

20th ANNUAL

Institute on Current Issues in International Taxation

DECEMBER 13 & 14, 2007

THE GEORGE
WASHINGTON
UNIVERSITY
WASHINGTON DC



Department of the Treasury
Internal Revenue Service

www.irs.gov

IRS  INTERNATIONAL

The TWENTIETH ANNUAL INSTITUTE ON CURRENT ISSUES IN INTERNATIONAL TAXATION presents a unique opportunity for attendees to hear high-level Internal Revenue Service and Treasury Department officials, as well as high-level foreign officials from different tax authorities, address current international tax issues and offer perspectives on trends and developments. Panels are designed to enable specialists from the Internal Revenue Service and the Treasury Department to interact with leading private sector tax professionals and representatives of corporate tax departments.

Highlights of the Twentieth Annual Institute include a discussion by the Competent Authorities from the United States, Japan, Korea, Mexico, and the United Kingdom of significant compliance and treaty issues, and remarks from OECD officials on current topics of interest to OECD member and non-member countries. In addition, the program will address key "practical" issues faced by the practitioner, corporate personnel and the Internal Revenue Service, with private sector and government panelists discussing international tax controversy issues, "hot" topics in international "M&A" transactions, transfer pricing challenges, as well as trends in interpreting key judicial doctrines. Experts will also discuss the latest "inbound," "outbound" and treaty developments.

As in past years, we will have a customary favorite, "Ask the IRS", which provides the opportunity for leading personnel in the Internal Revenue Service to respond directly to written questions submitted by attendees.

The program is designed to encourage an exchange of views between government and private sector panelists and to provide a forum for attendees to participate in the panel discussions by posing questions to the panelists.

Current Issues in International Taxation is designed for

- Corporate tax executives responsible for international tax matters.
- Tax counsels of U.S.-based and foreign-based multinational corporations.
- Law firm partners and associates working in the international tax area.
- Accounting firm partners and managers working in the international tax area.
- Members of the academic community who want information on the latest technical developments in international taxation.
- Internal Revenue Service personnel working in international tax.

the Institute at a Glance

Thursday, December 13, 2007

8:00 am – 8:15 am	Welcome and Introductions
8:15 am – 9:45 am	Competent Authorities Address Compliance and Treaty Issues
9:45 am – 10:15 am	The OECD: From the Outside, Looking In
10:30 am – 12:00 pm	Current Inbound and Outbound Developments
12:00 pm – 1:30 pm	Luncheon with Address by Acting Commissioner of the Internal Revenue Service (Invited)
1:45 pm – 3:00 pm	Transfer Pricing Challenges
3:15 pm – 4:30 pm	International Tax Challenges: Real Cases, Real Advice
4:30 pm – 6:00 pm	Hot Issues in Cross-Border Mergers & Acquisitions
6:00 pm	Reception

Friday, December 14, 2007

8:00 am – 9:00 am	Trends in Interpreting Key Judicial Doctrines
9:00 am – 10:15 am	International Tax Controversies
10:30 am – 11:30 am	“Ask the IRS”
11:30 am – 12:30 pm	Impact of Major OECD Initiatives
12:30 pm – 2:00 pm	Luncheon with Address by Honorable Eric Solomon, Assistant Secretary of the Treasury (Tax Policy)
2:15 pm – 3:30 pm	Foreign Tax Credit Planning – The Good, The Bad, and The Ugly
3:30 pm	Conclusion of Program

the Agenda

Thursday, December 13, 2007

8:00 am – 8:15 am

Welcome and Introductions from the Co-Chairs of the Institute

Frederick M. Lawrence

Dean and Robert Kramer Research Professor of Law, The George Washington University Law School, Washington, DC

Steven A. Musher

Associate Chief Counsel (International), Office of the Chief Counsel, Washington, DC

Frank Y. Ng

Deputy Commissioner, International (LMSB), Internal Revenue Service, Washington, DC

Robert J. Peroni

James A. Elkins Centennial Chair in Law, The University of Texas School of Law, Austin, TX

Giovanna Terese Sparagna

Partner, Sutherland Asbill & Brennan LLP, Washington, DC

8:15 am - 9:45 am

Competent Authorities Address Compliance and Treaty Issues

Chair:

Joseph H. Guttentag

Attorney and Former Deputy Assistant Secretary (International Tax Affairs), U.S. Department of the Treasury, Washington, DC

Panelists:

