

Sovereign Conduct on the Margins of the Law

**a symposium hosted by the Vanderbilt Journal
of Transnational Law**



hosted at the Vanderbilt Law School

- February 17, 2017 -

SCHEDULE OF EVENTS

FRIDAY

7:00 a.m. – 8:45 a.m.

Breakfast and Registration

9:00 a.m. – 9:15 a.m.

Opening Remarks

9:15 a.m. – 10:45 a.m.

Panel #1 | Analyzing the Argentinian Debt Crisis

11:00 a.m. – 11:45 p.m.

Lunch

12:00 p.m. – 1:45 p.m.

Panel #2 | The Intersection of Cybercrime and State-Sponsored Actions

2:00 p.m. – 3:15 p.m.

Panel #3 | The Immunity of State-Owned Enterprises

3:30 p.m. – 4:30 p.m.

Panel #4 | Terrorism Financing and Banking Regulations

4:30 p.m. – 6:00 p.m.

Reception

Panel #1 | Analyzing the Argentinian Debt Crisis



Moderator
Prof. Ingrid Wuerth



Prof. Anna Gelpern

Georgetown University Law Center

Professor Gelpern has published articles on financial integration, debt contracts, and development and has coauthored a textbook on International Finance. In addition, she has contributed to international initiatives on financial reform and sovereign borrowing, most recently as an expert for the United Nations Conference on Trade and Development.

Prof. Rodrigo Olivares-Caminal

Queen Mary University of London's Centre for Commercial Law Studies

Professor Olivares-Caminal specializes in international finance and insolvency law. He has acted as a Sovereign Debt Expert for the United Nations Conference on Trade and Development and as a Senior Insolvency Expert for the World Bank/IFC. He also consults for various multilateral institutions, law firms, central banks, and sovereign states around the world.



Prof. Tim Samples

University of Georgia's Terry College of Business

Professor Samples' current research explores legal issues in the areas of sovereign finance and investor-state relations. On Argentina, he has researched the *pari passu* saga in U.S. courts, Argentina's experience with GDP-linked instruments (with Stephen Kim Park), and the 2016 settlement (with Juan José Cruces).

Prof. Veronica Santarosa

University of Michigan Law School

Professor Santarosa's research interests include law and economics, financial economic history, and law and development. Her current projects empirically and theoretically examine how legal innovations and political institutions affect firms and financial markets now and throughout history.



Prof. Mark Weidemaier

UNC Chapel Hill Law School

Professor Weidemaier's research interests involve the intersection between contracts and dispute resolution in domestic and international settings, particularly as relates to the structure and enforcement of government debt.

Panel #2 | The Intersection of Cybercrime and State-Sponsored Actions



Moderator
Prof. Yesha Yadav



Mr. Eric Blinderman
CEO, Therium, Inc.

During Mr. Blinderman's military service, he advised senior members of the United States, Coalition, and Iraqi governments on public international law, commercial law reform, international criminal law, and constitutional matters. As a part of this work, he also advised the Iraqi High Tribunal as it tried members of the former regime.

Mr. Donald Good

Director, Navigant – Information Security & Investigations Practice

Mr. Good has held multiple high-level positions in the private and public sectors dealing with cybersecurity. For instance, he has served as the Deputy Assistant Director of the FBI's Cyber Intelligence Outreach and Support Branch. In this position, he supported the Cyber Division's mission to identify, pursue, and defeat cyber-adversaries targeting global U.S. interests by overseeing efforts to enhance strategic partnerships and intelligence coordination.



Prof. Magnus Hörnqvist
Stockholm University

Professor Hörnqvist has published extensively on key issues related to state power, risk, and regulation. He led the research project 'New Risks and Actors,' which elaborated a new perspective on state sovereignty by investigating economic strategies that target organized crime and money laundering.

Prof. Rainer Hülse

Ludwig-Maximilians-Universität

Professor Hülse's research focuses on issues of global governance, theories of international relations, and international money laundering. He has written extensively on anti-money laundering enforcement and its implications for sovereignty.



Ms. Tiffany McLee

Intelligence Analyst, The National Cyber Forensics & Training Alliance

Throughout Ms. McLee's career, in both the private and public sectors, she has been responsible for analyzing and investigating financial transactions to identify potential money laundering, terrorist financing, and other financial crimes.

Panel #3 | The Immunity of State-Owned Enterprises



Moderator
Prof. Tim Meyer



Prof. Larry Catá Backer

Pennsylvania State University Law School

Professor Backer's research focuses on the intersection of constitutional and enterprise law. His most recent work touches on the regulation of multinational corporations, sovereign wealth funds, transnational constitutionalism, and the convergence of public and private law. He also researches the issues that arise with governments as private actors in global markets and the development of law and social systems to regulate business and human rights.

