



**transatlantic
legal**
conference
#tlc23

// March 17, 2023
// Frankfurt am Main



See you in Frankfurt!

Join the Transatlantic Legal Conference 2023



After an involuntary hiatus of three years we are pleased to welcome you back in person in Frankfurt to our Transatlantic Legal Conference. The Transatlantic Legal Conference is – alongside the Annual Conference – the flagship event of our beloved association and open to all interested persons.

It is co-organized by the DAJV working groups, which are forums that foster an intellectual and practical exchange among lawyers from all professions. The working groups present and discuss current topics and cases of transatlantic relevance with recognized experts from the US and Germany. This year, our working groups cover the following areas of law:

- Arbitration/Litigation/Mediation (ALM)
- Antitrust/Regulated Industries/Media (ARIM)
- CLPL (Constitution, Legislation, Public Law)
- Mergers & Acquisitions and Corporate Law (M&A)

The event concludes with a festive dinner, along with a dinner speech by **Norman Thatcher Scharpf, the Consul General of the U.S. in Frankfurt am Main**. Please register through our website. We are looking forward to welcoming you!



Christian A. Krebs
**Organizer of the Transatlantic
Legal Conference**



André P. Pantel
Executive Director DAJV

Transatlantic Legal Conference 2023

Panel Overview



● **Transatlantic Legal Conference** with panel sessions of **DAJV Working Groups:**

● **ALM** (Arbitration, Litigation, Mediation)

Cryptocurrency Litigation:

What is going on and what do we have to expect?

// Session I, 2.45 – 4.15 p.m // Room Dubai

Trans-Atlantic Free-Trade News

// Session II, 5.00 – 6.30 p.m // Room Dubai [joint session with the CLPL (Constitution, Legislation, Public Law) working group]

● **M&A** (Mergers & Acquisitions and Corporate Law)

New trends in W&I and R&W insurance –Panacea for Dealmakers or Risky Business?

// Session I, 2.45 – 4.15 p.m // Room Deutsche Bank

ESG – Three letters to rule them all? “Green” board duties in the M&A context

// Session II, 5.00 – 6.30 p.m // Room Deutsche Bank

● **CLPL** (Constitution, Legislation, Public Law)

A New Era of Sanctions: Taking Stock After One Year of Russian Sanctions

// 2.45 – 4.15 p.m // Room Tokyo

● **ARIM** (Antitrust, Regulated Industries, Media)

Data and Merger Control

// 5.00 – 6.30 p.m // Room Tokyo

● **Timeline**

1.30 p.m. Check-In

2.30 p.m. Welcome Remarks

2.45 – 4.15 p.m. Session I

4.15 p.m. Coffee Break

5.00 – 6.30 p.m. Session II

6.30 p.m. (end 10.00 p.m.) Reception & Dinner

ALM // Session I, 2.45 – 4.15 p.m.

Cryptocurrency Litigation: What is going on and what do we have to expect?



Cryptocurrencies have established over the last years yet they still appear to be very foreign to many of us. Cryptocurrency litigation is thriving in particular in the U.S. The panel presents an overview of what type of disputes are currently already in the courtrooms in the U.S. and in Germany and what we can expect in the next years.

Moderator

Megan Deardorff,

Esq., LL.M., Attorney at Law, Noerr,
Frankfurt am Main

Speakers

Dominik Peer,

Research Associate, Frankfurt School
Blockchain Center, Project Manager, Web3 Talents,
Frankfurt am Main

Dani Schwartz,

Partner, Wachtel Missry, New York

Masud Sultan,

Project Manager, Frankfurt School Blockchain
Center, Frankfurt am Main

Christian M. Theissen,

Partner, White & Case, Frankfurt am Main

ALM // Session II, 5.00 – 6.30 p.m.

Trans-Atlantic Free-Trade News

*This panel will be held as a joint session in cooperation with the **CLPL** (Constitution, Legislation, Public Law) working group.*

After the inglorious failure of the TTIP, the German Government has recently voiced intentions to revive the efforts of entering into a free-trade agreement with the U.S. Facing significant supply chain issues and a general reshaping of international trade, the international business relations need to be fostered while ensuring in particular modern environmental and social standards. The panel discusses if and how a free-trade agreement can be successful. The Panel will also review differences in the drafting of investment chapters in US and EU practice and how they affect investment arbitration.



Moderator

Dr. Alexandra Diehl, LL.M. (Suffolk),
Partner, White & Case, Frankfurt am Main

Speakers

Nicola Beer,
MEP, Vice President, European Parliament,
Brussels / Strasbourg

Daniel Crosby,
Partner, King & Spalding, Geneva / Washington D.C.

Prof. Dr. Christian Tietje,
Martin Luther University Halle Wittenberg, Halle

Alexander Yanos,
Partner and Co-Chair of International Arbitration,
Alston & Bird, New York/Washington, D.C.

M&A // Session I, 2.45 – 4.15 p.m.

New trends in W&I and R&W insurance – Panacea for Dealmakers or Risky Business?