David Hartnett

Director General, HM Revenue and Customs, London, United Kingdom

Yoshihiro Isaka

Deputy Commissioner (International Affairs), National Tax Agency, Tokyo, Japan

Frank Y. Ng

Deputy Commissioner, International (LMSB), Internal Revenue Service, Washington, DC

Dae-Shick Oh

Commissioner of Seoul Regional Tax Office, Korea National Tax Service, Seoul, Korea

Jacqueline Vargas

Central Administrator for Transfer Pricing, Mexican Tax Administration Services, Mexico City, Mexico (Invited)

9:45 am – 10:15 am

The OECD: From the Outside, Looking In

Speaker:

Jeffrey Owens

Head of Center for Tax Policy and Administration, Organization for Economic Cooperation and Development, Paris, France

10:15 am – 10:30 am

Break

10:30 am – 12:00 pm

Current Inbound and Outbound Developments

Chair:

T. Timothy Tuerff

Partner, Deloitte Tax LLP, Washington, DC

Panelists:

Joan C. Arnold

Partner, Pepper Hamilton LLP, Philadelphia, PA

Alan W. Granwell

Partner, DLA Piper US LLP, Washington, DC

Benedetta A. Kissel

Deputy International Tax Counsel, Office of the International Tax Counsel, U.S. Department of the Treasury, Washington, DC

John J. Merrick

Special Counsel, Office of the Associate Chief Counsel (International), Internal Revenue Service, Washington, DC

John M. Staples

Partner, Burt, Staples & Maner LLP, Washington, DC

- Income tax treaty update and a review of recent guidance involving withholding taxes concerning the portfolio interest exception, the 12 month holding period for stock under certain treaties and REIT distributions.
- Contract manufacturing and global service arrangements: a review of the manufacturing exception to foreign base company sales income and the use of contract manufacturing; the impact of changes to the substantial assistance rules under foreign base company sales income regulations and their impact on global service agreements.
- Analysis of issues concerning intercompany financing transactions under final dual consolidated loss regulations, subpart F look through rules and other related provisions.

the Agenda

12:00 pm – 1:30 pm

Luncheon with Address by Acting Commissioner of the Internal Revenue Service (Invited)

1:45 pm – 3:00 pm

Transfer Pricing Challenges

Chair:

Janice L. Lucchesi

Vice President Tax, Akzo Nobel Inc., Chicago, IL

Panelists:

David Ernick

Attorney Advisor, Office of the International Tax Counsel, U.S. Department of the Treasury, Washington, DC

Rocco V. Femia

Member, Miller & Chevalier, Chartered, Washington, DC

Steven A. Musher

Associate Chief Counsel (International), Office of the Chief Counsel, Washington, DC

Kathryn O'Brien

Transfer Pricing Leader, General Electric Company, Stamford, CT

Charles S. Triplett

Partner, Mayer, Brown, Rowe & Maw LLP, Washington, DC

- Panelists will review how companies are coping with the latest transfer pricing regulations, cases, and controversies.

3:00 pm – 3:15 pm

Break

3:15 pm – 4:30 pm

International Tax Challenges: Real Cases, Real Advice

Chair:

Peter A. Barnes

International Tax Counsel, General Electric Co., Fairfield, CT

Panelists:

Jesse Eggert

Attorney Advisor, Office of the International Tax Counsel, U.S. Department of the Treasury, Washington, DC

Steven R. Lainoff

Principal-in-Charge, Washington National Tax, KPMG LLP, Washington, DC

Mae J. Lew

Special Counsel, Office of the Associate Chief Counsel (International), Internal Revenue Service, Washington, DC

Phil Morrison

Principal, Deloitte Tax LLP, Washington, DC

David Sutherland

Managing Director, Morgan Stanley Asia Ltd, Hong Kong

- Newspaper columnists and members of Congress criticize a tax-savings transaction very similar to the one you are planning. What do you advise?
- In Country X, the administration of the tax rules is unpredictable. What do you tell your business team about the expected effective tax rate? How do you comply with FIN 48?
- You have 200 international subsidiaries. What is your transfer pricing documentation?

4:30 pm - 6:00 pm

Hot Issues in Cross-Border Mergers & Acquisitions

Chair:

Philip R. West

Partner, Steptoe & Johnson LLP, Washington, DC

Panelists:

Bruce A. Cohen

Senior International Tax Counsel, American International Group Inc., New York, NY

Michael A. DiFronzo

Deputy Associate Chief Counsel, Office of the Associate Chief Counsel (International), Internal Revenue Service, Washington, DC

F. Scott Farmer

Partner, McKee Nelson LLP, Washington, DC

Susan F. Klein

Partner, Winston & Strawn LLP, New York, NY

Michael F. Mundaca

Deputy Assistant Secretary for International Tax Affairs, U.S. Department of the Treasury, Washington, DC

Stephen E. Shay

Partner, Ropes & Gray LLP, Boston, MA

- Panelists will consider current cross-border transactional issues, and will address corporate M&A deals, partnership, joint venture and private equity/hedge fund structures, and related current developments.