Mr. Jonathan Gimblett

Partner, Covington & Burling LLP

Mr. Gimblett joined Covington & Burling LLP after a career of 15 years in the British Diplomatic Service. His practice at Covington, where he is a partner, covers international and antitrust law. His international work focuses on investor-state arbitration and public international law disputes, on which he advises both sovereign states and corporate clients. He also counsels and represents clients in U.S. federal court litigation relating to international law issues, including the application of the Foreign Sovereign Immunity Act



Prof. Nicholas Howson

University of Michigan Law School

A former partner of Paul, Weiss, Rifkind, Wharton & Garrison LLP, he worked out of that firm's New York, Paris, London and Beijing Offices, finally as a managing partner of the firm's Asia Practice based in the Chinese capital. Howson has also taught at the Berkeley, Columbia, Cornell, and Harvard Law Schools, and has served as a consultant to the Ford Foundation, the United Nations Development Programme, the Asian Development Bank, and the Chinese Academy of Social Sciences on Chinese law matters. He has advised the PRC legislature on the amendment of the PRC Company Law, and is presently part of an Asian Development Bank expert group working with the Finance and Legal Affairs Committees of the National People's Congress on the drafting of a completely revised PRC Securities Law.



Prof. Pammela Quinn Saunders

Drexel University Thomas R. Kline School of Law

Professor Saunders' scholarly interests focus on issues related to the regulation of institutions and actors across national borders. Her current research explores the effectiveness of different strategies in regulating transnational corporations and promoting corporate social responsibility.



Panel #4 | Terrorism Financing and Banking Regulations



Ms. Alma Angotti

Managing Director, Navigant—Global Investigations and Compliance Practice

Ms. Angotti is a widely recognized anti-money laundering (AML) expert. She has trained and advised the financial services industry, regulators, and government officials worldwide on AML and combating the financing of terrorism compliance. Formerly, she was an enforcement attorney, conducting investigations and litigating a variety of enforcement actions. She served in senior enforcement positions at the U.S. Securities and Exchange Commission, the Treasury's Financial Crimes Enforcement Network, and the Financial Industry Regulatory Authority.

Prof. Richard Gordon

Case Western Reserve University School of Law

Following the events of September 11, 2001, Professor Gordon served on the select International Monetary Fund (IMF) Task Force on Terrorism Finance and co-led the IMF and World Bank's involvement in anti-money laundering and counter-terrorism financing. He was the principal drafter of the preventive measures section of the first compliance assessment methodology for the Financial Action Task Force (FATF) 40 Recommendations and has participated in a number of FATF 40 compliance assessments in the Caribbean, Africa, and Asia. He has published numerous scholarly articles, book chapters, and research studies on anti-money laundering, terrorism, and taxation.



Prof. Michael Newton

Vanderbilt Law School (Panelist and Moderator)



Professor Newton is an expert on terrorism, accountability, transnational justice, and conduct of hostilities issues. Over the course of his career, he has published more than 80 books, articles, op-eds, and book chapters. He has been an expert witness in terrorism related trials and was senior editor of the Terrorism International Case Law Reporter, a series published by Oxford University Press from 2007-2013. He also negotiated the "Elements of Crimes" document for the International Criminal Court and coordinated the interface between the FBI and the International Criminal Tribunal for the former Yugoslavia.

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SYMPOSIUM PAPERS

ANNA GELPERN, *Domestic Bonds and Alien Comforts*

STEPHEN KIM PARK & TIM R SAMPLES, *Tribunalizing Sovereign Debt: Argentina's Experience with Investor-State Dispute Settlement*

ERIC BLINDERMAN & MYRA DIN, *Hidden by Sovereign Shadows*

RAINER HÜLSSE, *The Money Mule: Its Discursive Construction and the Implications*

MAGNUS HÖRNQVIST, *Sovereign Display and Fiscal Techniques: Some Notes on Recent Strategies to Counteract Money Laundering and Terrorism Financing*

NICHOLAS HOWSON, *China's "Corporatization without Privatization" and the Late 19th Century Roots of a Stubborn Path Dependency*

PAMMELA QUINN, *Head of State-Enterprise Immunity*

LARRY CATÁ BACKER, *Between State, Company, and Market: A Preliminary Engagement on the Business and Human Rights Obligations of States and State Owned Enterprises (SOEs)*

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Experience: Skadden, Arps, Slate, Meagher & Flom, New York, NY, Summer Associate, 2016; Office of the Massachusetts Attorney General, Boston, MA, Summer Intern, 2015; Genzyme Sanofi, Cambridge, MA, Compliance Specialist, 2011-2014; Beth Israel Deaconess Medical Center, Boston, MA, Clinical Intern, 2011; North Andover Health Department, North Andover, MA, Intern, 2010.



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