

Joint Seminar by WilmerHale / FRONTEO

Corporate compliance – overview and trends

Osaka Max. capacity: 40

Tokyo Max. capacity: 80

Tue, May 23rd

Thu, May 25th

AP Osaka Umeda-Higashi, Conference Rm C

Ōtemachi First Square, Room B

Time 13:30 – 18:00 (Registration starts at 13:00)

For Legal, Intellectual Property, and Compliance Dept., persons in charge of international lawsuits, etc.

Lectures are given by three attorneys from DC Office of Wilmer Cutler Pickering Hale and Dorr LLP, who has offices in 12 locations around the world and where over 1,000 attorneys work. We look forward for your participation.

Lecture schedule

13:30 – 14:00	FRONTEO lecture TBD	*Time and topics are subject to change.
14:00 – 15:00	Antitrust Enforcement and Civil Litigation Esq. Steven F. Cherry Partner, WilmerHale Washington, DC Office	
15:00 – 15:10	Recess	
15:10 – 16:10	International Trade, Investment and Market Access Esq. Naboth van den Broek Partner, WilmerHale Washington, DC Office	
16:10 – 17:10	Enforcement Trends in Corporate Criminal Investigations Esq. Ronald C. Machen Partner, WilmerHale Washington, DC Office	
17:10 – 18:00	Social	

*Consecutive interpretation service is provided.

*CLE credits for State of California and New York will be provided.

WilmerHale has been accredited by the New York State and California State Continuing Legal Education Boards as a provider of continuing legal education. This program is being planned with the intention to offer CLE credit in California and non-transitional credit in New York. This program, therefore, is not approved for New York newly admitted attorneys. Attendees of this program will be able to claim England & Wales CPD for this program. Attendees requesting CLE credit must attend the entire program.

Lecture detail

Antitrust Enforcement and Civil Litigation

Esq. Steven F. Cherry

- A. Scope of international application of US antitrust law
- B. Enforcement of criminal offense
 1. Penalty on corporations
 2. Penalty on individuals
 3. Leniency program by the Department of Justice
 4. Investigation procedure by the Department of Justice
 5. How to protect yourself from investigation
 - a. How to respond to on-site investigation
 - b. Execution of internal investigation
 - c. Non-prosecution plea to the Justice Department
 - d. Plea bargain negotiation
 - e. Going to court
 6. Extradition
- C. Civil litigation
 1. Who can sue – direct purchasers, indirect purchasers, and the State Attorney General
 2. Litigation issues and remedies
 3. Class action
 4. Defense
- D. Compliance
 1. Major pending legislation and best practices

International Trade, Investment and Market Access

Esq. Naboth van den Broek

- A. International trade and investment policies concerning Asian corporations
 1. US
 - a. New administration in the US and implications of the new policies
 - b. TPP and future of fair trade
 - c. NAFTA
 - d. Coordination of border tax
 2. EU / UK
 - a. EU election and future
 - b. BREXIT
 3. International compliance policy and development – rapid enhancement of enforcement, increase in penalty, and coordination between the government and enforcement agencies.
- B. International relations – World Trade Organization (WTO)
 1. What is WTO?
 2. Major treaties
 3. Proposed treaties and newly signed treaties
 4. Resolution of conflict, and why it is important
 5. How corporations can increase business profit by utilizing these international regulations
- C. Resolution of conflict between investors and countries
 1. What is it like
 2. Rapid increase
 3. Relevance to Asian corporations
 4. How corporations can utilize this
- D. Unilateral trade
 1. Anti-dumping
 2. Countervailing tariff (CVD)/ anti-subsidy
 3. Article 337
 4. Article 301

Lecture Details

- E. Committee on Foreign Investment in the United States (CFIUS) and other investment-related organization
- F. Export Control/Sanctions
 - 1. Summary of regulations in the United States (Including references of other tolerant systems such as EU)
 - a. Export Control
 - b. Sanctions
 - c. Fine/Reputational risk
- G. (EU) Data Protection/Privacy

