



# INTERNATIONAL LAWYERS NETWORK



**Bullet"i/n" Volume 8 Issue 1**

**April 9, 2009**

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### **ILNBriefs Wins First Place in Internal Communications Category at Legal Marketing Association's Your Honor Awards!**



Washington D.C. April 2, 2009, it was announced that the International Lawyers Network's ILNBriefs project won first place in the Internal Communications category at the Legal Marketing Association's Your Honor Awards. The LMA says "The LMA 'Your Honor Awards' is law firm marketing's Oscars, Emmys and MacArthur Foundation Awards all rolled up in one. This is the vehicle by which we honor the products and services produced by our industry this past year that stand for the 'best of the best.'" Lindsay Griffiths was on hand to accept the award and see a number of the cartoons displayed with the other winning entrants.

[\[FULL STORY\]](#)

## new members



[Network Welcomes New Member in Berlin, Michel LLP](#)

[International Lawyers Network Welcomes New Member in Ecuador, Ortega Moreira & Ortega Trujillo](#)

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[International Lawyers Network Welcomes New Member in St. Petersburg, Maxima Consulting and Law](#)

#### member news

[Dougherty Rejoins Lommen Abdo's](#)

## 2008 Regional Meeting of the Americas Hosted by Holland & Hart, Las Vegas



Lowell Lifschultz opened the ILN Business Session on Friday, November 21, 2008 by introducing himself as the Chairman of the ILN and Alan Griffiths as the Network's Executive Director. He gave a quick overview of the ILN, saying that the Network's progress in 2008 has been substantial. There are nine new member firms since the beginning of 2008, a guest firm in attendance at the conference, and Lowell added that he believes that the Administration's marketing efforts will be successful. After Lowell welcomed everyone to the conference, Alan invited Tim Lukas to say a few words to the assembled delegates. On behalf of his partners at Holland & Hart, Tim welcomed everyone to the ILN Americas Regional Meeting and encouraged them to enjoy the program.

[\[FULL STORY\]](#)

## 2008 European Regional Meeting in Rome Hosted by Corrado, Ferrari, Mainieri, Pedferri & soci Law Firm, Rome & Milan



Lowell Lifschultz opened the ILN Business Session on Friday, 12 September

MICHEL · LLP  
Rechtsanwälte und Notare

ORTEGA MOREIRA  
& ORTEGA TRUJILLO  
ABOGADOS

R · C · T · Z · Z

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[Jade & Fountain nominated again by ALB as the "Shanghai Law Firm of the Year".](#)

## member articles

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2008 by thanking Antonello Corrado, Attilio Ferrari, and all of their partners at Corrado, Ferrari, Mainieri, Pedeferra e soci for a wonderful meeting and welcomed all of the members to the ILN European Regional Meeting. Alan Griffiths echoed Lowell's sentiments.

[\[FULL STORY\]](#)

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## U.S. IRS Aggressively Pursuing Off Shore Accounts Arnstein & Lehr, LLP, Chicago

*by Robert E. McKenzie*



ARNSTEIN & LEHR LLP SINCE 1893

On July 1, a federal judge in Miami issued an order authorizing the Internal Revenue Service (IRS) to request information from Zurich, Switzerland-based UBS AG about U.S. taxpayers who may be using Swiss bank accounts to evade federal income taxes.<sup>1</sup> The order, authorizes the IRS to serve what is known as a "John Doe" summons on the bank. The IRS uses a John Doe summons to obtain information about possible tax fraud by people whose identities are unknown. The John Doe summons approved by the court directs UBS to produce records identifying U.S. taxpayers with accounts at UBS in Switzerland who elected to have their accounts remain hidden from the IRS. It is highly likely that the IRS will be successful in its efforts to secure the account information from UBS.

[\[FULL STORY\]](#)

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## Watching from the Wings with Baited Breath – The WAL-MART Cases Before the Supreme Court of Canada and What They Might Mean for Employers in Canada

**Robinson Sheppard Shapiro LLP, Montreal**

*by Mr. Theodore Goloff*



Robinson Sheppard Shapiro  
Société en nom collectif • General partnership  
Avocats • Barristers & Solicitors

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Two sets of cases before the Supreme Court of Court, that were recently pleaded and which derive from Wal-Mart's closing of its Jonquière store some years ago - Pedneault and Desbiens – have the potential of becoming a legal tsunami in terms of their impact on employers! These cases have morphed into an allegedly Charter based challenge to what seemed to be an already clearly established employer right to go out of business at any time and for any reason – all of this with the possibility of very serious and unexpected consequences for employers.

[\[FULL STORY\]](#)

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## London as a seat of arbitration?

