

Spotlight on Our Alumni

Tim Goodell, Senior Vice President and General Counsel, Hess Corporation



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Counsel, Hess Corporation

Tim Goodell, Senior Vice President and General Counsel of the Hess Corporation, worked at White & Case's New York office for 24 years before joining Hess in 2009. He began his career at White & Case as an associate in 1984, became a partner in 1992 and later took on the role as Co-Head of the Mergers & Acquisitions Practice. In addition to his many legal achievements at the Firm, he left his footprint as Chair of the Women's Initiative and Administrative Partner, and also served on the Firm's Management Board/Partnership Committee for seven years.

Tim reflects on his time at White & Case and shares his experience of working at Hess.

How/when did you know you wanted to be a lawyer?

I applied to law school when I was in college, but I could not answer the question why I wanted to be a lawyer other than to say my father was a lawyer and my brother was in law school. So I decided to work for a couple of years after graduation for a business consulting firm. At the end of two years, I decided to go to law school because it gave me more options after graduation to either practice law or go into business. While in law school, I also took classes in the business school.

I decided to work in a law firm after graduation because if I started in business, I would probably not have an opportunity to go back and work in a big firm. It probably wasn't until after a couple of years at White & Case that I decided I wanted to be a lawyer.

Describe your career at White & Case.

I had a wonderful 24 years at White & Case where I had the opportunity to work with great lawyers and fun and not-so-fun clients and on interesting and challenging transactions. In addition, I was given the opportunity to serve the Firm in various management positions—first as Administrative Partner under Jim Hurlock; second, I had the privilege to serve on the Firm's Management Board/Partnership Committee for seven years; and lastly, I was Chair of the Women's Initiative.

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Top US M&A Team Joins White & Case in New York



Mort Pierce

A group of eight partners from Dewey & LeBoeuf, led by Morton (Mort) Pierce and Denise A. Cerasani, joined our New York M&A team. This significant expansion of our New York-based M&A Practice is helping us achieve our strategic priorities that include expanding our Global M&A Practice and our New York office. Meet our new colleagues:

Mort Pierce is a prominent M&A practitioner, with more than 30 years of M&A experience, who has participated in numerous noteworthy M&A matters. Mort is renowned for his advice on M&A transactions in which he has represented acquirers, targets, investment banks and investors in numerous transactions. Mort's clients include, for example, Disney, Sony, Omnicare, AXA Financial, Fortis, Starwood and Wells Fargo.

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Alumni Moves

Tell us where you are and what’s new with you. Please submit your job moves, appointments and/or achievements of note by emailing us the details you would like to share at alumni@whitecase.com.

Contact Information

To update your contact information, please email alumni@whitecase.com. We invite you to reconnect with your fellow alumni via the White & Case groups on Facebook and LinkedIn.

Top US M&A Team Joins White & Case in New York (continued from page 1)

Denise A. Cerasani brings significant experience in the areas of securities, M&A and corporate finance. Denise's investment bank M&A transaction advisory practice has been ranked number one each of the last ten years. Denise represents most of the world's leading investment banks on numerous M&A assignments. Her clients include Bank of America Merrill Lynch, Credit Suisse Securities (USA) LLC, J.P. Morgan Securities Inc., Lazard Frères & Co. LLC and Citigroup Global Markets Inc.

Michelle Rutta focuses on corporate finance, securities and M&A. She counsels clients in the acquisition of public companies, stock and asset purchases of private companies, spin-offs, leveraged buyouts and other acquisition transactions. Michelle also has extensive experience in acquisition finance, high-yield debt and complex securities offerings.

Chang-Do Gong, Robert Chung and **Bryan Luchs** all represent acquirors, targets, boards of directors, special committees and investment banks in several complex domestic and cross-border, negotiated and unsolicited, and public and private transactions. They participated in a number of significant transactions across the healthcare, entertainment and financial services, technology, pharmaceutical, insurance, telecommunications, and energy and utilities sectors.

Brian Smarsh represents clients in connection with mergers, tender offers, auctions, stock and asset acquisitions, and dispositions and restructurings. He has represented acquirers, targets, boards of directors, special committees, investment banks and investors in several complex domestic and cross-border, negotiated and unsolicited, and public and private transactions. Brian has been involved in transactions across a wide range of industries, including the entertainment, healthcare, insurance, and energy and utilities sectors.

Gregory Owens has more than 20 years of corporate finance/ banking transactional experience representing investment and commercial banks as arrangers, agents and lenders, and borrowers in secured and unsecured debt financing, senior and subordinated debt financing, borrowing-base finance and letters of credit. Gregory's broad transactional work includes acquisition financing, term B facilities, lease financing and project finance, as well as restructurings and work-outs, debtor-in-possession financing, and bankruptcy-remote structuring.



Michelle Rutta



Bryan Luchs



Robert Chung



Brian Smarsh



Chang-Do Gong



Gregory Owens

Tim Goodell, Senior Vice President and General Counsel, Hess Corporation (continued from page 1)

What was most memorable and/or challenging about being Co-Head of the M&A Practice?

Working with John Reiss was most challenging (just kidding)! I think the most memorable and challenging was building a strong group of lawyers across practice groups that can represent clients on transactions as well as or better than any firm in the world.

Did you have any mentors at White & Case?

I had many mentors during my career at White & Case. I don't think anyone can have a successful career without strong mentors along the way. I was fortunate early in my career at the Firm that Bill Wynne gave me the opportunity to work with him after Jim Hurlock asked him to build an M&A practice at the Firm as a young partner.

What did you learn at White & Case that has been most useful to you in your career?

What I learned at White & Case that was extremely useful to me is how to work in different countries and diverse cultures. When I started at the Firm, there were only a handful of offices outside of the United States. When I left the Firm, there were more than 30. I found it fascinating that my partners were from so many countries all over the world. At Hess, we have operations in more than 30 countries around the world, and we try to hire mostly local nationals in those countries.

How was the transition from being an M&A lawyer at White & Case to working as General Counsel at Hess?

The transition was pretty easy because I only had to move two blocks north on Sixth Avenue! It was also easier because I had worked with people at Hess for more than ten years. The hardest part of the transition was learning the business and understanding how I could make a contribution besides just providing legal advice.

What do you like most about your job?

I like the diversity and complexity of issues that I have to deal with on a daily basis—from sanctions on Libya to environmental regulations in New Jersey. In addition to my General Counsel role, I sit on the company's executive committee and I am responsible for Environmental Health and Safety, Social Responsibility, Compliance, Government Relations and Corporate Security.

What are the highlights of your career so far?

Having the opportunity to work at two great places. I loved working at White & Case and I never thought I would leave, but I couldn't be happier at Hess.

What's your best career advice for young lawyers?

My best career advice is to take time to think. Think about what you are doing, why you are doing it and what it means. With all the technology today and different forms of communication available on a 24/7 basis, it is important to take time out and think about what you are doing.

Outside of work, what else are you passionate about?

I guess the closest thing that rises to passion is my belief that everyone has to try to make a difference in someone else's life. We volunteer with an organization called Association to Benefit Children that is run by an incredible woman, Gretchen Buchenholtz. They have a facility in East Harlem and on Saturdays we can go up there and play with the children. At Christmas, Hess donates toy trucks that we give to each of the children. It is great to see the smiles on their faces when they open them!

Tell us something about you that most people don't know.

I have been taking piano lessons for more than three years, but don't worry, I won't be playing in Carnegie Hall any time soon!

What is your fondest memory of working at White & Case?

All the great people. Not just lawyers, but all of the support staff—secretaries, legal assistants, word processing, IT, HR, Office Services, etc. I could never have been able to accomplish what I did without all of their support. Thank you all!

Jim Hurlock Is Waring Prize Speaker at Western Reserve Academy



Jim Hurlock

Western Reserve Academy (WRA) welcomed retired partner Jim Hurlock on April 13 as this year's Waring Prize speaker. Jim was the recipient of the 2011 Waring Prize, Western Reserve Academy's highest alumni honor, for his outstanding and exemplary service to the legal community.

How to define justice and the role the International Development Law Organization (IDLO) has played in supporting justice worldwide was the focus of his talk before the audience of students, faculty and staff.

Jim has filled many roles since he graduated from Western Reserve Academy in 1951. He has been an international financial lawyer, a pioneer in international development law and a humanitarian. He remains the only Rhodes Scholar in WRA history.

After earning degrees at Princeton and the University of Oxford, Jim earned his law degree from Harvard and joined White & Case. He eventually became a partner and practiced in the Firm's international offices for a number of years.

In 1980, Jim began a 20-year tenure as Chairman of White & Case's management committee, working to build the Firm's international base and focusing on international financial transactions.

Jim's successes representing the central banks of Indonesia, Turkey, Gabon, Zaire, Peru, Costa Rica, Panama, Poland, Bulgaria and Honduras persuaded him to emphasize the growth of White & Case's international offices.

"I knew what we had to do was expand abroad because we had clients in many jurisdictions that had no one to rely on," Jim said. "We had long had a Paris office, which reopened in 1960, and thereafter we opened offices in Brussels and London, and eventually we had 37 offices in 25 countries. And we made sure that our offices were populated by local senior lawyers with additional international training."

"We had to start preparing for what the world was going to need—not what it already had."

Jim retired from White & Case in 2000 and accepted a position as Chairman of the Board of Directors at the International Development Law Organization, where he had been a board member since 1988. Jim was widely credited with IDLO's evolution into an institution with a significant voice in global affairs. Under his leadership, the United Nations General Assembly granted IDLO observer status in 2001, giving it the influential right to speak at United Nations General Assembly meetings, participate in procedural votes, and sponsor and sign resolutions. Later, IDLO was given a permanent observer office at the UN.