Enforcement Trends of Corporate Criminal Investigation Esq. Ronald C. Machen

- A. General trends and development
 - 1. Attention to an individual
 - a. The Yates Memo
 - b. Recent highlights of private criminal prosecution
 - 2. Attention to compliance
 - a. Roles of compliance attorney
 - b. Compliance best practice for international company
 - 3. International trade cooperation
 - a. New model of multinational enforcement actions
 - b. Best practice of measures and responses to multinational enforcement actions
 - 4. Recent US enforcement actions against Asian companies
- B. Enforcement of Anti-Corruption Laws
 - 1. Increased enforcement outside the United States
 - a. Bribery Act in UK
 - b. Criminal Law in China
 - c. Other main jurisdictions
 - 2. The Foreign Corrupt Practices Act – What has happened until now and what is going to happen in the future?
 - a. Recent Foreign Corrupt Practices Act cases against Asian companies
 - b. Targeted Enforcement Area

Office Introduction

Wilmer Cutler Pickering Hale and Dorr LLP <https://www.wilmerhale.com/>

WilmerHale provides legal representation across a comprehensive range of practice areas with 1,000 lawyers strong, 12 offices in the United States, Asia and Europe.

Our wide range of practice includes litigation, intellectual property and international law and our Cartel Enforcement Practice has represented clients in some of the largest and most complex investigations before the DOJ. Members of our Investigations and Criminal Litigation Group regularly represent Fortune 500 companies, corporate executives and high-ranking public officials. Our Intellectual Property Group was recognized as one of five “Go-To IP Firms” and we also have an integrated team of lawyers and trade specialists in the United States, Europe and China.

We respond to our clients with a wide-range of high quality legal services.

Introduction of Lecturer

WilmerHale Washington DC

Steven F. Cherry (Partner, WilmerHale)



Steven F. Cherry focuses his practice on defense of government investigations, as well as complex civil and class action litigation, including in particular antitrust disputes. Mr. Cherry has represented companies and individuals in North America, South America, Europe and Asia in connection with international cartel investigations and parallel proceedings.

Chambers USA describes him as an "exceptional" lawyer (and "phenomenal practitioner"), who "commands huge respect in the antitrust arena and is particularly noted for his experience in international cartel and grand jury investigations," and as "very talented, extremely smart, responsive and creative," "with a well-earned reputation for getting a very good resolution for his client."

Naboth van den Broek (Partner, WilmerHale)



Naboth van den Broek is an international trade, investment and market access lawyer. Mr. van den Broek's practice focuses on international dispute settlement, compliance and policy issues.

Mr. van den Broek is recognized as a leading practitioner in the international trade and investment area. He is also a Senior Distinguished Fellow at the Institute of International Economic Law and adjunct professor of International Trade and Investment Law at Georgetown University Law Center.

Ronald C. Machen (Partner, WilmerHale)



Ronald Machen is one of the nation's leading trial and white-collar defense lawyers. His practice focuses on government enforcement actions, corporate and congressional investigations, and complex civil litigation.

During his career, Mr. Machen has been repeatedly recognized for his professional accomplishments. In 2015, he was identified as one of DC's "Top Criminal Defense Lawyers" by *Washingtonian* magazine and also honored as one of the "100 Most Outstanding African American Leaders" for his contributions in the field of law by *African Leadership Magazine*.

FRONTEO Inc. <http://www.fronteo.com/>

FRONTEO Inc. is a data analysis company of behavior information which provides the e-discovery support services of preservation, investigation and analysis of evidence materials contained in electronic data required in connection with the international cartel, intellectual property litigation and Foreign Corrupt Practices Act (FCPA), and PL litigation. These services include the computer forensic investigation by making full use of its data analysis platform. FRONTEO holds the world highest level of Asian language abilities and a laboratory having the world state of the art.

Registration

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