

### CLAYTON UTZ

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TO ALL PACIFIC RIM ADVISORY COUNCIL MEMBERS - PRIMARY CONTACTS and LOS ANGELES CONFERENCE DELEGATES

### Dear Colleagues:

Welcome back from Los Angeles and PRAC's 29th International Conference. Our sincere thanks and congratulations to Brobeck Phleger & Harrison LLP for hosting the Conference, the success of which was due to their efforts and enthusiasm.

Following Saturday's welcome reception and Sunday's programme in Santa Monica and Brentwood, our business programme began Monday morning with the Business Investment & Trade Practice Group meeting at Brobeck's downtown Los Angeles office.

S. Sivanesan (Singapore) and A. Peter Parsons (Seattle, USA), led the meeting which focused on international distribution and licensing agreement issues with several countries reporting on developments.

The Banking & Workouts Practice Group - Theresa Chong (Kuala Lumpur) and Kevin Fisher (San Francisco, USA) led the varied country reportings and discussions on bankruptcy issues specific to protecting intellectual property.

Monday's Guest Speakers' reception and luncheon at the California Club provided invited clients and PRAC delegates with a lively and timely panel discussion on "Old Economy" and the "New Economy" with Harry Kraemer, Jr., Chairman and CEO of Baxter International Inc., Mark Goldstone, Chairman and CEO of NetZero Inc., and Professor Randy Katz of the University of California at Berkeley.

Following the luncheon, Monday's business programme continued with the Intellectual Property Group session led by Takemi Hiramatsu (Tokyo) and John K. P.Stone, III (Boston, USA). Members were provided with various country specific data privacy and protection updates and also were given copies of the Expert System CD (a co-operative project in which all PRAC member firms participated).

Monday's business programmed closed with the Litigation Practice Group led by Patrick Sherrington (China) and Ross Perrett (Australia), with an update on Napster and followed with a discussion dealing with employee mobility issues.

Tuesday's programme opened with the Marketing Committee presentation and discussion on law firm marketing and included demonstrations of why particular marketing techniques are used and their results.

Following on the success of South Africa and Tokyo's "Strategic Planning for Law Firms" programmes, Tuesday's extended Practice Management session dealt with accomplishing strategic objectives, with various countries reporting on partner attraction and retention, as well as the role of law firm governance in accomplishing strategic objectives. The first part of this session was followed by a luncheon panel discussion led by Tower Snow, Jr., Chairman of Brobeck Phleger & Harrison LLP and Brad Hildebrandt, CEO, Hildebrandt International, with follow on session immediately thereafter. As before, the programme for this group was well planned, with various member firms providing a range of insights. This session was timely, informative and well received by all delegates.

One on One's followed, with member firms having been advised in advance of scheduled meetings. In an effort to enhance this session, suggested meeting guidelines were provided to all delegates along with the schedule of meetings well in advance of the conference and encouraging the member firms to investigate possible joint areas of interest. As evidenced by the attendance and comments, this enhanced program will continue in future conferences.

In accordance with the suggested guidelines, **Delegates are reminded to follow up with their meeting results and to continue to gather and share pertinent information.** 

### **Board Meeting.**

Country Briefings were held just prior to Wednesday's Board Meeting, with PRAC's newest member Colombia reporting, as well as Korea and the United States.

The Board Meeting followed and attended to the business aspects of the Conference, including officially welcoming our Colombian member, Brigard & Urrutia.

# Policy and Planning.

The Policy and Planning Committee (chaired by John Elder - Canada) reviewed its longrange planning and strategy issues for consideration. The Committee will, in conjunction with the membership at large, take under consideration:

- 1. the range of practice groups and their focus;
- 2. PRAC's expansion philosophy
- 3. Member conflicts due to mergers, expansion or new alliances; and
- 4. Maximizing the value of PRAC to its members.