"The IDLO seeks to strengthen the rule of law and good governance in developing countries, in countries in economic transition and in those emerging from armed conflict," Jim said. "These are environments most of us have never experienced and where justice is rarely believed to exist as measured by any standard."

Last year, Jim retired from a seven-year tenure as Chairman of Orient Express Hotels. He was also acting CEO of Stolt Tankers.

Today, Jim serves as the Life Trustee for both the Woods Hole Oceanographic Institution and New York-Presbyterian Hospital. He is also Chairman of the Parker School of Foreign and Comparative Law at Columbia Law School.



Jim Hurlock giving his speech at Western Reserve Academy.

Lauriane Lépine-Sarandi, Case Handler for the French Competition Authority



Lauriane Lépine-Sarandi

Lauriane Lépine-Sarandi spent six years working for the Competition/Antitrust department in White & Case's Paris office before joining the French Competition Authority (FCA) as a case handler. Lauriane shares her experiences of working at White & Case and in her current role at the FCA.

Could you tell us about your background?

After obtaining university degrees focused on public law and competition law, I did several internships in the antitrust/competition departments of different Anglo-Saxon law firms.

In 2004, I joined White & Case's Paris office as an associate, where I practiced competition law both as counsel and litigator. I had the opportunity to work on a variety of cases—most of them related to anti-competitive practices or merger control, but also distribution law and general competition law. I was also seconded to one of the Firm's clients for several months. This helped me understand the nature of the challenges and constraints faced by in-house legal departments on a daily basis.

Since 2011, I have been working as a case handler within the antitrust services of the French Competition Authority.

What are the job tasks of a case handler?

Case handlers have different responsibilities. Some of us are dedicated to merger control and others are in charge of antitrust cases, such as cartels or abuse of dominant position. As a case handler in antitrust services, I am involved with carrying out inspections and conducting investigations on cases brought before the FCA or cases opened on the Authority's own initiative. We conduct hearings and participate in dawn raids. Once the investigations are over, we submit the Investigation Services' position on whether an infringement has been made before the Board, which is the decision-making body of the Authority.

We also participate in the Authority's consultative role. The Authority provides opinions on any questions related to competition law. In these opinions it makes recommendations in order to improve competition in the markets.

There is also an international dimension to our jobs: We do some European Competition Network-related work and contribute to partnerships with other national competition authorities.

To what extent is it different to work for an independent administrative authority versus a law firm?

Even though the subject matter is the same, there are some differences in perspectives. The case handler's job consists of working for the common interest, whereas a lawyer in a law firm stands for his clients' own interests.

From a practical point of view, a case handler's work is mostly done individually. What I enjoyed about working at a law firm was the team work.

What are your daily challenges?

In my job, I handle several investigation calendars. I am also expected to anticipate any further developments in a case and be independent, rigorous and firm. It's sometimes difficult to leave work behind you when the work day is over.

What have you learned through your career as a lawyer that made you capable of facing those challenges?

Those six years with White & Case allowed me to gain solid work methods. I learned to work under pressure. I also acquired rigor and autonomy, skills that prove valuable today in my new role.

Give us three adjectives to describe your experience in the Paris office.

It was diverse, intense and structuring for me.

What is your best memory from your time at White & Case?

I have a lot of fond memories from that period in my life. What is most memorable are the collective successes and nourishing encounters, especially with colleagues from other offices in Europe, United States or Asia. I also remember laughing a lot during those six years.

Jacquelyn MacLennan Focuses on the Firm's Client Relationships and Growth in Asia



Jacquelyn MacLennan

Jacquelyn MacLennan is a partner in the Firm's Global Antitrust Practice and Executive Partner of the Firm's Brussels office. She was named to the Executive Committee in September 2011. In her role as a member of the

Executive Committee, she is focusing on client relationship initiatives and working closely with the Firm's leadership and partners in Asia to expand the Firm's practice in China and other high-growth Asian markets.

Here are some of Jacquelyn's thoughts on the Firm's growth in Asia, the importance of uniform Firm standards of quality and client service, and her passion for the mountains and sea and the Scottish Hebridean Islands.

"Our planning should strategically reflect the growth we believe will occur in Asia."

We have strong lawyers serving China. We want to build our Beijing and Shanghai offices in a careful way, since we see a huge future in serving the Chinese market, particularly with the current difficulties in Europe. We already see our Chinese lawyers working with lawyers in our other offices for Chinese banks and companies outside China—and believe we will see more of this. Our Tokyo office is our largest in Asia, and we want to continue to develop it. We have strong offices in Hong Kong and Singapore, and we are now working on our next steps in the region.

"Having uniform high-quality standards of client service and legal advice is a crucial element to a one-firm culture."

Without them, it's difficult to encourage the collaborative behavior we want with our lawyers and difficult to convince a lawyer in one office to introduce a long-fostered client to a lawyer in another office.

"After years of practicing law, I've learned that everyone makes mistakes."

The trick is to be sufficiently neurotic so that you spot the mistake quickly, find a solution to it, confess that you've made the mistake and present the solution. Then get over it! Never cover up.

"'Salami-slicing' a problem is the best mentoring advice I've been given."

I've had mentors throughout my career, and they have made a huge difference at every job I've had. The best piece of advice a mentor has given me is how to approach a problem that can seem insurmountable: You have to salami-slice the problem—and then solve it slice by slice. It works for legal problems and just about every other kind of problem!

"I would have liked to have become an investigative journalist, if I hadn't become a lawyer."

Being on television with a microphone in hand—I could see myself doing that when I was at school and thought law was the prelude!

"Finding time to spend with my family and friends is very important to me."

I have a husband and three children (ages 20, 18 and 14). We try to find things that we all enjoy doing together. We love mountains and the sea. Last year, the high point was climbing Mt. Toubkal (4,200 meters high) in Morocco. We try to go skiing together and spend time in the summer on Iona in the Hebrides Islands off the west coast of Scotland. I love to swim in the sea there—it's not quite like being in the Polar Bear Club, but it is definitely exhilarating!

White & Case Obtains Significant Trial Victory for Pfizer

White & Case achieved a significant trial victory for Pfizer Inc. in a patent infringement case against seven generic drug companies regarding three patents covering the active ingredient in Pfizer's blockbuster drug Lyrica® and its therapeutic uses.

Following a bench trial, Judge Gregory M. Sleet of the US District Court for the District of Delaware ruled that each of Pfizer's patents were valid and that Actavis Inc., Cobalt Laboratories Inc., Lupin Ltd., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries Ltd. Teva Pharmaceuticals Industries Ltd. and Wockhardt USA could not sell their generic versions of the drug until December 2018. The decision is subject to appeal.

"The court's decision recognizes the infringement and validity of our Lyrica patents and affirms the value of Lyrica as a distinct and important innovation for patients," said Amy Schulman, EVP and general counsel for Pfizer. "Protecting our intellectual property is vital to our ability to develop new medicines that save and enhance patient lives."

The litigation began in 2009 when Pfizer sued each of the seven defendants after they applied for FDA approval to market a generic version of Lyrica. The defendants argued that Pfizer's patents were invalid for obviousness, anticipation, an insufficient written description and incorrect inventorship.

Lyrica, a treatment for various kinds of neuropathic pain, fibromyalgia, and certain types of seizures, is Pfizer's top-selling drug and has generated more than US\$7.7 billion in US sales since its launch in 2005.

The White & Case team consisted of Dimitrios Drivas, Jeffrey Oelke, Adam Gahtan, Brendan Woodard, John Scheibeler, Robert Counihan, Ryan Johnson, Augusta Wilson, Jay Mitra, Hannah Morey and Matt Campion.

Matt Miner Wins 2012 Burton Award



Matt Miner

White & Case partner Matt Miner of the Firm's Washington, DC office won this year's Burton Award for Legal Achievement for his article "[It's Time to Fix Our Sentencing Laws,](#)" which appeared in the September 26, 2011 issue of the *National Law Journal* and explored the need for federal sentencing reform in the United States. White & Case lawyers have now won the award 11 straight years, a winning record unmatched by any other law firm.

"Criminal sentencing is at the very core of our system of ordered liberty," Miner said. "The framers who crafted our Constitution and Bill of Rights ensured that deprivations of liberty required due process of law and that detention through incarceration must never be arbitrary. The US Sentencing Guidelines and the Sentencing Reform Act of 1984 as amended, provide—or at least provided prior to *United States v. Booker*—a check against arbitrariness, favoritism, racial bias and other pernicious influences that can taint rulings within our federal sentencing system. The article highlights how the system has now moved from a guidelines-based framework to one determined by broad discretionary calls that can vary from judge to judge without meaningful appellate review."

Presented by a nonprofit group run in association with the US Library of Congress, the Burton Award is one of the legal profession's most prestigious legal writing awards. Nominations are submitted by law firm managing partners and include exemplary articles that have been published during the past year. Out of the 1,000 largest law firms in the United States, only 30 winners are selected each year.

Snapshot: Our India Practice

Our India Practice is busy and growing quickly. From an award-winning role in the largest-ever M&A transaction between India and China to a steadily increasing number of sophisticated deals and disputes, we have been guiding clients from around the world through a range of India-related business issues.



William Kirschner

How Our India Practice Works

The Firm's country practices are designed to coordinate our efforts in countries where the Firm does not maintain an office. As William Kirschner, Chair of the Firm's country practices, explains, "Our country practices enable us to work together across offices, practices and industry groups to take advantage of opportunities in countries where we do not have a physical presence."



