16th Annual Transnational Crime Conference

15–17 May 2013 Miami Beach, USA

A conference presented by the IBA Criminal Law Section, supported by the IBA North American Regional Forum

Sessions include:

• The use of private investigators, experts and forensic accountants in multi-jurisdictional criminal litigation
• Offshore tax havens and the loss of secrecy in multinational tax fraud investigations and prosecutions
• Money laundering and corruption investigations in South & Central America and the Caribbean
• Acting in high-profile, multi-jurisdictional cases and the impact of the media
• Bilateral cooperation and the increase in multi-jurisdictional criminal investigations
• LIBOR and the upswing in international financial services and securities fraud investigations and prosecutions

Who should attend?

Criminal defence and regulatory practitioners, prosecutors, in-house counsel, international business crime lawyers, compliance officers, law enforcement officials and auditors.
Programme

Conference Co-Chairs
Jan Lawrence Handzlik Venable, Los Angeles; Senior Vice-Chair, IBA Business Crime Committee
Meg Strickler Conaway & Strickler, Atlanta; Co-Chair, IBA Criminal Law Committee

Wednesday 15 May

1800 – 2100 Registration
W South Beach Hotel, Miami Beach

1900 – 2100 Opening cocktail reception
W South Beach Hotel, Miami Beach

Thursday 16 May

0730 – 1800 Registration
W South Beach Hotel, Miami Beach

0930 – 0940 Opening remarks
Jan Lawrence Handzlik
Meg Strickler

0940 – 1110 A rising tide: money laundering and corruption investigations in South & Central America and The Caribbean

The growing cross-border enforcement of anti-bribery and anti-money laundering laws is having an increasing effect on business, trade and compliance in South America and the Caribbean. Experts from Brazil, the UK, the Cayman Islands and the US will discuss investigative priorities and practices, counter-measures and the role of compliance in multinational companies.

Session Co-Chairs
Jan Lawrence Handzlik
Jorge Nemr Leite Tosto e Barros, São Paulo

Speakers
Nick Dunne Walkers Global, George Town
Cristian Francos Lewis Baach, Buenos Aires
Juliana Sá de Miranda TozziniFreire, São Paulo
Jessica Parker Corker Binning, London
William Shepherd Holland & Knight, West Palm Beach

1110 – 1130 Coffee/tea break

1900 – 2100 Registration
W South Beach Hotel, Miami Beach

1130 – 1300 Using private investigators, experts and forensic accountants in multi-jurisdictional criminal litigation

This session will examine the increasing use of private investigators both by prosecuting authorities in investigating criminal offences and by corporations and individuals in defending prosecutions. The session will also cover the use of investigators by companies who suspect that they may have committed criminal acts and wish to conduct an internal investigation before considering whether to report themselves to the authorities.

Session Co-Chairs
Dan Conaway Conaway & Strickler, Atlanta
Pierpaolo Cruz Bottini Bottini & Tamasauskas, São Paulo

Speakers
Kai Hart-Hoenig Dr Kai Hart-Hoenig Rechtsanwälte, Wiesbaden
Andrew O’Connell Guidepost Solutions, New York
Davide Sattin Nardello & Co, London
Gregory William Kehoe Greenberg Traurig, Tampa; Regional Representative North America, IBA Criminal Law Committee
Mauro Wolfe Duane Morris, New York

1300 – 1430 Lunch

Keynote speech
Leah Ambler Legal Analyst, OECD Anti-Corruption Division, Paris; Secretary, IBA Anti-Corruption Committee

The speech will provide topical information and insight on current and future OECD directives and initiatives, particularly those most relevant to the Americas.
1430 – 1600 **Setting the benchmark: LIBOR and the upswing in international financial services and securities fraud investigations and prosecutions**

Drawing on their experiences in criminal and regulatory matters in Asia, Europe and the Americas, panelists will discuss the key issues and lessons to be learnt from recent international securities and financial services-related investigations and prosecutions.

The panel will cover new theories of liability (such as cases involving LIBOR in multiple jurisdictions and Standard & Poors in the US), on-going securities-related prosecutions (such as those of the Parmalat-related prosecutions of international bankers and company insiders in Italy), recent defence victories (such as the acquittals of Nortel’s three most senior executives in Canada), and the increased number of insider trading prosecutions.

Panelists will discuss the factors driving prosecutorial decision-making, particularly with respect to charging individuals, defending cases in which outside law firms and/or new management have placed the blame on your client and how different regulatory and prosecuting authorities interact when allegations cross international borders.

