the bullet"iln" newsletter

INTERNATIONAL LAWYERS NETWORK

Bullet"iln" Volume 5 Issue 2 *July 13, 2006*

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Helmut Kohl to Be Keynote Speaker at 18th Annual ILN Conference

Distributed by PR Newswire on behalf of International Lawyers Network

NEW YORK, April 19 /PRNewswire/ -- On Thursday, the International Lawyers Network announced that Dr. Helmut Kohl will be the keynote speaker at their 18th Annual ILN Conference, hosted by Goehmann Wrede Haas Kappus & Hartmann. Dr. Kohl will join the delegates and their companions at the Welcome Reception and Dinner to be held at the Hotel Adlon in Berlin, Germany on May 11, 2006, in the shadow of the Brandenburg Gate. As the architect of the Reunification of Germany and the first Chancellor of Germany following reunification in 1990, he will speak to some of the issues related to the integration process and the subsequent effects of the reunified Germany.

Dr. Helmut Kohl was only the second individual to receive the title of Honorary Citizen of Europe in 1998 for his work in reintegrating Germany and together with French President Francois Mitterand, also received the Charlemagne Award. His term as Chancellor of Germany from 1982 to 1998 was the second longest of any German chancellor and Dr. Kohl was also the leader of the Christian Democratic Union (CDU) from 1973 - 1998. In addition to his work to reunify Germany, Dr. Kohl, together with Mitterand, was the architect of the Maastricht Treaty, which created the European Union.

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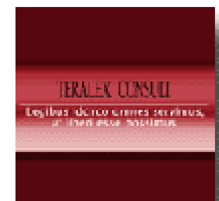
FEATURED ARTICLE

[Helmut Kohl to Be Keynote Speaker at 18th Annual ILN Conference]



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legal professionals worldwide, with the cost-effectiveness and personalized service only independent, regional law firms can provide. The International Lawyers Network is an association of over 85 high-quality, full-service and specialized law firms with over 4,500 lawyers in 62 countries on six continents. The excellence, demonstrated experience, worldwide presence, and relationships of the International Lawyers Network combine to make this Network one of the leading associations of independent law firms in the world.

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[For the Full Meeting Report - Click Here]

A Celebration of the ILN's Founding Members

May 10, 2006 - Copenhagen, Denmark
by Mr. Robert Bijloos

Eighteen and eighty eight, two numbers highly significant, each marking an important step stone in live. ILN was founded some 18 years ago in London, while its founding father is now 88 years old. Eighteen years is, in most countries, the age at which one is considered to be adult and is getting the right to vote, while the double 8 digit is considered by the Chinese as the lucky number.

[FULL STORY]

Soemadipradja & Taher
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Doing Business in Canada: A Practical Guide to Cross-Border Trade and Investment

Robinson Sheppard Shapiro, Montreal, Canada
www.rsslex.com
by Sharon G. Druker

WHAT YOU NEED TO KNOW ABOUT THE CANADIAN LEGAL REGIME

BILINGUAL AND BI-JURIDICAL

Canada is bilingual, bi-juridical and multi-cultural. It is bilingual in that both English and French are federally mandated official languages. It is bi-juridical as all provinces and territories (other than the Province of Québec) draw from the Common Law system, derived from England. Québec (like the State of Louisiana) is governed by the Civil Law system, derived from the French Napoleonic Code, as reflected in the Civil Code of Lower Canada adopted in 1866 (one year prior to Confederation) and replaced as of January 1st, 1994 by the Civil Code of Québec (the "CCQ").

LEVELS OF GOVERNMENT AND JURISDICTION

Canada has several levels of government: federal, provincial and municipal. The allocation of jurisdiction between the federal and provincial governments was established under the British North-America Act of 1867 at the time of Confederation.

Generally speaking, most matters regarding private property, commerce and business fall under provincial jurisdiction, with the exception of federally regulated industries such as telecommunications and the railways.

The federal government also deals with matters of bankruptcy, competition, foreign investment, criminal and family law. However, unlike the United States, securities law is a matter of provincial jurisdiction and each province or territory therefore has its own regulator (e.g., the Québec Autorité des marchés financiers and the Ontario Securities Commission), but there is no federal regulator akin to the U.S. Securities and Exchange Commission.
[FULL STORY]

New Civil Procedure Code came into force in Estonia in January 2006

Tark & Co. Tallinn, Estonia

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www.tarkco.com
by Toomas Taube

As from January 1, 2006, new Civil Procedure Code ("Code") came into force in Estonia, replacing the former code of 1998. The new Code makes the procedure regulations more detailed, compared to the former code. The new Code also introduces a number of new possibilities in the civil procedure. The new Code enables the court and parties to use more written and simplified procedures. No court hearings are required during the preliminary procedures, and the written procedure is allowed even for the whole process (the parties' consent is required if the claim amount is over 3,200 EUR).
[FULL STORY]

A matter of standards: how much due diligence disclosure is necessary to prevent a warranty claim under English Law?

Memery Crystal, London
www.memerycrystal.com
by Nicholas Scott

All English corporate lawyers and, many of their clients, will be intimately familiar with the process of negotiating warranties and disclosures as part of commercial deals. The functions of those warranties and any disclosures are well known: to elicit information about the target and to qualify any warranties given. What is less well understood, but of crucial significance to both parties, is the extent of disclosure that must be made by a vendor to forestall any warranty claims and whether, in the context of such a claim, a purchaser will be prevented from suing for breach of warranty because his agents were aware of it before entering the agreement. A recent decision of the English Court of Appeal makes clear that the English courts will look to the terms of

the agreement to determine both of these points. Accordingly, anybody concluding a contract subject to English law should take particular care to negotiate and correctly document the position in relation to these areas.
[FULL STORY]

Managing Risk in Cross Border Investment

Gadens Lawyers, Sydney, Australia

www.gadens.com

by Damian Sturzaker and Kim Middleton

Investing in foreign countries can be complicated, especially when governments lock horns with investor companies. Recent developments show how important investment treaties can be in protecting contractual rights (especially with foreign states), in the event of a dispute. This article will focus on the recent dispute between the government of Mauritania and the Woodside joint venture and also the potential claims arising out of Bolivia's nationalisation of its oil fields. Both are good examples of the important role that investment treaty arbitration may play in both managing contractual risk and ensuring continued protection of investments in foreign countries.
[FULL STORY]

"Establishing an European Company (SE): a new Eldorado for European group companies and for practitioners ? A French perspective "

Lefevre Pelletier & associes, Avocats, Paris

www.lpalaw.com

by Roland Montfort and Véronique Deau

Lefèvre Pelletier & associés Avocats

The European Company Statute, adopted by EU Member States on 8 October 2001 and effective, at least in theory, since 8 October 2004, has created a legal framework for a new kind of corporate entity, the European Company or "Societas Europaea" ("SE"). This Statute consists of a Regulation setting out the core company law framework and an accompanying Directive concerning

employee involvement in the SE (i.e., information sharing and consultation process). However, the Regulation does not cover other areas of law such as taxation, competition, intellectual property or insolvency .
[FULL STORY]

Published by Alan Griffiths
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