In that regard and as a follow up to an item raised at the Board Meeting, is the issue of a whether a Hildebrandt type organization might be useful in assisting PRAC with its future goals. To help guide us with an initial review of whether an undertaking of this type should be considered by the membership, a questionnaire/survey will be distributed in the near future to all Primary Contacts. Your comments and recommendations are key critical to the success of this undertaking and we appreciate your early comments in the interim.

The Policy and Planning Committee reported on the consensus view that Los Angeles was representative of a balanced program and, in particular the Practice Management and Marketing sessions were well received. Sunday's social programme was light and the late morning start and early afternoon finish proved ideal.

Monday's business programme luncheon provided lively and topical insight for both delegates and local clients of our host firm. While the morning sessions were a tight fit for speaker times and physical space and in need of better audio/visual aids, the balance of the programme at the California Club and the Regent Beverly Wilshire Hotel proved conducive to a continual and relaxed information exchange among delegates. The Committee commented that despite past recommendations the panels were still too packed with topics and speakers.

The Committee recommended that in addition to keeping the balanced program, at future meetings:

- 1. Co-chairs be held accountable to a maximum of 3 speakers and a 60/40 rule be adopted ie (for every 60 minutes allotted, only 40 minutes will be designated as speaker time with the balance falling to open forum discussion);
- 2. Co-Chairs are responsible for encouraging discussion at practice group sessions; and
- 3. Other than hotel venues, all other work venues should have an area set aside for members who are not attending a particular practice group session, with phone access where possible.

The Committee commented that the Practice Management committee co-chairs should continue their focus with Strategic Planning for Law Firms. It also recommended that the Marketing Group continue to strengthen its focus on marketing of legal services in amongst member firms and further that with the marketing representatives from several of the member firms attending the sessions it was added value in order to drill up/down the PRAC awareness message.

Member firms are also reminded to mention or link their web site (intranet as well, if appropriate), to the PRAC web site.(www.prac.org).

#### **Conference Committee**

The current schedule of Rio de Janeiro (November 3-7, 2001) and Hong Kong (May 11-15, 2002) is affirmed. Consideration will be given to staging a follow on portion of Hong Kong's Conference in Beijing.

Staging has commenced for the upcoming Rio de Janeiro Conference, hosted by Tozzini Freire Teixeira e Silva, which will not feature a public seminar. The hotel conference site has been selected (the newly completed Marriott Resort at Copacabana Beach) and preliminary conference packages were distributed in Los Angeles. Further details and early registration forms are available at the PRAC web site (www.prac.org) Conference link and additional information will be provided to all members over the course of the following months, with on line registration available at the PRAC web site in July, 2001. Delegates are encouraged to confirm your intended registration by completing the Early Indication Form (found in Rio package or at PRAC web site conference link).

Practice Group and Committee Co-Chairs should provide their comments and suggested agenda topics to the Chair and the Host Committee.

Initial staging is also underway for Hong Kong 2002 (May 11-15) and Seattle, Washington (September/October 2002). Additional information for these events are available at the PRAC web site www.prac.org Conference link.

### **Nomination Committee.**

A Nomination Committee was formed at Tokyo's Board Meeting for purposes of polling the membership between Tokyo and Los Angeles for recommendations as to the incoming PRAC chair and vice-chair to be installed on January 1, 2002. The Committee, consisting of Emilio Pinto (Brazil); Virginia Chan (Hong Kong); Denis McNamara (New Zealand); Kenneth Slade (USA) and chaired by John Elder (Canada) undertook its commission.

The Committee recommended, after its review and consultation:

- a) PRAC move to a Chair supported by two Vice-Chairs;
- b) the Vice-Chairs should be with firms that provide geographical and cultural diversity to that of the Chair's firm;
- c) As the Vice Chair currently no longer has responsibility for PRAC finances, each Vice-Chair should, in addition to any other PRAC involvement, be appointed as a member of the Policy & Planning Committee;
- d) The PRAC Statement of Objectives and Policies should be amended to reflect these variations in the governance structure; and

e) Specifically the committee recommended the election to office (effective January 1, 2002) as Chair -- Jan Willem Sodderland of NautaDutilh and, as the two Vice Chairs - Osvaldo Marzorati of Allende & Brea (Argentina) and Sivi Sivanesan of Rodyk & Davidson (Singapore).