Nandan Nelivigi

Since Indian law forbids international law firms to have offices in India or to practice Indian law, our India Country Practice operates primarily out of our New York, Singapore and London offices. Lawyers from many other Firm offices also participate in India-related transactions and disputes.

According to Nandan Nelivigi, the India Practice Head, our approach as an integrated global team focused on India offers significant advantages. "Because of this structure, our India Practice can source matters from different continents," he says. "We help companies and financial institutions from all regions of the world conduct business in India. And at the same time, we represent Indian clients in a variety of complex transactions in all regions of the world outside India."

An Emphasis on Cross-Border Matters

In general, our India Practice emphasizes deals involving mergers and acquisitions, private equity, finance and capital markets (debt and equity) issues, and disputes involving international arbitration and international trade. We typically handle cross-border matters, especially ones that require expertise in the laws of multiple countries. And when our clients need advice on Indian law, we partner with selected Indian law firms to provide local counsel.

It makes sense that, as a multi-office team, our India Practice is particularly strong in multijurisdictional legal matters.

For example, in 2011, we advised India's GMR Group on the sale of its 50 percent stake in InterGen N.V., a Netherlands-based power generation company, to China Huaneng Group, China's largest power generation company, for US\$1.232 billion. The transaction—the largest cross-border M&A transaction between India and China to date—won *M&A Advisor's* "International Energy Deal of the Year" and "M&A Deal of the Year (Over US\$1 Billion)" awards.

This year, we represented international lenders on the financing of Reliance Power's US\$392 million innovative concentrating solar power (CSP) generation facility in Rajasthan, India with a net capacity of 100 MW/s. Upon completion, the Rajasthan CSP project will be one of the largest solar power plants in India.

In addition, we recently represented Merck & Co., the international pharmaceutical company, in a joint venture with Sun Pharmaceuticals Industries, Ltd., a leading Indian pharmaceutical company, to develop and commercialize pharmaceutical products in emerging markets. We also helped an Indian electricity transmission tower maker acquire interests in a US-based company with subsidiaries in Brazil and Mexico.

Partnering with Jindal Global Law School

Recently, the Firm agreed to develop executive and continuing legal education programs with Jindal Global Law School (JGLS), a pioneering nonprofit law school in India with a global curriculum. This agreement, the first between a major US law firm and an Indian law school, includes arrangements for visiting faculty positions, joint conferences and seminars, and internships for JGLS students.

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Snapshot: Our India Practice (continued from page 9)

The collaboration with JGLS demonstrates the Firm's long-term commitment to India. It also highlights our continuing emphasis on legal education initiatives to help cultivate young lawyers who will be able to operate effectively in a globalized world.

Nandan Nelivigi sees this as a win-win partnership. "Teaming up with one of the best law schools in India through our social responsibility initiative will allow us to further strengthen India's legal education system and its legal profession."

White & Case and Ernst & Young Host Real Estate Conference

In March 2012, the Miami office of White & Case co-hosted a two-day client event with Ernst & Young entitled "Distressed Real Estate: Restructuring and Investment Opportunities." To kick off the event, a welcome reception and dinner was held at STK Miami in Miami Beach before the full-day conference began at White & Case.

Real estate partner Steven Vainder, and counsels Bill Walker and Steven Lutt, litigation partner Jim Robinson, and financial restructuring and insolvency partner John Cunningham, participated in the various panels as did several leaders



Miami partner [Steven Vainder](#) speaking at the Real Estate Conference. To his immediate right is [Larry Gragg](#), COO and President of Codina Partners. The other two panelists are [George Yeonas](#), Chief Restructuring Officer, SNS Property Finance B.V., on the far left of the photo and [Charlie Kalocsay](#), Partner, Ernst & Young.

of Ernst & Young's real estate, restructuring, tax and hospitality groups from New York, DC, Baltimore and Miami.

Topics addressed included:

- The Market for Distressed Real Estate Assets and Debt: What's Driving It and How to Capitalize
- Current Issues and Strategies for Restructuring Distressed Real Estate Assets and Debt
- Recent Trends in the US Homebuilding Market
- Unique Issues in the Hospitality and Leisure Sectors

Steven Vainder, the Miami real estate partner who led the initiative, noted in his opening remarks that "the level of activity in the distressed real estate market is expected to remain high for the foreseeable future as the debt crisis in Europe plays out" and "we endeavor to provide clients with a 'one-stop shop' where they can benefit from our experience and expertise in real estate, restructuring, finance and other practices across multiple geographies." Among the conference attendees were domestic and international real estate and hotel investors, owners and developers, who found the two-day event interactive and informative and look forward to the 2013 program.

Alumni Cocktail Reception in New York

Thank you to all of our alumni and retired partners who attended White & Case's biannual Alumni Cocktail Reception in New York. Chairman Hugh Verrier welcomed more than 200 alumni, retired partners and partners who attended the special gathering on May 9, 2012 at the Harvard Club of New York City.



Retired partners Jay Epley, Hank Amon, Rita Moskin (wife of Mort Moskin), Kevin Keogh and Mort Moskin



John Erickson, Chairman Hugh Verrier and Fred Koenigsberg



Alumni and White & Case lawyers mix and mingle at the cocktail reception.



Alumni Leslie Wolfe Berkovits and Jessie Durnford Jamar with Jim Hayden



Alumni Joseph Brosnan and Timothy D. Gallagher



Global Alumni Program Leader Michael Shenberg with alumnus Jamie Sklar, Oliver Brahmst, and alumnus Jeff Escuder

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Alumni Cocktail Reception in New York (continued from page 11)



Retired partners Don Madden and Jay Epley



Retired partner Clyde Mitchell and alumnus Andy DeNatale



Michael Shenberg and Hugh Verrier



Alumna Mary Ellen Dooley Nye, Jim Hayden and alumna Elizabeth Hotchkiss Tong



Alumni Robert Lucic, Andres Langhoff and Mark DeGennaro



Maureen Donovan and Jay Epley

Annual Alumni Event in Brussels

The Brussels office hosted its annual Alumni event on June 28, 2012. Alumni had the opportunity to visit the renovated office premises and watched Germany v. Italy in the UEFA Euro 2012 semi-final.



White & Case lawyers and alumni enjoy the cocktail reception before the game.



Manol Bengyuzov and [Marika Harjula](#) grab a bite to eat at the reception.



Alumni Krzysztof Kuik, Manol Bengyuzov, Peter Turner-Kerr, Camilla Buchanan and partner [James Killick](#)



[Adrienne Audras](#) and [Alexandra Rogers](#) are ready to cheer.



White & Case lawyers and alumni gather to watch the semi-final.



Germany v. Italy in the UEFA Euro 2012 semi-final.

White & Case Distinguished Achievement Awards

At White & Case's Global Partner Meeting in Washington, DC in January, the Firm honored four partners for their outstanding service: George K. Crozer IV, Washington, DC; Sean J. Geary, New York; Eberhard Meincke, Hamburg; and Gilles Peigney, Paris.

The Firm's inaugural Distinguished Achievement Award was created for two purposes: first, to express gratitude to those who have contributed significantly to the Firm's success and second, to hold up to the Firm examples of partners who have excelled both in their practices and as leaders of the Firm.

New York partner Jim Hayden, who emceed the event, said, "Our Global Partner Meetings should not only be about strategic

soul searching, but they should also have an element of celebration of what we have accomplished." He went on to say that "it is important to acknowledge those who have helped bring us to the point where we are today."

During the event, each honoree was introduced and praised by a partner whom he mentored—partners who are now leaders in their own right: Philip Stopford for Crozer; Eric Berg for Geary; Markus Hauptmann for Meincke; and Raphael Richard for Peigney. The partners present were clearly moved by the tributes, making this one of the most memorable moments of the 2012 Global Partner Meeting.



Eric Berg (left) presenting to Sean Geary (right).



George Crozer holding up his commemorative bowl.



Jim Hayden, who emceed the event.



Award recipients in front: Raphael Richard (on behalf of Gilles Peigney), Eberhard Meincke, Sean Geary, George Crozer

Presenters in back: Markus Hauptmann, Eric Berg, Philip Stopford

Social Responsibility Update

Our Global Pro Bono Practice continues to focus on high-impact matters around the world. From creating a comprehensive human trafficking database to advising on debt-for-nature swaps to protecting veterans benefits and helping nongovernmental organizations (NGOs) in Europe and Asia—our lawyers are gaining valuable experience and making a difference.

Comprehensive, Worldwide Human Trafficking Database

More than 100 White & Case associates and 30 partners across 23 offices are collaborating with Lawyers Without Borders and the United Nations Office on Drugs and Crime to help create a comprehensive, worldwide, online database of human trafficking court cases. Led by New York partner Someera Khokhar, this project will provide public access to officially documented instances of human trafficking and will assist judges, prosecutors, policy makers and others by providing real examples of how various national laws are being used to prosecute this crime.

Another Record-Breaking Debt-for-Nature Swap in Indonesia

White & Case, led by New York partner Wendell Maddrey, served as pro bono legal counsel to The Nature Conservancy and World Wildlife Fund in a US\$28.5 million debt-for-nature swap, the second largest agreement organized by the United States with Indonesia. This is the second time White & Case has represented nonprofit organizations in an agreement of this type in Indonesia. Since 2006, the Firm has advised on five debt-for-nature swaps totaling more than US\$100 million. Established by the US Tropical Forest Conservation Act, debt-for-nature swaps enable the United States to forgive a country's foreign debt in exchange for the participating government's commitment to devote a specified amount of money to conservation work.

