

NEWSLETTER

In-house News for Alumni and Friends of Bucerius Law School

January 2009

EDITORIAL

Dear Friends of Bucerius Law School,

A new year lies ahead of us, which even the optimists say will be difficult. The economic prospects do not sound much better now than at the end of last year. However we, as Bucerius Law School, continue to look confidently at 2009, and we do this for three reasons:

First of all, there will always be talented young people, who also want to face the challenging course of studies in an inspirational environment such as the one at Bucerius Law School. Therefore, there will not be a lack of demand for what we have to offer. Secondly, expert knowledge will remain a scarce entity in this world. Our graduates, who grow during their time at the law school, want to take up responsibilities in economics, politics and society. They are going to be needed in these fields in the future so. And thirdly, despite the financial crisis, we are looking at the figures confidently: The ZEIT-Stiftung has changed the conditions of its support from a long term commitment to unlimited support. We also believe that even in a financial crisis, that Bucerius Law School is a secure investment: Quality matters. With respect to this we are happy to announce that the law firm Linklaters, which has supported Bucerius Law School for some time now, has joined the highest donor category, and can now be called a partner of the law school.

We are striving in all three fields to produce good news for 2009, and as you are aware we will work passionately to achieve this. Enjoy reading the latest newsletter.

Yours,



ACADEMICS AND RESEARCH

TWO SUMMER PROGRAMS Application deadlines approaching

The **Bucerius Summer Program in International Business Law** took place for the first time in the summer of 2008. It was a great success, and this years program will take place from July 19 to August 15, 2009. The courses available include International Mergers and Acquisitions, Corporate Governance in Publicly Traded Corporations, International Commercial Sales, Alternative Dispute Resolution/Business Mediation, Corporate Finance for Lawyers, Competition Law, Capital Market Securities. The application deadline for the program is April 30, 2009. Further information about the summer program can be found at: www.law-school.de/summerprogram.html.

Together with the Kenneth Wang School of Law and Cornell Law School, Bucerius Law School organizes the **Summer Law Institute in Suzhou**, China. Here Chinese, American and European law students simulate a merger between an American or European company. The program offers a five-credit course (ECTS) entitled "International Business Transactions with Chinese Characteristics" which features interactive sessions and negotiations among multinational student teams. The program will take place from July 19 to August 7, 2009. The application deadline for this summer program is March 15, 2009. More information can be viewed at http://www.law-school.de/summerprogram_china.html?&L=1.

BRUSSELS EXCURSION Graf von Westphalen hosts MLB students

by Mashal Aslami, MLB-Student

In order to deepen their knowledge of European law and witness European integration, a group of students currently studying the Master of Law and Business program

NEWSLETTER

In-house News for Alumni and Friends of Bucerius Law School

January 2009

Page 2

were invited to Brussels by the law firm Graf von Westphalen for three days from December 14 to 16, 2008. Most of the 12 participants had taken part in the courses "EU Law I and II" by Professor Dr. Jörn Axel Kämmerer, Chair of Public Law, International and European Law and Dr. Lothar Harings, a partner at Graf von Westphalen.



The students were briefed in the procedure of a European legal case using a current example

The program was extremely varied. A stroll around the city included a visit to the European Parliament, the Manneken Pis, and the Grand Palace. One of the highlights of the trip was a visit to Graf von Westphalens Brussels office and the presentations hosted there. In an informal atmosphere Dr. Harings and Dr. Karina Lott, both lawyers at Graf von Westphalen, gave an insight into the application of EU Law and bridged the gap between theory and practice. Further interesting aspects were raised by Elke Hasch, Director of Günter Verheugens EU Cabinet, and Dr. Alexander Natz from the Association of the Pharmaceutical Industry. They described Brussels from an inside perspective and answered the participants questions. The trip was rounded off with a lunch with Lothar Harings and Karina Lott, a visit to the EU Commission and dinner in the heart of the city.

The MLB students had a great time, and want to thank Harings and all the employees at Graf von Westphalen for their hospitality and also Aimee Mattimoe for her excellent organization of the trip.

EVENTS

SERIES OF LECTURES

„Savings banks and federal state banks: In search of new structures?“

by Christian Dolff, Research Assistant

On November 6, 2008 the Institute of Corporate and Capital Markets Law resumed its series of lectures on the topic of "Savings banks and federal state banks: In search of new structures?"

After an introduction by a member of the board of directors of the institute, Professor Dr. Jörn Axel Kämmerer (Chair of Public Law, International and European Law at Bucerius Law School), Professor Dr. Peter Huber (Chair of Public Law and Philosophy of the State and Director of the Research Center for the Law of European Integration at the Ludwig-Maximilians-Universität Munich) reported on the topic. In his explanation he described the developments of public legal credit institutions and their structural convergence towards commercial banks as a result of the so-called "Brussels Compromise". He criticized the actions of the federal state bank, and called upon them to return to the core tasks of their public duty. This was followed by a presentation by Dr. Benedikt Wolfers, a partner at the Berlin office of Freshfields Bruckhaus Deringer and a member of the group Public Commercial Law/Environment, Planning & Regulatory (EPR). He explained the causes of the current financial crisis and the reaction by legislators with a financial markets stabilization law. The auditorium benefited from the fact that Wolfers contributed as a consultant to the drafting of this law. He viewed this law as a correct and successful step by the state to deal with the impending challenges of the crisis.