6:00 pm

Reception*

Sponsor:

**Sutherland
Asbill &
Brennan LLP**
ATTORNEYS AT LAW

*Note: The Internal Revenue Service and the U.S. Department of the Treasury are not sponsoring the reception and its participation in the reception is not intended as an endorsement of the reception or the sponsors.

the Agenda

Friday, December 14, 2007

8:00 am – 9:00 am

Trends in Interpreting Key Judicial Doctrines

Chair:

Jerome B. Libin

Partner, Sutherland Asbill & Brennan LLP, Washington, DC

Panelists:

Peter C. Canellos

Of Counsel, Wachtell, Lipton, Rosen & Katz, New York, NY

Pamela F. Olson

Partner, Skadden, Arps, Slate, Meagher & Flom, LLP, Washington, DC

Theodore D. Setzer

Special Counsel, Office of the Associate Chief Counsel (International), Internal Revenue Service, Washington, DC

Raymond J. Wiacek

Partner, Jones Day, Washington, DC

- Shifting judicial contours of "business purpose" and "economic substance" in testing transactions that produce a tax advantage.
- Potential impact of Coltec in evaluating such transactions.
- Practical consequences of legislating the definition of "economic substance".
- Is there a better way to determine which transactions genuinely warrant judicial scrutiny?

9:00 am – 10:15 am

International Tax Controversies

Chair:

Leonard B. Terr

Partner, Baker & McKenzie LLP, Washington, DC

Panelists:

Gerald A. Kafka

Partner, Latham & Watkins LLP, Washington, DC

John B. Magee

Partner, McKee Nelson LLP, Washington, DC

Bettie N. Ricca

Deputy Associate Chief Counsel, Office of the Associate Chief Counsel (International), Internal Revenue Service. Washington, DC

B. John Williams, Jr.

Partner, Skadden, Arps, Slate, Meagher & Flom, LLP, Washington, DC

- Industry Issue Focus Program--Tier 1 & 2 Issues.
- Designation of issues & cases for litigation--Is the "test case" dead?
- Obtaining foreign-based information & testimony under Treaties & otherwise.
- Preserving privilege/work product protection in the international context.
- When should (shouldn't) a case be settled--current settlement policy & practice.
- Report card on dispute resolution alternatives (PFA, Early Referral, AIR, Fast Track, etc.).
- FIN 48--impact on controversy decision-making.

10:15 am – 10:30 am

Break

10:30 am – 11:30 am

“Ask the IRS”

Co-Chairs:

Regina M. Deanehan

Managing Director, PricewaterhouseCoopers LLP, Washington, DC

Phillip L. Mann

Member, Miller & Chevalier, Chartered, Washington, DC

Panelists:

Elvin T. Hedgpeth

Deputy Director, (LMSB) International, Internal Revenue Service, Washington, DC

Steven A. Musher

Associate Chief Counsel (International), Office of the Chief Counsel, Washington, DC

Frank Y. Ng

Deputy Commissioner, International (LMSB), Internal Revenue Service, Washington, DC

11:30 am – 12:30 pm

Impact of Major OECD Initiatives

Chair:

Daniel M. Berman

Partner, Thelen Reid Brown Raysman & Steiner LLP, Washington, DC

Panelists:

Mary C. Bennett

Head of Tax Treaty, Transfer Pricing & Financial Transactions Division, Center for Tax Policy and Administration, Organization for Economic Cooperation and Development, Paris, France

John M. Breen

Branch Chief, Office of Associate Chief Counsel (International), Internal Revenue Service, Washington, DC

Carol A. Dunahoo

Partner, Baker & McKenzie LLP, Washington, DC

John Harrington

International Tax Counsel, U.S. Department of the Treasury, Washington, DC

William J. Sample

Vice-President Worldwide Tax, Microsoft Corp, Redmond, WA

- Attribution of profits to a permanent establishment.
- Permanent establishment status as a consequence of providing services.
- Business restructurings project.
- OECD priorities.

the Agenda

12:30 pm – 2:00 pm

Luncheon with Address by the Honorable Eric Solomon, Assistant Secretary of the Treasury (Tax Policy)

Eric Solomon is the Assistant Secretary (Tax Policy) at the Treasury Department. He was confirmed as Assistant Secretary in December 2006. Previously he was the Deputy Assistant Secretary (Regulatory Affairs). He joined the Treasury Department in October of 1999.

