

NORTH AMERICAN REGIONAL CONFERENCE
9 – 12 MAY 2013
SAN FRANCISCO, CA – UNITED STATES

PRACTICE GROUP MEETINGS SUMMARIES

Thursday, 9 May 2013 – 14:00-17:30

International Taxation

Brian Rowbotham

The ITPG meeting will cover various hot topics in the world of international taxation starting with Banking Regulations & Updates by Stephen Foster of Royal Bank of Canada, followed by member presentations on technical topics:

ITIN (Individual Taxpayer Identification Number) Procedural Updates & Withholding Tax Issues by Arthur Dichter of Cantor & Webb, as well as recent updates on OVDI (Offshore Voluntary Disclosure Initiative) and Form 8938 Specified Foreign Financial Asset by Peter Trieu and Cindy Hsieh of Rowbotham & Company.

A panel discussion on Corporate Inbound Strategies and Compliance will be presented by experts from selected countries:

USA - Doug Dickey of DRDA PLLC, UK - Graham Busch of Lawrence Grant, Canada - Kim Moody of Moodys Tax Advisory, and India - Ashish Bairagra of M.L. Bhuwania & Co., with an emphasis on the stringent exchange control in India.

The session will also cover internal updates and practice group efforts.

Friday, 10 May 2013 round 1 – 14:00-15:30

Auditing, Reporting & Compliance

Douglas A. Dickey

The PG meeting aims to discuss “Best Practices” of the GGI member firms regarding the audit process, usage of audit software and library resources as well as topics of personnel like recruiting and training.

Furthermore it is planned to change ideas on the identification and presentation of value added opportunities to the clients. The open discussion shall be based on a short survey which is sent out to the registered attendees prior to the PG meeting.

As a result of the discussion we can think about, if a “Best practices Tool Kit” as a platform where every PG member can share best practices with other members would be beneficiary.

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Corporate, Commercial & IP

Hal Litchford

This session will explore the emerging issues associated with privacy and security regulatory framework and the compliance obligations on all companies, not just those in certain highly regulated industries (e.g. health care and financial services).

The session will provide an overview of current U.S. and Canadian law. In addition to outlining the compliance obligations, you will learn about the issues and obligations for entities suffering data breaches.

There will also be information presented regarding emerging class action litigation in the United States and the themes presented in complaints.

Immigration & Expatriate Services

Huub Kapel

Cindy Hsieh

After a short introduction of the International Expatriate Services Practice Group (IES PG), Mr. Steve Braun of Drucker & Scaccetti PC (USA) will explain the most important immigration & tax considerations prior to coming to the USA.

Mr. Huub Kapel of LIMES international (The Netherlands) will explain the possibilities and developments in Dutch Immigration Law and Mr. Ashish Bairagra of ML Bhuvania & Co (India) will present recent tax & immigration issues in India.

During the second part of the meeting, the draft IES PG International Business Development Plan as discussed in Lisbon will be presented.

This plan aims to attract more international clients/business and needs the commitment of at least 25 member firms. Therefore, your presence/input is highly appreciated to reach to at a concrete international business development plan.

Governmental Affairs & Public Procurement

Dr. Laszlo Tunyogi

The Practice Group has made a lot of changes including changing its name to "Governmental Affairs and Public Procurement." At the meeting, our new strategy will be presented, and new projects will be launched.

The biggest deals of all time: the Transatlantic Trade and Investment Partnership between the European Union and United States will be presented together with a look behind the news and an analysis of targets and obstacles.

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BANK ALPINUM 

The Group will brainstorm on the issue and create a menu for other GGI members and Practice Groups i.e. their role, the promising and profitable period of parts of the world economy that are just being formulated.

VAT (Sub Group ITPG)

Toon Hasselman

This time the meeting will solely focus on "VAT for US companies doing business with Europe" in the form of an interactive presentation given by Toon Hasselman. We have used the "with" instead of "in" as EU VAT consequences can easily arise even if the company has no presence ("nexus") in Europe.

We will touch upon the consequences of selling goods to EU clients and buying/selling goods in the EU (e.g. import VAT, consignment stock, distance selling, intracommunity transactions).

As in the last decade we have been delighted with the pleasure of electronic services, new VAT rules were needed resulting in EU VAT consequences for US companies without a presence in the EU.

We will discuss the VAT consequences (taxable person, place of supply, single point of registration) of selling/buying Apps via the Apple store and mediation in EU based real estate (e.g. www.airbnb.com) to either private persons or businesses.

Friday, 10 May 2013 round 2 – 16:00-17:30

International Dispute Resolution

Michael Quinan

The International Dispute Resolution Practice Group meeting will address the issue of Electronic Discovery. The world has gone digital, and GGI members need to be on the cutting edge.

Discussion leaders will engage GGI members from different jurisdictions within and beyond North America on related topics, including "Litigation Hold" letters, predictive coding, data preservation, social media, data requests and production, spoliation claims and use of electronic evidence at trial.

Rather than making staid formal presentations, our meeting will provide a dynamic brainstorming session. Everyone attending will be encouraged to participate.

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M&A

David E. Suprenant
J. Lee Lloyd
Todd A. Labinsky
Mark Kelly

The M&A Practice Group Meeting will focus on “Purchase Price Adjustments” and “Earnouts” in M&A transactions.

The discussion will include the following:

- Why do transactions have purchase price adjustments?
- When are earnouts appropriate?
- What issues arise in drafting these provisions?
- How are these provisions implemented once the transaction closes?
- How are purchase price adjustments and earnout claims handled with respect to indemnification provisions?

Forensics, Litigation Support Valuation & Tax Controversy

Richard J. Devine

This practice meeting discussion will focus on four specialty areas in consulting services: Forensics, Litigation Support, Valuation and Tax Controversy.

During our discussion we will focus on the necessary skills, service area red flags, types of reports, case studies and how to develop referral sources to help the participant better understand each of these offerings.

As a result, you will be able to recognize when the service areas are needed, provide better advice and service to your clients, or refer them to a qualified GGI partner that can help.

Trust & Estate Planning

Steven L. Cantor

At this PG meeting we will discuss cutting edge developments and techniques for trustees in various onshore jurisdictions.

Specific topics to be discussed include Delegation of Trustee Authority - the Canadian Context by Robert Worthington of Shea Nerland Calnan LLP (Canada), Trust planning in the UK using offshore trust by Alan Rajah of Lawrence Grant, Chartered Accountants (UK) and Roundup of International Estate and Trust Planning – A US Perspective: Proposals and Practical Planning Tips by Steven L. Cantor of Cantor & Webb P.A. (USA).

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