*Session Co-Chairs*

**Paul Leder** Richards Kibbe & Orbe, Washington DC

**Brian Spiro** BCL Burton Copeland, London; Co-Chair, IBA Business Crime Committee

*Speakers*

**Caroline Braun** Zanoide de Moraes Peresi & Braun, São Paulo

**Simon Clarke** Allen & Overy, Hong Kong

**Sharon Lavine** Greenspan Humphrey Lavine, Toronto

**Marcellus McRae** Gibson Dunn & Crutcher, Los Angeles

**Michael O’Kane** Peters & Peters, London

**Ernesto Gregorio Valenti** Vassalli Olivo e Associati, Milan

1620 – 1750 **On-the-record: acting in high-profile, multi-jurisdictional cases and the impact of the media**

This panel will discuss how information is disseminated to the public and the special nature of cases which attract very high media and political attention. How do we use the media for a positive spin when representing corporations or celebrities? How, in turn, can we manage the media coverage when it gets out of hand?

The panel will address current cases that exemplify both sides. The panel will also address different approaches taken by common law and civil law countries.

*Session Co-Chairs*

**Ben Rose** Hickman & Rose, London; Vice-Chair, IBA Criminal Law Committee

**Meg Strickler**

*Speakers*

**Blair Berk** Tarlow & Berk, Los Angeles

**Trevor Burke** Three Raymond Buildings, London

**Marina Coelho** Coelho Costa Alves e Zaclis, São Paulo

**Michael Miller** Steptoe & Johnson, New York

**Laura Wasser** Wasser Cooperman & Carter, Los Angeles

2000 – 2200 **Welcome dinner**

Joe’s Stone Crab

In 1913, Joe Weiss opened up a small lunch counter on Miami Beach. Since that date, no trip to Miami would be complete without paying a visit to Joe’s Stone Crab.
0830 – 1300 Registration
W South Beach Hotel, Miami Beach

0930 – 1100 Long arms of the law: bilateral cooperation and the increase in multi-jurisdictional criminal investigations
This session will discuss the current state of play with respect to concurrent criminal and regulatory investigations in multiple jurisdictions, with an emphasis on the challenges arising from the different, and sometimes conflicting, procedures, practices and traditions in each jurisdiction

Session Co-Chairs
Frederick T Davis Debevoise & Plimpton, Paris
Marc Henzelin Lalive, Geneve

Speakers
Jeffrey Eglash General Electric, Fairfield
Janet Levine Crowell & Moring, Los Angeles
Saba Naqshbandi Three Raymond Buildings, London
Juan Francisco Torres-Landa Barrera Siqueiros Torres Landa, Mexico City

1100 – 1120 Coffee/tea break

1120 – 1250 Nowhere to hide: offshore tax havens and the loss of secrecy in multinational tax fraud investigations and prosecutions
Since the Middle Ages bank secrecy shrouded international tax evasion. Bank secrecy was codified by some countries during the Second World War. Over the 50 years following 1945, worldwide bank secrecy proliferated.

In 2009 the US government was able to reverse the tide and unveil massive cross-border tax evasion schemes perpetrated by banks in Switzerland. Since then, Germany, Italy, France and Brazil have scored victories against bank secrecy and uncovered similar cross-border tax evasion schemes. The US government has expanded cross-border investigations to Israel and India. Recently the US government finalised implementation of the Foreign Account Tax Compliance Act. FATCA requires foreign financial institutions to report their US customers to the IRS. Several countries have agreed to require their banks to comply with FATCA in return for similar reporting from US financial institutions for their citizens. The panel will discuss these recent events and the way forward.

Session Co-Chairs
Fabio Cagnola Studio Bana, Milan; Senior Vice-Chair, IBA Business Crime Committee
Kevin Downing Miller Chevalier, Washington DC

Speakers
Felix Ka-ho Ng Haldanes, Hong Kong; Treasurer, IBA
Environment, Health and Safety Law Committee
Roel Kerckhoffs Hertoghs, Breda
Thomas P O’Brien Paul Hastings, Los Angeles
Monty Raphael QC Peters & Peters, London

1250 – 1300 Closing remarks

**Continuing Professional Development/Continuing Legal Education**

For delegates from countries where CPD/CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD/CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction.

