

## **International Upstream Energy Transactions**

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### **Global Compliance: Preserving Privilege In Cross-Border Matters**

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## **Master objectives for CLE on Preserving Privilege in Cross-Border Matters**

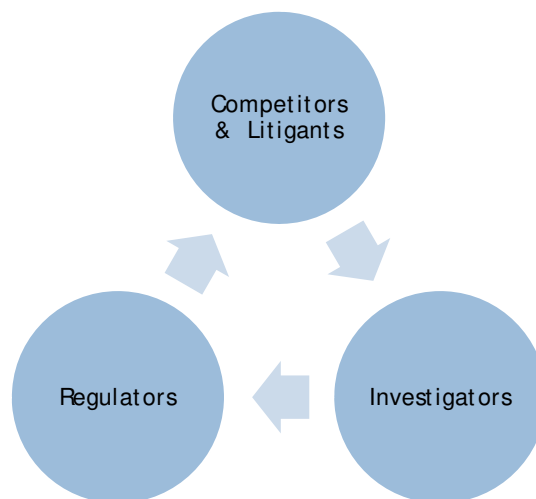
- 1. Bring cross-border privilege to life through application so that you:**
  - **Recognize** important cross-border privilege issues;
  - **Invest** in designing effective protocols and protocols and procedures for establishing and maintaining privilege; and
  - **Act** to safeguard privileged information by exercising due professional care.
- 2. Communicate with confidence to your clients, peers, team and stakeholders while preserving privilege.**

# Agenda

- The issue and where you fit in
- Traps for the unwary and 3 cases on point
- Not privileged: Where does that leave us?
- How cross-border privilege issues arise in the USA
- A quick world tour and back to the USA
- Practical strategies and a to-do list
- Questions & answers

## 1. The issue ...

## Who wants Your Clients' Secrets and Privileged Information?



...and where you fit in



Is your legal team in compliance?



**Who is supposed to protect your clients' secrets and privileged information?**

Let's go to China!



There's no place like home!



## US Border



- **“Border Search Exception” to 4<sup>th</sup> Amendment (e.g. *US v. Arnold* and its progeny)**
- **What’s on your laptop, thumb drive and smart phone? – like a locked suitcase**
- **FCPA / UK Bribery Act information**



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## Title search: Global Compliance: Preserving Privilege in Cross-Border Matters

Also available as part of the eCourse

[Attorney-Client Privilege across Borders](#)

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"Attorney-Client Privilege Across Borders"