US Veterans Benefits Project

Lawyers in Washington, DC, led by counsels Maury Mechanick and Norman Fry and associate Matthew Frutig, are collaborating with the National Veterans Legal Service Program (NVLSP) on a nationwide project to help US veterans with benefits claims. NVLSP, a DC-based charity, will refer veterans to White & Case to request the government to provide required benefits and, if necessary, for class action litigation. In February, 29 of our lawyers started representing veterans from Iraq and Afghanistan, all of whom are suffering from mental and/or physical wounds so debilitating that they were permanently medically disqualified and discharged from

the military. Our lawyers will determine if their clients are eligible for combat-related special compensation by researching the client's military and medical records to establish if the client's injuries are "combat-related." Our lawyers will also draft an application to present the case to the military review board.

Serving NGOs in Europe and Asia

Led by partner Oliver Brettle, lawyers in London helped a charity successfully defend against claims from a former manager involving constructive unfair dismissal, unlawful deduction of wages and sex discrimination. This charity provides community services such as after-school and youth clubs, with an emphasis on supporting disadvantaged members of the community. Lawyers in Hong Kong and New York are assisting Hagar Cambodia with incorporation and an agreement with a US television news program. This pro bono client was referred to us by alumna Priscilla Chan, who works for Hagar. Hagar Cambodia is an international organization that serves victims of human rights abuse, human trafficking and sexual exploitation.

Pro Bono Opportunity With the International Senior Lawyers Project

The International Senior Lawyers Project (ISLP) facilitates placing highly skilled and experienced lawyers on pro bono projects that promote human rights, equitable and sustainable economic development and the rule of law worldwide. ISLP is one of White & Case's major international pro bono clearinghouse partners.

ISLP is in need over the next year of an Advisory Counsel to the Public-Private Partnership Unit of the Ministry of Finance and National Planning in Zambia. The volunteer would work primarily from his or her home office, but would also need to be available to make four two to three-week trips over the course of the year to meet with the Unit in Zambia. ISLP is looking for a senior lawyer with substantial experience in public procurement, public finance and project finance who has negotiated investment contracts in one or more sectors such as infrastructure, utilities, construction, tourism and mining. The ideal candidate will have experience working with and/or advising governments in developing countries.

Alumni who are interested in this opportunity should contact Anna Shakarova, ISLP Economic Development Program Director at ashakarova@islp.org or + 1 212 895 1359 or Andra Moss, ISLP Director for Communications and Volunteer Development at amoss@islp.org or + 1 212 895 1038.

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Social Responsibility Update (continued from page 15)

Teaching Young People About the Law

White & Case runs a number of programs around the world to teach young people about the law and the legal profession.

In April, lawyers and staff in the New York office participated in the Law Firm Legal Diversity Pipeline Program organized by Street Law, a nonprofit organization that educates students about law, democracy and human rights. We ran the program for all 95 students in the junior class (approximate age 17) at Cristo Rey High School, where we have collaborated on a student intern program for many years. Twenty-one lawyers in three teams, led by associates Yehuda Gruenberg, Sean Shecter and Max Shterngel, taught lessons at the school on three topics: Contracts, Employment Discrimination and the Fourth Amendment. The program, led by partner Scott Hershman, culminated in the Street Law Firm Event Day on April 27, when the students visited our office and participated in mock depositions, mock trials and

negotiated contracts. The students also toured the office and spoke with nearly 50 White & Case lawyers and staff about the many career opportunities offered by law firms.

In London, a team of nearly 20 volunteers from across the office developed and executed a one-day law “master class” for 30 high-performing students from London schools. The first of its kind, the master class was part of a program run by Young Enterprise, a nonprofit organization focused on teaching young people ages 13 to 17 to learn and succeed through enterprise. The program provides an introduction to an industry sector and its various career opportunities. More than 20 students learned about existing laws and discussed the necessary skills to be a successful lawyer. Our lawyers and staff also developed exercises that included a negotiation role-play featuring a high-profile athlete and a sportswear company, a project development jigsaw puzzle and a guided tour of the Royal Courts of Justice.



New York partner [Jack Pace](#) speaks with students about his career.



[Tennille Roache](#) works with students in the law master class in London.

Four Winners of White & Case's 18th Annual Business Law Scholarship

White & Case's Paris office announced the winners of the 2012 White & Case Business Law Scholarship. A total of €33,000 was granted this year, enabling the successful participants to continue their studies at a foreign university of their choice.

The Scholarship Program, created in 1995, is one of the first private initiatives in France to encourage law students to internationalize their academic background. The participants presented their candidacy at White & Case's Paris office on June 5, 2012 and were invited to meet the members of a jury presided over by Philippe Terneyre, associate professor of public law at Pau University, and composed of Emmanuel Boussard, co-founder of Boussard & Gavaudan Gestion; Pierre Minor, General Counsel of Crédit Agricole; Denise Diallo and Jacques Bouillon, partners at White & Case; and Coralie Chaufour, winner of the 2010 Business Law Scholarship.

The winners were chosen by the jury from among ten pre-selected candidates (out of a total of 45), and are, as follows:

- Aurélien Loric, who received a grant of €10,000 to go to Columbia University, New York. Loric obtained a Master 2 in Business and Tax Law, and is also a graduate from the DJCE of Université Lyon 3 Jean Moulin.
- Flore Poughon, who received a grant of €8,000 to go to the University of California, Berkeley Law School. Poughon graduated from the EFB and holds both a Master 2 in Corporate and Tax Law and a Master's degree (magistère) in Management Accounting, Tax and Business Law from Université Aix-Marseille.
- Bruno Pousset, who received a grant of €8,000 to go to the London School of Economics and Political Sciences. Pousset earned a Master 2 in Europe and Business Law, and graduated from the DJCE of Université Rennes I. He is currently enrolled at l'Ecole des Avocats du Grand Ouest, Rennes University.
- Sabrina Benghoune, who received a grant of €7,000 to go to Toronto University. Benghoune graduated from the DJCE of Université Montpellier I.

White & Case partner Denise Diallo, who oversees the scholarship program, congratulated the four winners and praised, as did other members of the jury, the quality of the applications received this year. Since its creation, 48 students have benefited from White & Case's Business Law Scholarship.

Moscow State University Wins the 2012 Jessup Competition

A team from Moscow State University won the 2012 Philip C. Jessup International Law Moot Court Competition, now in its 53rd year since its inception at Harvard University. With more than 130 teams representing 78 countries, the 2012 White & Case International Rounds were the largest in the history of the Jessup.

Moscow State University faced Columbia University in the championship round, which was held on March 31 in Washington, DC. This is the first time a Russian team has won the world championship. Judges Joan Donoghue, Kenneth Keith and Hisashi Owada, all of whom are sitting judges on the International Court of Justice, judged the final round.

Hermann Schmitt, Executive Partner of the Firm's Moscow office, reflected on the significance of this year's results. "The development of the legal system has been the number one concern for foreign investors in Russia. The fact that the country has produced a team of law students that is now the global champion of an international law competition of the significance and prestige of the Jessup highlights the change that has been going on in certain areas. We are very pleased that, for the first time in the history of the Jessup competition, a Russian team has won the Cup, and we take our commitment to the development of Russian legal education very seriously. It is a matter of great joy and pride for everyone involved that Moscow State University is this year's winner."

More than 20 Russian media outlets have covered the Jessup victory of the team including *Izvestia*, *Rossiskaya Gazeta*, *Zakon.ru* and *Zakon TV* (Weekly Legal Review), *Lawfirm.ru*, *Lenta.ru*, *Expert Magazine* and *Pravo.ru*. The Moscow office held a reception in honor of the team, where they were joined by officials from Moscow State University and media representatives.

This year's case involved timely legal issues, including the international standing of a state immediately following a coup d'état, international responsibility for the use of force by a state while taking part in a regional military operation and the destruction of a cultural site.

Grigory Vaypan and Aleksandra Ivlieva delivered the oral arguments as both applicant and respondent for the Moscow State University team throughout the competition. Grigory said,

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Social Responsibility Update (continued from page 17)

“This is the third time that Aleksandra and I have participated in the competition, which really is an ‘Olympic Games’ for law students. Each year, we’ve learned more and improved our overall performance. Winning this year means so much to the team, and it is a really positive statement for law students from all over Russia. Experience, hard work and commitment have made this victory possible.”

Aleksandra Ivlieva added: “We had so many fans from teams that were not native English speakers—they were really hoping that we would win. We are the first non-native English-speaking team to win since Colombia in 2009, and we’re really honored by that. In the final round, there was a sign that read ‘Russia versus the US’ which made it feel like an international conference that you see on the news between President Medvedev and President Obama, who are both lawyers like us.”

Jessup is the world’s largest moot court competition with more than 2,000 law students representing more than 80 countries participating each year. Students are required to present oral and written arguments on a hypothetical international dispute before a simulated International Court of Justice.

Highlights of the 53rd Jessup season include:

- A record 605 teams registered from 87 countries.
- 55 countries held national or regional rounds.
- China celebrated the 10th anniversary of the Chinese Jessup Competition.
- Switzerland and Kuwait held national competitions for the first time.
- The Bahamas, Luxembourg and Gambia had teams participating in the Jessup for the first time.

White & Case is a global partner of the Jessup and, in addition to sponsoring the White & Case International Rounds, the Firm is involved with Jessup competitions in Australia, Brazil, Canada, China, the Czech Republic, Georgia, Poland, Russia, South Africa, the United Kingdom and the US Mid-Atlantic Regional.