This conference has been accredited for CPD/CLE by the Solicitors Regulation Authority of England and Wales. New York and Californian attorneys may submit their certificates of attendance issued, and apply this credit earned to their New York and Californian CLE requirement. Delegates should ask staff at the registration desk for information as to how to obtain the hours.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).
### Information

**Date**  
15–17 May 2013

**Venue**  
W South Beach Hotel  
2201 Collins Avenue  
Miami Beach, Florida  
Tel: +1 (305) 938 3000  
Fax: +1 (305) 938 3055  
www.wsouthbeach.com

**Language**  
All conference working sessions and conference materials will be in English.

**How to register**  
Register online at [www.ibanet.org/conferences/conf491.aspx](http://www.ibanet.org/conferences/conf491.aspx) and make payment by credit card to avail of the ten per cent online registration discount or complete the attached registration form and return it to Suzana Su at suzana.su@int-bar.org together with your payment. You should receive emailed confirmation of your registration within five days; if you do not please contact Suzana Su.

### Fees

#### Online registrations received:

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*By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this conference is held, which entitles you to the following benefits:*

1. Password access to certain parts of the IBA website.
2. Receipt of IBA E-news and access online versions of IBA Global Insight.
3. Pay the member rate for any subsequent IBA conference registrations for this calendar year.
4. Take advantage of IBA Special Offers.

If you wish to attend more than one conference, we recommend joining the IBA. Details of how to join can be found at [www.ibanet.org](http://www.ibanet.org)

**Guest fee includes:**

- Invitation to Welcome dinner on 16 May

**List of participants**

In order for your name to appear in the list of participants, which will be made available seven days prior to the conference, your registration form must be received by 8 May at the latest.

**Registration confirmation**

All documentation regarding your attendance at the conference can now be obtained from the IBA website. Upon receipt of your payment for the conference a confirmation email will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.

**Promotional literature**

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the Sponsorship Department at sao.paulo@int-bar.org.

**Payment of registration fees**

US Dollars: by bank transfer to the IBA until 26 April at HSBC, account number 00375-81, branch 0223 (Avenida Paulista), SWIFT code BCBBBPRP, address Avenida Paulista, 949-A, São Paulo, SP 01311-917, Brasil, IBA CNPJ 07.562.031/0001-85.

Use an exchange rate of US$1/R$2.5

**Credit card payments:** by Visa, MasterCard or American Express. No other cards are accepted.

**No deductions or withholdings**

All fees payable to us by you in accordance with the terms contained in this ‘Information’ section shall be paid free and clear of all deductions or withholdings whatsoever. If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this ‘Information’ section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have been had no such deductions or withholdings been required.
Conference sell-outs

The IBA places its conference in venues of a suitable size for the event; however there are times when our conferences may sell out. Should this happen, prospective delegates will be informed and a waitlist will operate. The waitlist will function on a ‘first come, first served’ basis, subject to receiving registered delegate cancellations. The IBA will not be liable for any travel or accommodation expenses incurred by an individual who travels to the conference without a confirmed place at the event.

Cancellation of registration

If cancellation is received in writing at the IBA office by 19 April, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date. Registrations received after 19 April will not be eligible for any refund of registration fees.

Provided you have cancelled your registration to attend an IBA conference in accordance with the terms of the ‘cancellation of registration’ clause included in the ‘Information’ section of the relevant conference programme, you must then confirm to us in writing at the IBA office as soon as possible but in no event later than one year (12 calendar months) from the date of any such conference all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant conference.

Hotel accommodation

A limited number of rooms have been reserved at the W South Beach Hotel for the nights of 15, 16 and 17 May.

W South Beach Hotel

2201 Collins Avenue
Miami Beach, Florida
Tel: +1 (305) 938 3056
Fax: +1 (305) 938 3055
Email: tyler.fakhoury@whotels.com

The following rate is per room, per night and inclusive of breakfast. Service charges and local taxes are not included.

Wonderful King: US$431

As a limited number of rooms have been blocked at the hotel, availability cannot be guaranteed once the room block is full.

Please complete the attached accommodation form and send it direct to the hotel to make your reservation. The hotel requires a credit card number to secure your reservation.

Please note that any reservation made after 15 April will be subject to availability and cannot be guaranteed at the special IBA rate.

Cancellation and no-show policy

Any cancellation made after 26 April will incur a cancellation fee of one night charge. This will also apply to no-shows.

Please note that in the event of any cancellations or no-shows, rooms will be charged to the individual guest’s credit card given at the time of the booking.

Delegates are responsible for making accommodation reservations and entering into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

Disabled access

The W South Beach Hotel is wheelchair accessible. Please notify us if you require special assistance.

