 'dos & don'ts' when assessing and managing a whistle blower on an international fraud.

Stephen Kohn - Partner, Kohn, Kohn & Colapinto LLP (Washington D.C., USA)

Bobby Friedman - Barrister, Wilberforce Chambers (UK)

12:25pm - 1:40pm 75 mins

Networking Lunch

1:40pm - 2:20pm 40 mins

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Mark Forte - Partner, Head of BVI Litigation & Restructuring, Conyers (BVI)

Henrique Forssell - Partner, Duarte Forssell Advogados- DFA (Brazil)

Julia Beskin - Partner, Quinn Emanuel Urquhart & Sullivan, LLP (New York, USA)

2:20pm - 3:00pm 40 mins

Liar, liar – the courts' approach to evidence in civil, US and common law systems

Witness evidence is often central in fraud and asset tracing claims, but legal systems differ significantly in how they treat this. Similarly, many jurisdictions do not have discovery. This panel will consider if and how witness evidence is prepared, given and tested, how the Courts evaluate it, and how lawyers working internationally can get the best out of each system.

Matthias Gstoehl - Partner, Lalive (Switzerland)

Gabriel Bluestone - Partner, Bluestone Law International (DC, USA)

Julian Chediak - Partner, Chediak Lopes Da Costa Cristofaro Menezes Cortes Simoes (Brazil)

Mary Young - Partner, Kingsley Napley (UK)

3:00pm - 3:30pm 30 mins

Afternoon Refreshment Break

3:30pm - 4:10pm 40 mins

Whose fault is it anyway? Balancing the need to recover assets with criminal and regulatory risks

This panel considers the liability of directors, employees, and a company's group for fraud and corruption, and how to balance the need for asset recovery with the need not to incur regulatory, civil or criminal liabilities.

Pedro Serrano Espelta - Partner, Marval, O'Farrell & Mairal (Argentina)

Justin McClelland - Partner, Stephenson Harwood (UK)

Brian Morris - Department of Justice,, Eastern District of New York

Abbe Lowell - Partner, Winston & Strawn (DC and New York, USA)

4:10pm - 4:50pm 40 mins

3 scandals – lessons learned?

This panel will consider Lava Jato in Brazil, Danske Bank in the Baltics, and 1MDB in Malaysia – what can companies, practitioners and states learn from these scandals which share common themes, despite having happened in different systems on different continents?

Paulius Docka - Of Counsel, Primus Derling (Lithuania)

Rogério Taffarello - Partner, Mattos Filho (Brazil)

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recovery involving unusual assets such as art works, and considers the challenges and how to overcome them.

Eden Burgess - Partner, Cultural Heritage Partners (DC, USA)

Laura Patten - Former Specialist Leader, Deloitte Art & Finance Initiative, Deloitte Art & Finance Initiative (USA)

Christopher Weil - Partner, Mintz Group (Washington D.C., USA)

Jane Mitnick - Founder and President, SM Financial Services Corporation (New Jersey, USA)

Ben Davies - Partner, Byrne and Partners LLP (UK)

5:30pm - 5:40pm 10 mins

Chair's Summation & Close of Conference

5:40pm - 7:00pm 80 mins

Drinks Reception hosted by

7:00pm - 9:00pm 120 mins

Conference Dinner

Convene at 810 Seventh Avenue

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