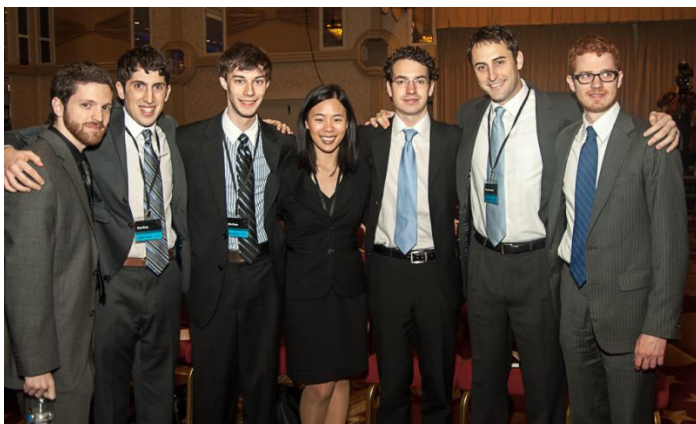
The team from Moscow State University, which won the competition.



The team from Moscow State University celebrating its victory.



Brussels Partner Ian Forrester presents the White & Case Jessup Cup to the winning oralists.



The team from Columbia University, which placed second



The winning team with Ian Forrester and ICJ judges Kenneth Keith, Hisashi Owada and Joan Donoghue, who judged the Final Round

More than 150 of our lawyers and staff played many roles throughout the Jessup season. Here are just a few:

- More than 60 White & Case lawyers judged oral rounds in regional, national and international competitions.
- At the International Rounds, partner Ank Santens judged in the round of eight and quarterfinal rounds, and partner Ian Forrester judged quarterfinal and semifinal matches; Ian also provided the keynote speech at the World Championship Round. Counsel Lou O'Neill judged rounds earlier in the week and provided welcome remarks at the White & Case Friends of the Jessup Reception. Nine other lawyers also judged preliminary rounds.
- Our Moscow office produced the Russian National Competition for the 11th year. The Russian competition is now the world's largest national competition with nearly 50 participating universities.
- Our Abu Dhabi and Bratislava offices sponsored and advised teams from the United Arab Emirates and Slovakia, respectively.
- Our people in Beijing, Johannesburg, London, Warsaw and Washington, DC served as speakers, hosted receptions and sponsored websites for regional and national competitions.
- Many lawyers graded written briefs and participated in practice moots to help Jessup teams sharpen their oral advocacy skills.
- Lawyers and staff in our London, Paris and New York offices provided Jessup judge training for White & Case lawyers in 19 of our offices via videoconference.
- Our marketing team gave the International Rounds professionally branded materials that brought the 2012 Jessup Problem to life, and our media relations team helped with press relations for many national competitions as well as the International Rounds.
- Our social networking efforts on our Jessup website, Facebook and Twitter enabled people from around the world to follow their favorite teams throughout the International Rounds by posting results, photos and daily updates.

To learn more about White & Case's Social Responsibility Initiative, please contact Jo Weiss, Director of Social Responsibility, at jweiss@whitecase.com.

Diversity Update



Bijal Vakil

Bijal Vakil Receives Award From the Bar Association of San Francisco's Barristers Club

White & Case partner Bijal Vakil of the Firm's Silicon Valley office received an award from the Bar Association of San Francisco's Barristers Club at its annual "Diversity Awards" held on July 18, where his efforts to advance diversity in the legal profession were honored and celebrated.

Bijal said, "It is the highest honor to be recognized by those organizations and individuals who served as role models and mentored me."

Bijal, who is of South Asian descent, is involved in outreach, mentoring and serving as a role model to young minorities in the legal profession. He is actively involved in White & Case's Diversity Initiative and sits on the boards of various South Asian and Asian American professional associations.

Commenting on his inspiration to be so involved, Bijal said, "These are communities that play an important role in my life. So it was natural to want to give back to these communities so that others could have similar opportunities."

Although progress has been made in supporting diversity in the legal profession—thanks to the efforts of Bijal and others like him who are dedicated to the advancement of minorities—Bijal remarked, "We have a lot more work to do. We have to work until we are at a point that we don't have to recognize these types of efforts."

According to Bijal, "True diversity means that everyone has a seat at the table. The world is becoming much smaller, and international cultures and peoples are a way of life if one wants to be relevant today. Diversity is a key component."

In addition to serving on White & Case's Diversity Committee, Bijal is also the Executive Partner of the Silicon Valley office, Chair of the Firm's Taiwan Country Practice and also serves on the Firm's Pro Bono Committee. How does he balance all of these responsibilities?

"When you have a passion, work seems like play," he replied.



Silicon Valley partner Bijal Vakil is honored with David Tsai of Perkins Coie LLP with a Diversity Award at the 4th Annual Barristers Club Diversity Reception.

White & Case Participates in the MILK Messe LGBT Job Fair

White & Case was one of 75 exhibitors at the MILK fair held on June 9, 2012 at the Berliner Hotel. The MILK fair is considered to be "Europe's largest job and career fair for gays, lesbians and mixed gender" and offers its own diversity congress around current issues related to diversity and getting along at work. Next to IBM, Google, Allianz, UBS, Nokia, ECE, MLP and Ikea, White & Case participated as a "proud employer," as one of four global law firms represented at the fair.

"With 75 companies and 14 more on a waiting list, we have not only reached the highest number of exhibitors, but we have also had the highest number of visitors to date. Around 1,600 interested persons came to the fair, nearly three times as many as last year. The number of online registrations has even quintupled to 2,200 this year. The feedback of visitors was extremely positive and numerous this year," said Stuart Cameron, the founder of the MILK fair (www.milkmesse.de/en/).

“Spectrum Germany” is the German LGBT Affinity Group of White & Case and its participation was a “first” in many ways: in addition to the congress and job fair, members from four offices used the occasion to hold a first Germany-wide LGBT meeting to brainstorm for more ideas and to plan events.

Spectrum Germany is part of White & Case’s global Spectrum network. The group is open to all lesbian, gay and transgender employees and partners (including legal trainees, staff and interns). Suggestions and ideas are always welcome at spectrum (germany@whitecase.com).

White & Case Awards Howard Law Student With Best Student Note Prize 2012

We are pleased to announce that in keeping with our annual tradition, we recently conferred the White & Case Award for the best student note at Howard University Law School. The winner this year was the Editor-in-Chief of the *Howard Law Journal*, Maryam F. Mujahid, for her article “Romeo and Juliet—A Tragedy of Love By Text,” which was published in volume 55/1 of the *Howard Law Journal* this past December.

Her White & Case award was presented at the annual Judicial Reception and Awards Ceremony at the Law School on Wednesday, April 4, 2012 by Charles Moore, senior associate in our Washington, DC office and member of our Black Affinity Group.

Outstanding legal writing is critical to future success as a lawyer. We hope that by keeping this award alive, we do our small part to inspire the next wave of exceptional lawyers.

Black Affinity Group Hosts 1st Annual Diversity Within Diversity Symposium

On February 28, 2012, the Black Affinity Group hosted its 1st Annual Diversity Within Diversity Symposium in the Miami office for more than 100 guests. Eugene Pettis, who was recently elected to serve as the first African-American President of the Florida Bar, provided the keynote speech discussing “Diversity and Inclusion Within the Legal Profession.” Jamaican photographer David I. Muir presented his art exhibition, “Pieces of Jamaica,” which captures the country’s natural beauty, rich culture and diverse people. David’s photo exhibit was accompanied by paintings from other emerging artists from the African and Caribbean diaspora. The evening’s festivities, complete with

a sampling of multicultural hors d’oeuvres, also featured a musical performance by Sons of MyStro, composed of brothers Malcolm and Umoja McNeish, ages 17 and 19, who use their classical violin training and talents to play a diverse mix of contemporary, jazz and Caribbean music.

“The CBA was very pleased with the Diversity Symposium as it was a strong testament to the benefits of embracing diversity as all attendees enjoyed the splendid array of music, arts, flavorful food and culture, serving to narrow the gap across any perceived cultural divide,” said Carol N. Green, Esq., President of the Caribbean Bar Association.



Schuyler Smith of Lydecker Diaz, CBA President-Elect; Robert Vaughan of Ward Kim Vaughan & Lerner, past CBA President; Ghenete Wright-Muir, Senior Attorney at the Florida Bar, CBA member; Eugene Pettis of Haliczzer Pettis & Schwamm, President-Elect of the Florida Bar and first African-American to be elected to the position.



Eugene Pettis, President-Elect of the Florida Bar, gives the keynote speech at the Diversity Within Diversity Symposium.

Women's Initiative Update

White & Case Supports Women's Leadership at the Firm and in the Profession

The White & Case Global Women's Initiative won two top awards at the *Euromoney Women in Business Law Awards*, recently sponsored a major international conference and featured partner Carolyn Lamm in a videoconference interview broadcast to offices in the United States and EMEA.

White & Case Wins Two Euromoney Women in Business Law Awards

White & Case won two top awards at the *Euromoney Women in Business Law Awards*, held in London on June 20, 2012. The Firm won "Best International Firm for Talent Management" for its Global Women's Initiative, the centerpiece of which is its talent management program for White & Case's women lawyers. The Firm also won the country award for Russia.

"These award wins are a testament to the emphasis which the Firm continues to place on developing women leaders throughout our global network," said Nicole Erb, partner and Chair of the White & Case Global Women's Initiative Committee. "We are very honored to be recognized for the priority we place on talent management and for the outstanding quality of our women lawyers in Russia."