Before joining the Treasury Department, Eric was a partner at Ernst & Young LLP, where he was a member of the Mergers & Acquisitions Group of the National Tax Department in Washington, D.C. Before joining Ernst & Young, Eric served at the Internal Revenue Service, where he was Assistant Chief Counsel (Corporate). In that role, he headed the IRS legal division with responsibility for all corporate tax issues.

Before joining the IRS, Eric practiced tax law in New York, and was a partner at Drinker Biddle & Reath in Philadelphia. Eric received his A.B. degree from Princeton University, his J.D. degree from the University of Virginia, and his LL.M. in taxation from New York University.

Before joining the Treasury Department, Eric was a member of the Executive Committee of the Tax Section of the New York State Bar Association. Eric is an adjunct professor of law at Georgetown University, where he teaches a course in corporate taxation.

2:15 pm – 3:30 pm

Foreign Tax Credit Planning – The Good, The Bad, and The Ugly

Chair:

James A. Riedy

Partner, McDermott Will & Emery LLP, Washington, DC

Panelists:

Timothy F. Anson

Partner, PricewaterhouseCoopers LLC, Washington, DC

D. Kevin Dolan

Senior Vice President, Merrill Lynch & Co., Inc. New York, NY

Barbara A. Felker

Branch Chief, Office of Associate Chief Counsel (International), Internal Revenue Service, Washington, DC

Gretchen Sierra

Attorney Advisor, Office of the International Tax Counsel, U.S. Department of the Treasury, Washington, DC

James J. Tobin

Partner, Ernst & Young LLP, New York, NY

- What is a "structured passive investment arrangement".
- New definition for "voluntary" payment of foreign tax.
- Impact of loss surrender/group relief on compulsory payment analysis.
- Update on changes to the technical taxpayer rule.

3:30 pm

Conclusion of Program

Advisory Board

The Institute gratefully recognizes the support and assistance of members of the Advisory Board in the selection of topics and speakers for this Program.

Co-Chair:

Steven A. Musher
Associate Chief Counsel
(International)
Office of the Chief
Counsel
Washington, DC

Co-Chair:

Frank Y. Ng
Deputy Commissioner,
International (LMSB)
Internal Revenue
Service
Washington, DC

Co-Chair:

Robert J. Peroni
James A. Elkins
Centennial Chair in
Law
The University of Texas
School of Law
Austin, TX

Co-Chair:

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Sparagna**
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Washington, DC

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Accounting
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International Tax Counsel
General Electric
Fairfield, CT

John Harrington
International Tax Counsel
U.S. Department of Treasury
Washington, DC

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and Customs
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Partner
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Washington, DC

Steven Lainoff
Partner
KPMG LLC
Washington, DC

William J. Sample
Vice President, WorldwideTax
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Redmond, WA

Michael Danilack
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Washington, DC

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Philip R. West
Partner
Steptoe & Johnson LLP
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Mary Lou Fahey
General Counsel
Tax Executives Institute
Washington, DC

Gregory May
Freshfields Bruckhaus
Deringer LLP
Washington, DC

Lowell D. Yoder
Partner
McDermott Will & Emery LLP
Chicago, IL

General Information

REGISTRATION



The registration fee for the two-day International Tax Institute, including two luncheons, conference materials and reception is \$850.00* (payable in U.S. dollars).

*Registration fee for Full-time Government employees and Full-time Faculty members at educational institutions: \$425 USD with lunch on Thursday and Friday; includes presentation binder.

Registrations can be processed via

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Mail: GWU Registration Center
2451 Enterprise Parkway E
Twinsburg, OH 44087

Fax: 330-963-0319

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330-425-9330, GWU@experient-inc.com

No registrations will be taken by phone.

In order for your name to appear on the registration roster, please submit your registration on or before **NOVEMBER 19, 2007**. Registrations received after November 19, 2007 will be processed on-site at the Institute. In that case, attendees should bring their completed registration form to expedite the registration process.

CANCELLATION/REFUND POLICY



Refunds requested in writing will be honored if received by **NOVEMBER 12, 2007**. A \$150 cancellation fee will apply. No refunds will be made after

November 12, 2007. However, you may send a substitute in your place. Please notify us in advance if you choose to exercise this option.