Following unanimous approval at the Board Meeting, I am pleased to announce that effective January 1, 2002 Jan Willem Sodderland (Amsterdam, NautaDutilh) will become Chairman. Further, two Vice Chairs, Osvaldo Marzorati and Sivi Sivanesan will support the Chair.

# **PRAC Marketing**

- 1. A reminder to follow up with your One on One meetings
- 2. Mention the PRAC web site (www.prac.org) in your firm's internal network
- 3. For purposes of the PRAC e-Bulletin which is published and distributed each month via email, add Susan lannetta's name to your firm's internal marketing email or mailing list (susan.iannetta@fmc-law.com). Deadline for contributions is the 15<sup>th</sup> of each month. The e-Bulletin will be streamlined for ease of reading. Copies will continue to be made available at the PRAC web site e-Bulletin link. You are encouraged to distribute the e-Bulletin throughout your firm.
- 4. If you have provided contact information for your firm's marketing representative, they will be added to the Administration Matrix (available at PRAC web site Practice Group and Chair information link). We encourage ongoing discussions amongst the member firms and will contact representatives in the future regarding possible joint projects and their added participation at future conferences.
- 5. As part of PRAC's ongoing co-operative projects, Hale and Dorr provided Los Angeles delegates with CD-rom copies of the 2001 Expert System. All PRAC firms participated in this collaborative project. Members are encouraged to add the Expert System to their firm intranets and/or library collections. A copy is also available at the PRAC web site (Private Libraries). Our special thanks again to Hale and Dorr and in particular to Ken Slade for seeing this project through.

Hale and Dorr also provided delegates with their compendium 2000 Internet Alert Book, which many of our members also contributed articles.

#### Other Business.

A complete copy of the Conference Handbook and accompanying materials are available at the PRAC web site (Conference link). Draft Los Angeles Conference 2001 Board Meeting Minutes will be available at the Private Libraries.

Many thanks to the delegates participating in PRAC's 29th Conference. With the largest number of delegates attending and the largest number of delegates making their first appearance, it provided for a full program and the opportunity to visit with colleagues we might not otherwise have seen. Speakers and discussion leaders were prepared and

presented very well, leading to successful discussion forums. In particular, this conference once again remains memorable for the insightful Practice Management and Marketing sessions, which will be carried over in part to Rio's conference.

To the Brobeck attorneys and staff and, in particular the Host Committee, our heartfelt thanks for your tremendous efforts in organising a highly successful and unique conference, for giving so much of your time to ensure our opportunities to visit with many friends and colleagues and, of course, for capturing and sustaining the PRAC spirit.

We will be in contact over the months leading up to Rio. In the meantime, the following items are offered as follow up:

**Conference Materials.** Los Angeles conference materials can be found at the PRAC web site Conference link. Members are reminded of their private access information:

<user= first name of firm>

<password=first name of firm plus the number 8>

Example: user=asahi password=asahi8. (note lower case)

**Membership Directory** - Additional orders can be still be taken. Contact Susan lannetta.

**Future Conferences** - mark your calendars for the upcoming conference dates: Rio de Janeiro - November 3-7, 2001; China - May 11-15, 2002.

Thank you again for your participation in the Los Angeles Conference. I look forward to seeing each of you in Rio later this year. In the meantime, please don't hesitate to contact either Susan lannetta or me if we can assist you in any way.

Kind regards,

John M. Shirbin Chairman, PRAC

This report, the Los Angeles Conference Handbook and accompanying Materials and the Draft Los Angeles Conference 2001 Board Meeting Minutes are available at the PRAC web site (www.prac.org)