In the last decade, the use of W&I insurance in M&A transactions has become a well-known and often used instrument in the toolbox of M&A practitioners in Europe. The US market has caught up in recent years and meanwhile also regularly uses R&W insurance – as it is usually referred to there – as a means to facilitate M&A deals. We will introduce key concepts and differences between the European and US M&A insurance markets and new trends and innovations to look out for. The panel will also discuss how insurances handle claims in practice and how this compares to traditional claims made against the seller. Finally, we will explore the question whether the pricing of M&A insurers is viable in the long term and whether the replacement of seller liability by insurance liability really awards the buyer the same standard of protection.

Moderator

Christian A. Krebs, LL.M. (Harvard),
Partner, Jones Day, Frankfurt am Main

Speakers

Dr. Matthias Döll,
Director Legal, Deutsche Beteiligungs AG,
Frankfurt am Main

Gunnar B. Harlacher,
Head of M&A DACH, AIG, Frankfurt am Main

Gennadiy Kharif,
Head of DACH, Howden M&A, Frankfurt am Main

Julia Papastavridis,
Managing Director (New York), Aon, New York

M&A // Session II, 5.00 – 6.30 p.m.

ESG – Three letters to rule them all? “Green” board duties in the M&A context



ESG issues have garnered ever more attention of board members and in the society at large in recent years. Boards have to navigate new ESG-related duties introduced by lawmakers as well as societal expectations. ESG considerations have also become a key driver in M&A activities, both as a risk mitigation tool to steer of clear toxic businesses but also as opportunities for future value creation. The panel will discuss the ESG-related legal framework for companies and how ESG is becoming a key factor in M&A processes.

Moderators

Dr. Michael R. Fischer, LL.M. (Penn State),
Partner, Jones Day, Frankfurt am Main

Christian A. Krebs, LL.M. (Harvard),
Partner, Jones Day, Frankfurt am Main

Speakers

Paul Allard,
CEO, Impak Analytics, Montreal

Marcus Brans,
Managing Partner, Gauly Advisors,
Frankfurt am Main, Zürich

Christine Gärtner, LL.M. (Dallas),
Partner, Klinkert Partners, Frankfurt am Main

CLPL // 2.45 – 4.15 p.m.

A New Era of Sanctions: Taking Stock After One Year of Russian Sanctions

In December 2021, President Biden warned President Vladimir Putin of Russia that any incursion into Ukrainian territory would entail “economic consequences like none he has ever seen.” In the 12 months since Russia invaded Ukraine in February 2022, the United States, the European Union, the United Kingdom and many like-minded countries have rolled out the largest scale economic sanctions effort in recent history, with every month seeing new measures. One year on, with Russia’s invasion showing no signs of abating, this panel will take stock and discuss lessons learnt from the past 12 months. What have these sanctions achieved? What are the legal and practical implications for European and international companies, even those without any obvious Russia-related activities? What can we expect in the next 12 months?



Moderator

Benno Schwarz,

Partner, Gibson, Dunn & Crutcher, Munich

Speakers

Genevra Forwood,

Partner, White & Case, Brussels

Prof. Dr. Stefan Kadelbach,

Johann Wolfgang Goethe University,
Frankfurt am Main

Bettina Kramer-Braun,

Group General Counsel, Deutsche Börse Group,
Frankfurt am Main

Dr. Bärbel Sachs,

Partner, Noerr, Berlin

ARIM // 5.00 – 6.30 p.m.

Data and Merger Control



Data is the raw material of the 21st century. This panel examines the competitive significance and antitrust assessment of data.

New and growing digital business models have led to some new questions arising in antitrust law and especially in merger control. The panel will address topics like “Privileged Data Access and Data Combination,” “Closure Strategies and Data Power,” and “Innovation Theory of Harm and Lessening of Competitive Intensity.” Some of these topics are also somewhat controversial and open to debate, providing a good basis for discussion among practitioners.

Moderators

Dr. Jens Peter Schmidt,
Partner, Noerr, Brussels

Dr. Stefan Peintinger, LL.M. (Georgetown),
Counsel, SKW Schwarz, Munich

Speakers

Dr. Sebastian Louven,
Partner, Louven.Legal, Detmold

Transatlantic Legal Conference 2023

Registration & travel



Online registration



Please register on our website at:

www.dajv.de/events

Accommodations

We have reserved room contingents for you at special conditions in nearby hotels that you can access by mentioning the code word „ABK_DAJV“.

THE FLAG Frankfurt West M.

Meliá Frankfurt City @ One Forty West

Deutsche Bahn ticket

We have an exclusive offer in cooperation with Deutsche Bahn for your travel to the event. To book a ticket, please use this link:



https://t1p.de/TLC_DB

Conference fees

TLC including drinks and snacks, reception and dinner with beverages

DAJV members

DAJV member 230 €

Government/academia/judges 130 €

Student/law clerk/doctoral candidate 70 €

Non-members

Person working at a DAJV corporate member 230 €

Individual person 260 €

Student/law clerk/doctoral candidate 85 €

Guest (dinner only) 75 €

Transatlantic Legal Conference 2023

Contact



Venue

Institute for Law and Finance
Goethe-Universität Frankfurt //
Campus Westend, House of Finance
Theodor-W.-Adorno-Platz 3 // 60323 Frankfurt am Main
www.ilf-frankfurt.de

Contact

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German-American Lawyers Association
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