### Fladgate LLP

*by Heather Neilson*



fladgate

Arbitration is the proceeding in which a dispute is resolved by an impartial adjudicator whose decision the parties to a dispute have agreed will be final and binding. It is the equivalent to litigation in the courts and entirely distinct from the various forms of non-binding dispute resolution mechanisms. A dispute may be arbitrated because the original contract between the parties provides for the arbitration of any dispute arising or because the parties subsequently agree to arbitrate once the dispute has arisen. Arbitration is today most commonly used for the resolution of commercial disputes, particularly in the context of international commercial transactions.

[\[FULL STORY\]](#)

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## Bankruptcy Primer for Landlords with Commercial Leases in the United States

**Howard, Rice, Nemerovski, Canady, Falk and Rabkin, San Francisco**

*by Gary M. Kaplan*



HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN

*A Professional Corporation*

Lease agreements in the United States are subject to special treatment in bankruptcy cases that is often contrary to the terms of the lease itself or relevant non-bankruptcy law. This article discusses several of the most important matters impacting a commercial landlord in the U.S. bankruptcy case of its tenant, including the tenant's assumption (i.e., ratification), rejection (i.e., anticipatory repudiation) or assignment of a lease; lease obligations pending assumption, rejection or assignment; and the treatment of claims arising from the assumption, rejection or assignment of a lease.

[\[FULL STORY\]](#)

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## **Amendments to Tax Legislation in the Czech Republic**

**PETERKA & PARTNERS Law Offices, Prague**

*by Magdalena Vyskovska*



Czech tax legislation has been amended with consequences for foreign businessmen. Act No.2/2009 Coll., mainly amending Act No. 586/1992 Coll., on Income Taxes, Act No. 593/1992 Coll., on Reserves for Ascertaining the Income Tax Base and Act No. 589/1992 Coll. on Social Security and Employment Policy Contributions, was published in the Collection of Laws of the Czech Republic and took effect on 1 January 2009. Simultaneously, Act No.1/2000 Coll., which amends Act No. 33/1992 Coll., on Real Estate Tax, took effect.

[\[FULL STORY\]](#)

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## **De-stressing the Due Diligence Process: Issues to Consider When Acquiring Distressed Residential Developments**

**Epstein Becker & Green, P.C., Atlanta**

*by M. Maxine Hicks, Linda Ragan Warnke and Jenny A. Lipana*

The logo for Epstein Becker &amp; Green is a dark blue rectangular box containing the text "EPSTEINBECKERGREEN" in a white, bold, sans-serif font. The text is centered within the box.

"Distressed properties" is a term that for some represents opportunity - a chance to capitalize on bargain prices. A low price, however, is not always the benchmark of a good deal. Numerous issues beyond just the dirt and the bricks impact whether a distressed property is a good investment

opportunity. If you are considering acquiring a distressed property, proper attention to adequate due diligence will help you understand the issues and obligations you stand to inherit and avoid costly hidden surprises.

[\[FULL STORY\]](#)

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## **Regulation of Greenhouse Gases: The Management of Uncertainty**

**Beirne, Maynard & Parsons LLP , Houston**

*by James E. Smith & Benjamin A. Escobar*



Public awareness and perception of global warming accelerated by carbon emissions is increasingly compelling to lawmakers and regulators around the world. Under the Bush administration, regulatory control within the U.S. lagged behind Europe and much of the world, although it is by far the leading generator of greenhouse gases (GHG).

[\[FULL STORY\]](#)

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## **Russia - Changes in Federal Law "On Limited Liability Companies"**

**Lidings Law Firm, Moscow**

*by Natalia Goncharova*



On December 30, 2008 several important changes have been introduced into the Federal Law "On limited liability companies" which will enter into force starting from July 1, 2009. The importance of these changes is caused by necessity of amending the bv-laws of all existing limited companies to make

them compliant with the new Law. Beginning from July 1, 2009 articles of association and foundation agreements of companies will be applied only in part, which is not contradicting to new norms.

[\[FULL STORY\]](#)

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## The Recent Chinese Legislation on Bankruptcy Proceedings

**Jade & Fountain, Shanghai**

*by Mark Ho and Gawain Gu*



Since June 1, 2007 the Chinese bankruptcy legislation, the Bankruptcy Law of the People's Republic of China ("Bankruptcy Law") has been tested by quite a number of cases where companies (including foreign invested companies) were dissolved and liquidated or reorganized through Chinese courts. The most recent, high-profile case is the pending bankruptcy of Sanlu Dairy in Shijiazhuang City, Hebei Province, which is a US\$100 million joint venture between Fronterra Co-op (43%) and Sanlu Group (57%). No doubt that these cases have provided good insights into how this bankruptcy legislation is interpreted and implemented.

[\[FULL STORY\]](#)