White & Case was shortlisted in an additional four categories, including two awards for individual women partners. The awards recognize the achievements of the Firm in setting the standard for female-friendly work practices.

The International Association of Women Judges Convenes on Women's Rights

Led by partner Simela Karasavidis, lawyers from our London office were among the more than 650 participants from around the world attending the biennial conference of the International Association of Women Judges (IAWJ) May 2 – 5 in London. The Firm was a sponsor of the conference, which had the theme "Keeping Well, Keeping Safe." It focused on women's rights with sessions on topics such as human trafficking and forced marriage, judicial health and safety, women and girls as armed combatants and services for victims of sexual violence. Speakers included The Right Honourable the Baroness Hale of Richmond, Justice of the Supreme Court of the United Kingdom and President of the IAWJ;

The Right Honourable Kenneth Clarke, Lord Chancellor and Secretary of State for Justice; and The Right Honourable the Lord Phillips of Worth Matravers, President of the Supreme Court of the United Kingdom. Formed in 1991, the IAWJ is a nonprofit organization with more than 4,000 members at all judicial levels in 103 nations.



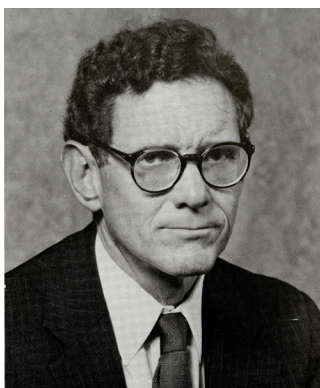
The International Association of Women Judges conference in London

Building a World-Class Career: Conversations With Carolyn Lamm and Jacquelyn MacLennan

We have begun a series of videoconference interviews with our senior women partners broadcast to our offices around the world. The first two interviews featured partners Carolyn Lamm and Jacquelyn MacLennan. A prominent practitioner in international arbitration, trade matters and cross-border commercial litigation, Carolyn is a past president of the American Bar Association, a member of the Firm's Strategic Growth Council and a former member of the Firm's Partnership Committee. Jacquelyn is Executive Partner of our Brussels office and practices EU law with a concentration on competition law. She is a member of the Firm's Executive Committee.

To learn more about White & Case's Women's Initiative, please contact Jo Weiss, Director of Social Responsibility, at jweiss@whitecase.com.

In Memoriam: Casimir (Cas) C. Patrick, II



Casimir (Cas) C. Patrick, II

Retired White & Case partner Casimir (Cas) C. Patrick, II passed away on June 13 at the age of 72.

The son of a former White & Case alumnus, Cas joined White & Case in 1966, became a partner in 1975 and retired from the Firm in 1997.

A graduate of Holy Cross College and NYU Law School and a former officer in the US Navy, Cas focused his legal practice on corporate and financial transactions, with an emphasis on equipment leasing, aircraft finance and bank finance. Cas also served in the New York State Bar Association House of Delegates and was president of the New York County Lawyers Association. During his presidency, NYCLA organized a Task Force on Representation of the Indigent, which was instrumental in advocating for changes in the legal system.

Cas had a passion for work and life that continued into his retirement, when he volunteered as an emergency medical technician. His many interests included scuba diving, motorcycling, sailing and golfing, all of which he pursued with the same avid attention to detail that he brought to his practice.

Cas was a mentor to many White & Case lawyers. His colleagues and clients recall his respect for others and his ability to distill the key aspects of transactions.

Cas is survived by his wife, Mary Breen (also a former White & Case lawyer), his children, Casimir, Michael and Margaret, and his grandchildren.

In Memoriam: Macdonald (Don) Flinn



Macdonald Flinn

Retired White & Case partner Macdonald (Don) Flinn passed away on May 24 at the age of 88 in Lakeside, Michigan.

Don joined White & Case in 1956 and retired as a senior partner in 1990.

He graduated from Princeton University, where he played football for the Tigers, and from Harvard Law School.

Don was a litigator and a leading antitrust lawyer, with a specialty in the alcoholic beverage industry. For many years, he represented Seagram's, a long-time Firm client, on antitrust matters relating to state laws restricting the sale of alcoholic beverages. Don argued and won cases at all levels and before many different courts, including many times before the United States Supreme Court.

Don was a true gentleman. He only spoke in positives and always had a smile on his face. He treated all those around him with respect.

Don is survived by his wife of more than 50 years, Rosemary, and their three children, Andrew, Susan and Russell.

Noteworthy Matters

Antitrust

DEPO Auto Parts Industrial Co., Ltd.

Obtaining a 65 percent fine reduction for Taiwanese client DEPO Auto Parts Industrial Co., Ltd. in connection with the US Department of Justice's Antitrust Division's aftermarket autolights investigation. DEPO was facing a base US Sentencing Guidelines fine of US\$122 million to US\$245.3 million, but White & Case ultimately negotiated a fine of US\$43 million, payable over five years. The autolights investigation is one of dozens of DOJ investigations into the broader autoparts industry, an aggregate investigation that is believed to be the DOJ's largest antitrust investigation.

Par Pharmaceuticals and Paddock Laboratories

The Firm won another victory for our clients Par Pharmaceuticals and Paddock Laboratories in the AndroGel® case on April 25, 2012, when the Eleventh Circuit Court of Appeals affirmed a lower court's dismissal of the Federal Trade Commission's suit aimed to prevent so-called "reverse-payment" agreements between brand-name and generic drug makers. This ruling is widely viewed as another rejection of the FTC's efforts to challenge such agreements in court, and a victory for intellectual property rights and freedom to settle. In so holding, the lower court relied, in part, upon the Eleventh Circuit's 2005 *Schering-Plough Corp. v. FTC* decision, a case in which White & Case successfully represented defendant Upsher-Smith Laboratories in overcoming similar FTC antitrust claims. Reverse-payment actions are a self-proclaimed "top" enforcement priority for the FTC.

Banking

Charter International/Colfax Corporation

Representation of Deutsche Bank AG New York Branch, as administrative agent and joint lead arranger, in connection with the US\$2.1 billion senior secured credit facility (US\$1.8 billion term facility; US\$300 million revolver facility) provided to Colfax Corporation. The leveraged financing arranged by Deutsche Bank served to finance the majority of the cash proceeds necessary to effect Colfax Corporation's cross-border acquisition of Charter International plc. The financing was one of the first syndicated leveraged financings done in compliance with the newly revised UK Takeover Code and our London M&A team also represented Deutsche Bank (London), as financial advisor, in connection with the transaction. Colfax Corporation is a global leading diversified manufacturing and engineering company that provides gas and fluid handling and fabrication technology products and services to commercial and governmental customers around the world.

Capital Markets

Outokumpu Oyj

Representation of Outokumpu Oyj in its €1.006 billion rights offering, a Finnish company's largest-ever, to finance its acquisition of Inoxum, German company ThyssenKrupp's stainless steel unit, valued at €2.7 billion.

Newmont Mining Corporation

Representation of Newmont Mining Corporation, a *Fortune 500* gold producer with operations on five continents, in an SEC-registered public offering of US\$1.5 billion principal amount of 3.500% senior notes due 2022 and US\$1.0 billion principal amount of 4.875% senior notes due 2042. Newmont intends to use the net proceeds from this offering for repayment of the outstanding balance under its senior revolving credit facility, settlement of certain forward starting swaps contracts, remaining payments to be made during 2012 in connection with the exercise of the early purchase option under the sale-leaseback agreement relating to its refractory ore treatment plant in Nevada, and general corporate purposes. Citigroup Global Markets Inc. and J.P. Morgan Securities LLC were the joint bookrunning managers for the offering.

Caesarstone Sdot-Yam Ltd.

Representation of Caesarstone Sdot-Yam Ltd., an Israeli company, in its initial public offering of 6,660,000 ordinary shares for US\$73.3 million and listing on the Nasdaq Global Select Market. Caesarstone is a manufacturer of high-quality engineered quartz surfaces. J.P. Morgan Securities LLC, Barclays and Credit Suisse Securities (USA) LLC served as joint bookrunning managers for the offering, and Robert W. Baird & Co. Incorporated and Stifel, Nicolaus & Company, Incorporated served as co-managers.

Commercial Litigation**TNK-BP**

Representation of TNK-BP, the third largest oil company in Russia, in a multibillion-dollar RICO action. The complaint alleged that TNK and other companies and individuals defrauded the plaintiff of ownership in a Russian oil company as part of a scheme to dominate the Russian oil industry that allegedly involved misuse of the Russian courts and judicial system. The district court granted our motion to dismiss the case on the grounds that the RICO statute did not reach this type of non-US dispute. The US Court of Appeals ruled in favor of our client by dismissing claims under the Racketeer Influenced and Corrupt Organization (RICO) Act. This is the first US circuit court ruling to apply the Supreme Court's recent decision in *Morrison v. Nat'l Austl. Bank Ltd* to the RICO statute.

Facebook Inc.

Representation of Facebook as its sole outside counsel responsible for handling its international (non-US based) litigation matters, including free speech, privacy and data protection issues, defamation claims, breach of contract actions, identity theft claims, addressing subpoenas issued by law enforcement in connection with criminal investigations of third parties and investigating and responding to claims involving fake user profiles.

Nestlé USA, Inc. and Gerber Products Co.