ACCREDITATION



The Twentieth Annual Institute on Current Issues in International Taxation scheduled for December 13-14, 2007 in Washington, DC will provide:

Delivery Method: through panel discussions and lectures by speakers, with limited ability of registrants to ask questions of the speakers.

The George Washington University Law School offers programs at an advanced level of continuing education. Although no prerequisite courses, experience, or advance preparation is required to participate in this program, working knowledge of international taxation is required, as well as, prior knowledge of the program topic.

Written materials will be provided at time of registration and not in advance of the conference.

This program is structured as a group offering (and is not a self-study offering).

The recommended number of CPE credits to be awarded is 15.5.

For more information regarding administrative policies, please contact Stacey Gardiner, GW Law Institute Manager by phone at 301-934-8589, or by email at Stacey.gardiner@tggroup.com.

The George Washington University is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the: National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417, Web site: www.nasba.org.

Upon request, the Institute will submit applications to state bar associations for continuing legal education credits. Since crediting is decided by the local bars, no advance assurance can be given that credit will be granted in all cases.

Please indicate your interest in CLE or CPE by completing the designated portion of your registration form. Individuals will be provided with a Certificate of Completion if they sign in and out each day on the official roster.

HOTEL ACCOMMODATIONS NEW LOCATION



The Institute will be held at the Grand Hyatt, 1000 H Street, NW, Washington, DC.

To qualify for the conference rate of USD \$201.00, plus 14.5% tax, single/double occupancy call Reservations 1-888-591-1234 (locally (202) 637-4777) and identify yourself as a participant in the 2007 Institute on Current Issues in International Taxation. You may also make reservations by going to <https://resweb.passkey.com/go/GWULS> To ensure a room at the Grand Hyatt, reservations should be made by Wednesday, NOVEMBER 21, 2007. After that date, the room block will be released and the Hotel is NOT required to offer the discounted rate.

TRANSPORTATION



From Ronald Reagan National Airport:

Super Shuttle - No advance reservations required. Shuttles are located at ground transportation. Proceed to the outside curb and contact the Super Shuttle representative or visit www.supershuttle.com for details.

Metro - Take the Blue Line to Metro Center station. Follow 11th Street exit to the lobby of the Grand Hyatt. Visit www.wmata.com for details.

Taxi - Taxicabs are available at the exits of each terminal. The hotel is approximately 15 minutes from the airport, depending upon traffic conditions. Cost: \$16 to \$24, one-way.

From Dulles International Airport:

Super Shuttle - No advance reservations are needed. Super Shuttle stops are clearly identified on the Ground Transportation Level roadway outside the Main Terminal at Dulles. Visit www.supershuttle.com for details.

Taxi - No reservation required. Proceed to the "Taxi Passengers" area on the lower level of the Main Terminal. A Dispatcher is on duty 24 hours a day. Cost is approximately \$50 to \$60. The hotel is approximately 40 minutes from the airport, depending upon traffic.

From Baltimore Washington International Airport

Super Shuttle – Shuttles are located at ground transportation. No advance reservations are needed. Visit www.supershuttle.com for details.

Taxi - The BWI taxi stand is located just outside of the baggage claim area of the Lower Level of the BWI Airport Terminal. Cost: approximately \$65. The hotel is 50 minutes from the airport, depending upon traffic.

From Amtrak / Union Station:

Union Station is approximately five minutes from the hotel via taxi, or three metro stops from the hotel. Visit www.supershuttle.com for details.

QUESTIONS FOR IRS AND PANELISTS



You may submit written questions for any of the program panelists in advance. If you wish to do so, please check the appropriate box on your registration form and return it with your written questions, or fill out the appropriate space on the online registration form.

UNIVERSITY POLICY ON EQUAL OPPORTUNITY



The George Washington University does not unlawfully discriminate against any person on the basis of race, color, religion, sex, national origin, age, disability, veteran status or sexual orientation.

Can not attend the Institute?



The 2007 Institute on Current Issues in International Taxation presentation binder and CD ROM is available for a low price of \$250 USD. This comprehensive binder and CD ROM will supply you with all the valuable information supplied by each presenter.

Simply mark the registration form, include your payment, and your order will be shipped to you within two (2) weeks after the Institute.

* shipping and handling within the US, fees are included in the price listed above; Canada and overseas shipping and handling, please add an additional \$10 USD.

Registration

The 20th Annual Institute on Current Issues in International Taxation

In order for your name to appear on the registration roster, please submit your registration form on/before NOVEMBER 19, 2007. All registrations received after NOVEMBER 19, 2007, will be processed on-site at the conference.

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