

About Lovells

With more than 1600 lawyers operating from 26 offices in Asia, Europe and the United States, Lovells is one of a small number of truly international law firms. We advise many of the world's largest corporations, financial institutions and governmental organizations. We regularly act on complex, multi-jurisdictional transactions as well as some of the most high-profile commercial disputes.

About ACC Europe

The Association of Corporate Counsel Europe (ACC Europe) serves the needs of more than 700 lawyers who practice in the legal departments of corporations and other private sector organizations throughout Europe. The Association promotes the common interests of its members, contributes to their continuing legal education, seeks to improve the understanding of the role of in-house counsel and encourages advancements in the standard of corporate legal practice. ACC Europe is a chapter of the Association of Corporate Counsel (ACC) which since its founding in 1982 has grown to over 19,000 members in 60 countries representing more than 8,000 corporations and private sector organizations.

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Litigation Risks in a Global Marketplace: Current Issues in International Disclosure and Discovery


Association of Corporate Counsel

31 October 2006 – Munich
1 November 2006 – Frankfurt

Alicante Amsterdam Beijing Berlin Brussels Chicago Dusseldorf Frankfurt Hamburg Ho Chi Minh City Hong Kong
London Madrid Milan Moscow Munich New York Paris Prague Rome Shanghai Singapore Tokyo Warsaw
Associated offices: Budapest Zagreb

Please join Lovells and the Association of Corporate Counsel Europe for a symposium on **Litigation Risks in a Global Marketplace: Current Issues in International Disclosure & Discovery**

31 October 2006 Munich 15.00-18.00
Lovells
Karl-Scharnagl-Ring 5
80539 Munich
Tel: +49 (0)89 290 12 0

1 November 2006 Frankfurt 15.00-18.00
Lovells Konferenzzentrum
Untermainanlage 1
60329 Frankfurt
Tel: +49 (0)69 962 36 0

Program Overview

Leading practitioners and academics in the field of international litigation will examine key issues for German companies doing business, or contemplating doing business, in the US. For instance, we will consider the US courts' requirements that parties to litigation provide to each other extensive disclosure of electronic materials (including emails). We will review current developments on that subject as well as the new amendments to US rules dealing with "e-discovery" scheduled to come into effect on 1 December, 2006. We will also explore the interaction between US discovery obligations with EU and German laws as well as more specific procedural/privacy laws in Germany and other European countries – are there true conflicts? If so, how will they be resolved by US courts? With what effects for non-US companies?

The panel will also consider the growing role of Section 1782 of the US Judicial Code in international commercial litigation. This statute allows foreign litigants to apply directly to US courts for US style discovery in aid of foreign proceedings, whether actually pending or merely contemplated. What opportunities does it afford to corporate litigants in Europe? What dangers? When might European companies want to resist Section 1782 applications – and what grounds remain available to do so? Can Section 1782 be used in connection with arbitration proceedings? We will consider practical issues as well as bigger-picture issues such as how the US courts' aggressive pro-discovery position unwittingly offends the sovereignty of civil law jurisdictions such as Germany.

**A cocktail reception will follow the panel discussion.
There is no fee for this program.**

To reserve a place for this program, please use the enclosed reply card or email Betina Schreiber at betina.schreiber@lovells.com

Speakers

Dr. Dagmar Coester-Waltjen, LL.M. (Univ. of Mich.) is a law professor at the Ludwig-Maximilian-University of Munich. She is the director of the Institute for International Law (Comparative Law) at that university. She teaches and writes in the field of comparative law and specialises in international, European and comparative civil procedure. She has been teaching at New York University Law School, the University of Texas at Austin, at Oxford University and at several universities in far east Asia (for.ex. "Comparative Civil Procedure"). Her publications (books and articles) concern inter alia conflict of laws on evidence and various related fields.

Dr. Werner F. Ebke is a law professor at the University of Heidelberg. He also serves as a director of the Institute of German and European Corporate and Business Law at the University. He is a member of the New York bar and has served as a Special Consultant to the Secretary General of the United Nations and as an arbitrator for the International Chamber of Commerce, the American Arbitration Association and the German Institution of Arbitration.

Marc Gottridge is a partner in the New York office of Lovells. A former federal prosecutor and law clerk to a federal judge, Marc has spent the last two decades defending major corporations and global financial institutions in a wide variety of litigation, including commercial disputes, bankruptcies, class action defense, securities and commodities fraud actions, and white-collar criminal and regulatory matters.

Detlef Hass, a partner in Lovells Munich office, is the head of the firm's litigation practice in Germany. He specializes in cross-border litigation on behalf of major European banks and corporations. Detlef's areas of expertise include business restructuring & insolvency work, fraud and asset recovery, banking and commercial litigation.

Peter Murray is the Edward R. Johnston Lecturer on Law and the Robert Braucher Visiting Professor of Law at Harvard Law School. He teaches and writes in the fields of comparative civil procedure of the US and Europe, international commercial arbitration, efficiency and fairness in civil justice, especially the role of jury trial, and evidence and proof of facts. In 1998, Professor Murray was a Fulbright Senior Visiting Professor at the University of Freiburg. He is co-author of German Civil Justice, the definitive English-language treatise on German civil procedure, and has published books and articles on evidence, trial advocacy, comparative law and legal education.

Edward Schorr, a partner in Lovells' New York office has 20 years of experience in commercial litigation and arbitration. Edward has worked on a broad spectrum of matters ranging from day-to-day counseling on contracts to the conduct of major international arbitrations.

Marc Zimmerling, a Partner of Lovells' dispute resolution practice, heads the Frankfurt litigation group. As a seasoned commercial litigator Marc has acted in a broad range of litigations for major international corporations. Marc also has extensive experience in professional indemnity as well as cases involving directors' & officers' liability, acting for example for leading accounting firms on most of the recent major German liability claims.