Social programme

Wednesday 15 May

Opening cocktail reception
W South Beach Hotel

Thursday 16 May

Welcome dinner
Joe’s Stone Crab

Dates to remember

- 15 April is the deadline for the W South Beach Hotel to receive accommodation bookings at the IBA discounted rate.
- 26 April is the date by which your registration form and payment must be received at the IBA office if you are taking advantage of the early registration fee and is the date by which any cancellation must be received at the IBA office in order for fees to be refunded, less a 25 per cent administration charge. No refunds can be made after this date.
- 8 May is the date by which your registration form and payment must be received at the IBA office in order for your name and company to be included in the list of participants, which will be made available seven days prior to the conference. After this date no registration forms can be accepted at the IBA office – please therefore register at the conference.

Weather

The climate in Miami in mid-May is warm with temperatures averaging 22-19°C (72-64°F). Showers are not common in this time of year.

Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

Please apply for your visa in good time.

Airport

Miami International Airport (MIA) – located 12 miles of South Beach.

Taxi

The best form of transport available from the airport to the W South Beach Hotel is taxi. The journey costs around US$32 plus tip. It takes approximately 20 minutes.
Registration form

16th Annual Transnational Crime Conference
15–17 May 2013, Miami Beach, USA

Please read the ‘Information’ section before completing this form and return it together with your payment to Suzana Su at the address overleaf.

**Personal details (Please attach your business card or write in block capitals)**

Title ___________________________________ Given name ___________________________________ Family name ___________________________________

Name and country to be shown on badge (if different from above) __________________________________________

IBA membership number (if applicable) __________________________________ Date of birth _______________________________

Firm/company/organisation __________________________________________

Address ________________________________________________________________________________________________

Tel ___________________________________ Fax ___________________________________

Email ________________________________________________________________________________________________

Guest name

Guests are not entitled to attend the working sessions. No member of the legal profession may be registered as a guest.

**Special dietary requirements ______________________________**

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TO OBTAIN A TEN PERCENT DISCOUNT ON THE FEES BELOW, PLEASE REGISTER BY **26 APRIL** ONLINE AT WWW.IBANET.ORG/CONFERENCES/CONF491.ASPX

IBA MEMBERS CAN REGISTER ONLINE BY **26 APRIL** FOR US$955

PLEASE SEE ‘INFORMATION’ FOR FURTHER ONLINE REGISTRATION DETAILS

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**Social functions**

Opening cocktail reception (Wednesday 15 May) Number of tickets ___________ (maximum of 1 per delegate + 1 per registered guest)

Welcome dinner (Thursday 16 May) Number of tickets ___________ (maximum of 1 per delegate + 1 per registered guest)

Social ticket reservations are subject to availability and cannot be guaranteed unless payment has been received by **26 April**.

**TOTAL AMOUNT PAYABLE** US$

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**A REDUCED RATE IS OFFERED TO LAWYERS WHO ARE OVER THE AGE OF 65, HAVE BEEN AN IBA MEMBER FOR MORE THAN 20 YEARS AND ARE NO LONGER PRACTISING LAW.**

*JOIN THE IBA TODAY AND REGISTER FOR THIS CONFERENCE AT THE IBA MEMBER RATE.*

PLEASE FIND THE IBA MEMBERSHIP APPLICATION FORM AT WWW.IBANET.ORG

FULL PAYMENT MUST BE RECEIVED IN ORDER TO PROCESS YOUR REGISTRATION. PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.
**Payment details**

- I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.

(By bank transfer to the IBA at HSBC, account number 00375-81, branch 0223 (Avenida Paulista), SWIFT code BCBBRPR, address Avenida Paulista, 949-A, São Paulo, SP 01311-917, Brasil, IBA CNPJ 07.562.031/0001-85)

Use an exchange rate of US$1/R$2.5

Please pay all bank charges so that the IBA receives the full invoiced amount.