Represented Nestlé USA, Inc. and Gerber Products Co., and served as liaison counsel for the defense group in more than 30 consolidated putative class actions. Plaintiffs alleged that Gerber, Nestlé and other bottle manufacturers failed to adequately disclose that their polycarbonate bottles and containers and/or infant formula cans contained BPA, which can leach into food or drink and has been allegedly linked to various health problems. In 2009, the court granted our motion to dismiss Nestlé. The case

continued against the bottle manufacturer defendants, including Gerber. In July 2011, the court denied plaintiffs' motion for class certification. In December 2011, the court denied plaintiffs' second motion for class certification. The Eighth Circuit Court of Appeals then denied plaintiffs' motion requesting permission to appeal the trial court's denial of their motion for class certification.

Financial Restructuring and Insolvency**PrimaCom Holding GmbH**

We represented PrimaCom Holding GmbH, a German company, in a groundbreaking restructuring marking the first time that an English High Court sanctioned a scheme of arrangement for an overseas company where a majority of the company's creditors were located outside the United Kingdom. As a result, far more overseas companies will now be able to take advantage of English schemes of arrangement.

In re Zais Investment Grade Limited VII

The Zais case is the first-ever involuntary prepackaged case brought under the US bankruptcy code. It is also the first and only use of Chapter 11 to unwind a CDO. The Zais case proved that distressed CDOs, previously thought by some to be immune to bankruptcy, can in fact be successfully reorganized in bankruptcy. Anchorage Capital and White & Case's first-of-its-kind approach of forcing a distressed CDO into an involuntary bankruptcy and using Chapter 11 to unwind it resulted in substantial economic benefit for senior noteholders.

Greek Sovereign Debt Restructuring

Co-counsel to the steering committee of private creditors of the Hellenic Republic: advised the steering committee on the terms of the private sector initiative to restructure Greek external debt in what is the biggest sovereign deal to date.

Rescap/Ally Financial

Representing a group of bondholders, including institutional holders and secondary holders, with more than US\$800 million of secured bonds from Rescap. The investors, known as Secured Bondholder Group, have been organized in response to recent press reports that sources close to Ally Financial, the parent company of Rescap, were considering causing Rescap to file for bankruptcy protection. The group seeks to work constructively with Rescap and its advisors to ensure that secured bondholders receive the par recovery they are entitled to receive.

DIP Lender and Sponsor for the Sale of the Los Angeles Dodgers

Representation of Major League Baseball (MLB) as the most significant party in interest in the Chapter 11 cases commenced by the Los Angeles Dodgers LLC and its affiliated debtors. We assisted MLB in protecting its valuable economic interests by successfully opposing the Dodgers' initial DIP financing proposal and obtaining an order requiring the Dodgers to borrow funds on more favorable terms from MLB. Moreover, with our assistance, MLB reached a mediated settlement with Mr. McCourt under which Mr. McCourt agreed to sell the Dodgers through a Chapter 11 sale process supported by MLB. Following a competitive bid process, the Dodgers and certain related assets were sold on May 1, 2012 to a group of investors called Guggenheim Baseball Management for a record US\$2.15 billion—the highest price paid for any major league sports team.

International Arbitration

SGS v. Paraguay

White & Case secured a ground-breaking award in favor of repeat ICSID claimant, SGS Société Générale de Surveillance S.A., following a February 2012 decision awarding it approximately US\$58 million in unpaid fees and interest in a dispute relating to nonpayment for inspection services under the Switzerland-Paraguay bilateral investment treaty (BIT). The decision is the first reported case to find jurisdiction over, declare admissible, and adjudicate on the merits, a claim under an "umbrella clause" (a catch-all provision in a BIT requiring a State to "guarantee the observance of the commitments" it had entered into with investors) for a mere breach of contract in spite of a choice-of-forum clause in that contract. SGS had twice before brought such claims without success against two other States: Pakistan and the Philippines (using different counsel). This is a landmark decision which expands the potential protection afforded to foreign investors under international law.

Abaclat & Others v. Argentina

Representation of tens of thousands of Italian holders of Argentine bonds in an ICSID arbitration under the Argentina-Italy bilateral investment treaty. The amount in dispute is currently US\$1.3 billion, and is one of the largest cases against Argentina. The case relates to sovereign default, a critical legal and political issue in Latin America, and involves the largest known number of claimants in a single arbitration. In 2011, the Tribunal issued a seminal 283-page "Decision on Jurisdiction and Admissibility," establishing

jurisdiction over the claims—finding that sovereign bonds are protected investments and giving the green light to the first-ever mass claim in investment arbitration history.

Gold Reserve v. Venezuela

Representation of Gold Reserve, a publicly listed Canadian mining company, in a US\$2+ billion ICSID arbitration against Venezuela relating to the expropriation of one of the world's largest undeveloped gold/copper mines. Gold Reserve's principal asset was its rights to develop this gold/copper mining project in Venezuela—and the future of the company rides on its investment treaty claims. This case marked the start of a new wave of Venezuela disputes related to gold mining. The merits hearing was held in March 2012 and the parties are now awaiting the final award.

Fraport v. The Philippines

Representation of the Republic of the Philippines in a major US\$500+ million ICSID dispute arising out of the nullification of the concession for the construction and operation of the passenger terminal at Manila's International Airport. Two related disputes against the Philippines, one before ICSID and another before the ICC, were dismissed in their entirety for violations of Philippine law. Following proceedings that annulled the previous ICSID dismissal on technical procedural grounds, the claimant has commenced a new ICSID arbitration.

The Renco Group, Inc. v. Peru

Representation of the Republic of Peru in a US\$800+ million UNCITRAL arbitration brought by US company The Renco Group, Inc. involving claims arising out of environmental and operational disputes related to the metallurgical facility in La Oroya, Peru. This is the first investment dispute under the 2009 US-Peru Trade Promotion Agreement. We recently succeeded in obtaining the withdrawal of Renco's Peruvian subsidiary as claimant, as well as contract claims against a Peruvian State Enterprise.

Mergers & Acquisitions

Dexia €2.8 Billion Sale of DenizBank Unit to Sberbank

Representation of Dexia, Turkey's sixth largest private sector bank, in the €2.8 billion sale of its DenizBank unit to Sberbank, Russia's largest bank. The deal marks Sberbank's largest acquisition to date and also makes it the first Russian lender to acquire a bank in Turkey. Earlier this year, White & Case represented privately owned investment bank Troika Dialog in the US\$1 billion purchase by Sberbank.

Sony Corporation US\$2.2 Billion Acquisition of EMI Music Publishing

Representation of Sony Corporation of America, Inc., as the leader of the investor group consisting of the Estate of Michael Jackson, Mubadala Development Company PJSC, Jynwel Capital Ltd., the Blackstone Group's GSO Capital Partner L.P. and David Geffen, in the US\$2.2 billion acquisition of EMI Music Publishing from Citigroup. Sony/ATV Music Publishing, a joint venture between Sony and the Estate of Michael Jackson, will administer EMI Music Publishing on behalf of the investor group. The acquisition brings together two of the leading music publishers, each with comprehensive and diverse catalogs of music copyrights covering all genres, periods and territories around the world.

Fortis US\$1.5 Billion Acquisition of CH Energy Group

Representation of Fortis Inc., Canada's largest publicly owned distribution utility, in the US\$1.5 billion acquisition of CH Energy Group Inc., a regulated gas and electric transmission and distribution utility. The transaction marks the initial entry by Fortis into the US-regulated electric utility marketplace and establishes a foundation for Fortis to grow its utility business in the United States.

Atlantia €857 Million Sale of Grupo Costanera

Representation of Autostrade per l'Italia, a subsidiary of Italian motorway operator Atlantia, on the sale of a 49.99 percent stake in Grupo Costanera, its Chilean unit and owner of five toll roads in Chile, to Canada Pension Plan Investment Board for €857 million (US\$1.13 billion).

ITOCHU €472 Million Acquisition of Metsä Fibre Oy

Representation of ITOCHU Corporation, a leading trading house based in Japan, in its €472 million acquisition of 24.9 percent of its shares in Metsä Fibre Oy, one of the world's largest softwood pulp producers, which primarily sells to the European and Asian markets. This acquisition, which is subject to approvals from the German competition authority, marks one of the largest foreign direct investments in Finland over the past decade.

Cielo Acquisition of Merchant eSolutions

Representation of Cielo S.A., Latin America's leader in electronic payment solutions, in its US\$670 million all-cash acquisition of Merchant eSolutions, Inc. (MeS), a US-based provider of full-service global payment solutions.

Divestment of North American Operations by Coveright Surfaces Holding GmbH

Representation of Coveright Surfaces Holding GmbH, a producer of surfacing materials for the furniture, flooring, building, woodworking and automotive industries, in the sale of its US and Canadian subsidiaries to companies controlled by Arclin Inc.

Private Equity

Pilot Flying J Acquisition of Maxum Petroleum

Representation of Pilot Flying J, a portfolio company of private equity firm CVC Capital Partners and the largest owner and operator of travel centers in North America, in the cash acquisition of a controlling interest in Maxum Petroleum, Inc., a leading independent energy logistics company that markets and distributes a comprehensive offering of refined petroleum products and services to commercial and industrial customers in the United States and Panama.

US\$1.525 Billion Acquisition of Fougera Pharmaceuticals by Novartis AG

Representation of Fougera Pharmaceuticals and its private equity shareholders, Nordic Capital and Avista Capital Partners, in the US\$1.525 billion all-cash purchase of Fougera Pharmaceuticals by Novartis AG. The acquisition of Fougera makes Sandoz, the generics division of Novartis, the number one generic dermatology medicines company globally and in the United States.