**BANK TRANSFERS ARE ONLY ACCEPTABLE UNTIL 26 APRIL**

Please charge the total amount due to my:

- [ ] Visa
- [ ] MasterCard
- [ ] American Express

Card number ___________________________ Start date ___________ Expiry date ________________

Name of cardholder ___________________________

Signature ___________________________ Date __________________

**Where did you first hear about this conference?**

- [ ] IBA CONFERENCE
- [ ] OTHER CONFERENCE
- [ ] DIRECT MAIL
- [ ] INTERNET
- [ ] ADVERTISEMENT
- [ ] E-MAIL
- [ ] EDITORIAL
- [ ] RECOMMENDATION
- [ ] OTHER

Please provide further details, quoting code (if applicable)

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Please send the completed form to:

**International Bar Association**

Suzana Su
Rua Helena 170, 14º Andar, São Paulo, SP 04552-050, Brasil
Tel: +55 (11) 3046 3320 Fax: +55 (11) 3046 3324
E-mail: suzana.su@int-bar.org www.ibanet.org

**For office use only** Payment ______________________ Banked _______________________Processed_____________
Accommodation form

16th Annual Transnational Crime Conference
15–17 May 2013, Miami Beach, USA

Please refer to the ‘Hotel accommodation’ section before completing this form

**Personal details** (Please attach your business card or write in block capitals)

Title _____________ Given name _________________________________________ Family name ________________________________________________

Firm/company/organisation __________________________________________________________________________________________________________

Address __________________________________________________________________________________________________________________________

___________________________________________________________________________________________________________________________________

___________________________________________________________________________________________________________________________________

Tel __________________________ Fax __________________________

Email ______________________________________________________________________________________________________________________________

**Accommodation requirements – W South Beach Hotel, Miami Beach**

Wonderful King: US$431

Arrival date _______________ Departure date _______________

THE RATE INCLUDES BREAKFAST AND EXCLUDES SERVICE CHARGES AND LOCAL TAXES.
ANY RESERVATION MADE AFTER DATE WILL BE SUBJECT TO AVAILABILITY AND CANNOT BE GUARANTEED AT THE ABOVE RATE.

Please reserve:

☐ Smoking  ☐ Non-smoking  ☐ Single  ☐ Double

IF YOU NEED AN EARLY OR LATE CHECK IN OR CHECK OUT, PLEASE CONTACT THE HOTEL IN ADVANCE.
TO SECURE YOUR BOOKING THE HOTEL REQUIRES ONE NIGHT’S DEPOSIT PER ROOM.

Please charge my credit card:

☐ Visa  ☐ MasterCard  ☐ American Express

Card number __________________________ Start date _______________ Expiry date __________________________

Name of cardholder _________________________________________________________________________________________________________________

Signature _________________________________________________________________ Date ____________________________________________________

Please send the completed form to

**W South Beach Hotel**

2201 Collins Avenue
Miami Beach, Florida
Tel: +1 (305) 938 3056
Fax: +1 (305) 938 3055
Email: tyler.fakhoury@whotels.com
The International Bar Association (IBA), established in 1947, is the world’s leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 50,000 individual lawyers and over 200 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community.

Grouped into two divisions – the Legal Practice Division and the Public and Professional Interest Division – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe. Additionally, the IBA’s high-quality publications and world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and professional associates.

The IBA’s Bar Issues Commission provides an invaluable forum for IBA member organisations to discuss all matters relating to law at an international level.

The IBA’s Human Rights Institute (HRI) works across the Association, to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

Other institutions established by the IBA include the Southern Africa Litigation Centre and the International Legal Assistance Consortium.

**Criminal Law Section overview**

The Criminal Law Committee provides a forum for members from many countries and criminal justice systems to meet regularly, communicate, exchange views, and monitor developments in substantive and procedural criminal law. The committee focuses on developments of transnational and international significance. The interaction and cooperation within the committee keeps members informed of developments in criminal law and criminal procedures through newsletters and appointed rapporteurs. The Business Crime Committee’s primary objective is to promote awareness within the business community and among transactional lawyers of the growing significance of legal compliance.

**North American Regional Forum overview**

The North American Regional Forum covers Canada, Mexico, Puerto Rico, the United States, and English-speaking areas of the Caribbean. Launched at the Chicago Annual Conference in 2006, the NAF is the focus for all activities in the region, and organises sessions and a luncheon event at each IBA Annual Conference for education and networking. Future plans include organising conferences in partnership with other IBA committees and fora, as well as other bar associations and legal organisations in the region.

**Contact information**

**International Bar Association**

Rua Helena 170, 14º andar,  
São Paulo, SP 04552-050, Brasil  
Tel: +55 (11) 3046 3321  
Fax: +55 (11) 3046 3324  
E-mail: sao.paulo@int-bar.org  
www.ibanet.org

**International Bar Association**

4th Floor, 10 St Bride Street  
London EC4A 4AD, United Kingdom  
Tel: +44 (0)20 7842 0090  
Fax: +44 (0)20 7842 0091  
E-mail: member@int-bar.org  
www.ibanet.org