Pegasus Capital Advisors Acquisition of Six Senses Resort and Spa Management Business

Representation of Pegasus Capital Advisors L.P., a US-based private equity fund manager, and certain of its affiliates, in its acquisition of the ultra-luxury resort and spa business of Six Senses Resorts & Spas. Structured as an asset acquisition, the transaction necessitated the novation of resort and spa management contracts with third-party resort and spa owners through coordination with lawyers in our New York, London and Singapore offices and local counsel in ten other foreign jurisdictions.

Harvest Partners Acquisition of WeldTech

Representation of Harvest Partners, L.P. in its acquisition of WeldTech Services Corp. through Harvest's portfolio company Bartlett Holdings, Inc., d/b/a BHI Energy, as well as the related financing of such acquisition. WeldTech, together with its wholly owned subsidiary, WeldTech Industrial Services, LLC, is a specialty welding and modifications contractor providing field and shop-welding and machining solutions to customers in the nuclear, chemical, gas and oil, pulp and paper, and power industries.

Project Finance

Santos/Gladstone LNG

Representation of Santos Ltd. in connection with the US\$1.2 billion export credit agency-backed corporate financing for the Gladstone LNG (liquefied natural gas) project in Queensland, Australia. This project will process coal seam gas into liquefied natural gas, a cleaner energy source. The Export-Import Bank of Korea provided export credit support in this transaction, which was selected as one of the "Best Deals of 2011" by *Global Trade Review* magazine.

Barzan Gas Project

Representation of Qatar Petroleum and Exxon Mobil, as sponsors, in the successful closing of its US\$10.3 billion Barzan Gas Project in Ras Laffan Industrial City, the largest single financing project ever undertaken in Qatar. The financing required an international financing model that skillfully blended multi-sourced financing in a tumultuous economic environment. The project will play a vital role in fueling Qatar's continued economic development. This deal was selected as "2011 Middle East and Africa Oil & Gas Deal of the Year" by *Project Finance International* magazine, as one of the "Best Deals of 2011" by *Global Trade Review* magazine, and as "2011 Middle East Oil & Gas Deal of the Year" and "2011 Global Deal of the Year" by *Project Finance* magazine.

Dakdrinh Hydroelectric Power Project

Representation of Crédit Agricole CIB in the US\$178 million debt financing, guaranteed by Nippon Export and Investment Insurance, to the Dakdrinh Hydropower Joint Stock Company for the US\$220 million development of the 125 MW Dakdrinh hydroelectric power project near Son Tay, Vietnam.

Embraport

Representation of Caixa Econômica Federal, as a senior lender, in its provision of a US\$335 million loan to Embraport Empresa Brasileira de Terminais Portuários S.A. for the construction and operation of a greenfield mixed-use port terminal to be located in the Port of Santos, Brazil. The total project cost is US\$1.1 billion. This deal was selected as "2011 Americas Transport Deal of the Year" by *Project Finance International* magazine, as "2011 Latin American Transport Deal of the Year" by *Project Finance* magazine, as "2011 Project Finance Deal of the Year" by *Latin Lawyer* magazine, and as "2011 Americas Project Finance Deal of the Year" by *International Financial Law Review*.

Gebze Power Plant in Turkey

Representation of the Turkish lead arrangers in connection with a US\$700 million term loan facility and a US\$80 million letter of guarantee facility to project finance the development and operation of a 865 MW gas-fired combined-cycle power plant within the Kocaeli-Gebze VI IMES OIZ industrial zone in Gebze, Turkey. Total project costs were estimated to be US\$1 billion. This deal was selected as "2011 Turkish Deal of the Year" by *Project Finance International* magazine, as "2011 European Power Deal of the Year" by *Project Finance* magazine, and as "2011 Power Deal of the Year" by *Infrastructure Journal*.

Real Estate

UBS AG, Tokyo Branch and SMBC Nikko Securities

Representation of UBS AG, Tokyo Branch, the lender and originator, and SMBC Nikko Securities, the financial advisor, in a JPY 14 billion (US\$172.3 million) financing by way of a commercial mortgage-backed security issue, provided to an SPC that owns a luxury hotel near Tokyo Disneyland. In this transaction, UBS AG entrusted its loan receivables to DB Trust Company to issue the trust beneficiary certificates.

VGP. N.V., Československá obchodní banka, a. s. and Komerční banka a.s

Representation of VGP. N.V., a leading player in the development and lease of logistic and semi-industrial parks in the Central and Eastern Europe, in connection with the second biggest transaction in the area of commercial real estate properties in the history of the Czech Republic. The transaction concerned the sale of a majority share in six industry parks in Prague and the outskirts

of Prague to an international real estate fund. The transaction covered the transfer of industry parks in the total area of 368,000 square miles and is valued at approximately €300 million. Subsequently, we advised on a facilities agreement regarding the provision of construction and investment facilities for the development projects of VGP CZ I., a.s. We also participated in the representation of Československá obchodní banka, a. s. and Komerční banka a.s. in connection with the refinancing of existing debt and the financing of the construction costs of the VGP Park portfolio owned by VGP CZ II., a.s., which was a project valued at €135 million.

Digital Realty Trust

Representation of Digital Realty Trust on the acquisition of 761,000 square feet of data center facilities, located in and around London and known as the Sentrum Portfolio, for approximately US\$1.1 billion. Digital Realty Trust is one of the world's leading data center owners and operators and is a US REIT listed on the New York Stock Exchange. The transaction is believed to be one of the largest real estate deals in the UK this year.

Tax

El Dorado Brasil

White & Case tax lawyers and economic consultants in our Prague, New York, Frankfurt, Warsaw, London, Paris, Budapest and Beijing offices are providing crucial tax-structuring advice in connection with the estimated US\$3.225 billion worldwide expansion of Eldorado Brasil's business operations. El Dorado Brasil, a start-up pulp company, is pursuing the two-phase expansion that will create the world's largest pulp mill to export pulp from Brazil to paper producing markets in Asia, Europe, South America and North America.

Starwood Capital

Our representation of Starwood and its affiliates reflects our continued involvement in current market-driven offerings and showcases our ability to navigate difficult market conditions to successfully structure complex investment funds for a broad range of domestic and international institutional and high-net-worth investors using innovative strategies as well as our ability to represent both domestic and international sponsors simultaneously, and to structure offerings and funds in a manner

suited for all interested parties. Most recently, our New York Tax practice advised Starwood Capital Group in connection with a US\$1 billion acquisition of a portfolio of shopping malls from the Australia-based Westfield Group, which has interests in and operates one of the world's largest shopping center portfolios, including regional shopping centers in New Zealand, Australia, the United States and Brazil.

Global Company

Our Washington, DC tax practice represented a global company in an Internal Revenue Service ("IRS") audit of sales of convertible preferred stock by the client to the client's Employee Stock Purchase and Savings Plan ("Plan"). Two divisions of the Internal Revenue Service (IRS) examined the transactions relating to such sales and collectively proposed income tax adjustments and the imposition of excise taxes that, if sustained, would require a US\$1.2 billion payment by the client. Our tax lawyers provided critical advice to the client during the IRS audit and advocated the client's positions in mediation with the IRS. Based on these efforts, the IRS conceded approximately 90 percent of its proposed adjustments, resulting in complete resolution of the case.

Great American Life Insurance

Our Washington, DC tax practice represented Great American Life Insurance in its litigation and appeal of a case involving an issue of first impression concerning the interplay between the Internal Revenue Code and National Association of Insurance Commissioners relating to the computation of insurance tax reserves. In 1995, our client increased its tax reserves by US\$59 million, which our client deducted for US federal income tax purposes. The IRS denied the deduction and a lengthy dispute ensued where our client commenced suit against the United States. A federal district court in Ohio entered an Order permitting our client's entire US\$59 million deduction and this Order was upheld in the US Court of Appeals for the 6th Circuit. The case is one that has been followed closely by the insurance industry and is the only reported decision on the issue presented.

Recent Publications

US Issues New Executive Order Authorizing Additional Iran Sanctions and Sanctions New Entities Pursuant to CISADA; Congress Approves New Iran Sanctions Legislation

White & Case China Newsletter

Exemptive Order Regarding Compliance With Certain Swap Regulations

Technology Newsflash

Summary of FERC Meeting Agenda for July 19, 2012

e-Discovery Update: Increasing Judicial Acceptance of Computer-Assisted Document Review

Developers Are Rushing to Be Among the First in Japan's New Renewable Industry

FCPA Reform and Anti-Corruption Enforcement

EU Environment Report—June 2012

Draft Decree on Bonds for Italian Non-Listed Companies—Italy Is on the Verge of Taking Significant Steps to Facilitate the Issuance of Corporate Bonds

SEC Issues Compensation Committee and Compensation Consultant Independence Rules as Required by the Dodd-Frank Act

Renewable Energy: A Major Player in the European Energy Market

SEC Approves New Exchange Rules Addressing Extraordinary Stock and Market Volatility

Delaware Chancery Court Finds Breach of Confidentiality Agreement and Enjoins Martin Marietta's Hostile Bid for Vulcan Materials (May 2012)

Federal Reserve Approval of ICBC Acquisition Clears the Way for Chinese Bank Acquisitions of US Banks (May 2012)

Age Discrimination and Compulsory Retirement in the UK—*Seldon v. Clarkson Wright and Jakes*

Financial Regulatory Update

Global Tax Report—April 2012

*These publications can be found on www.whitecase.com/publications.



White & Case Annual Review 2011



White & Case Social Responsibility Review 2011