NEWSLETTER

In-house News for Alumni and Friends of Bucerius Law School

January 2009

Page 3



Left to right: Professor Dr. Jörn Axel Kämmerer, Dr. Benedikt Wolfers, Professor Dr. Dres. h.c. Karsten Schmidt, Professor Dr. Rüdiger Veil

To conclude the audience posed interesting questions, followed by more informal discussion over wine and pretzels.

LAW OF ASSOCIATIONS Series of lectures continued

by Hendrik Brinckmann, Research Assistant

The Institute of Corporate and Capital Markets Law continued its series of lectures "Corporate and Capital Markets Law- Position and perspectives" with "Competition of Jurisdictions in the United States and Europe" on November 20, 2008.

In the event, which was conducted in English, Professor Dr. Heribert Hirte, Director of the Seminars for Mercantile Law, Navigation Law and Commercial Law at the University of Hamburg, discussed conflicting law of associations within Europe. He concluded by focusing on Germany and the current modernization of the GmbH law as a result of the competition between GmbH and the English Limited. Dr. Charles M. Nathan, a Corporate Partner at Latham & Watkins in New York, highlighted the problems faced by US law of associations. The focus was on the so-called Delaware Effect, whereby US states competed for the most attractive law of associations system, and the resulting dominance of the state of Delaware.



Left to right.: Professor Dr. Rüdiger Veil, Dr. Charles Nathan, Professor Dr. Heribert Hirte, Professor Dr. Jörn Axel Kämmerer

After the lecture a lively discussion took place over wine and pretzels. The series of lectures will continue on February 5, 2009 with "Compliance in a Corporate Group."

INTERNET PORTALS Discussion on accountability

by Benedikt Landgrebe, Procurist

On November 13, 2008, the law group [Hamburg@work](#) and Bucerius Law School hosted a discussion with lawyers, as well as representatives of both authors and media companies. The subject matter attracted over 100 people to the Auditorium, and the topic of the discussion was "Internet portals on the brink of collapse? –are EBay, Rapid share and other internet platforms accountable for third party content." The Higher Regional Court in Hamburg has recently reached a verdict, that could jeopardize the existence of several business models based on "user generated content." The speakers addressed this relevant topic from very different perspectives.

The lawyer Dr. Hermann Lindhorst, SCHLARMANNvon-GEYSO, pointed out that the restrictions on content and also the obligation to check content, which the providers have to comply with, have not yet been adequately defined. Dennis Schultz, from Google Deutschland, called for

NEWSLETTER

In-house News for Alumni and Friends of Bucerius Law School

January 2009

Page 4

clear legislative rules with respect to the liability of search engines. Jörg Wimmers, Taylor Wessing, highlighted the basic legal implications of making providers accountable for third party content. Jörg Heidrich, a lawyer at Heise Verlag, criticized the strict current jurisdiction using numerous examples from his daily work. While Clemens Rasch, a lawyer and representative of audio media producers in the fight against "file sharing piracy", presented the warranted interests of those who hold rights, especially the interests of authors. Conclusion: There are many unanswered questions with regards to liability claims concerning the internet, and the courts decisions differ day to day, inconsistency is being shown nationwide.

STUDIUM GENERALE

VISIT TO DEICHTORHALLEN Art with Taylor Wessing

by Maximilian Herold, Student

On December 3, 2008 the Studium generale organized the event "Art with Taylor Wessing" and gave the semester a fitting end. Maja Stadler-Euler, a partner at the joint practice Taylor Wessing, invited students to an art event in Hamburg. This time it was to the "Stephan-Balkenhol-Exhibition" in the Deichtorhallen (an exhibition hall in Hamburg). Stephan Balkenhol, who studied at the University of Fine Arts of Hamburg and is now a Professor at the Academy of Fine Arts in Karlsruhe, is recognized as Germany's most famous contemporary sculptor. The current exhibition consists of older works by Balkenhol, among which are famous pieces such as the "Penguin", as well as new pieces that were made especially for the Deichtorhallen.

The tour was lead by the Director of the Deichtorhallen, Dr. Robert Fleck, who explained the history and the archi-



Maja Stadler-Euler (front left), Dr. Ulrike Pluschke (Middle), Dr. Robert Fleck (front right)

ecture of the Deichtorhallen. But most of all he brought the students closer to Stephan Balkenhol's unique and distinct style, also telling interesting anecdotes that occurred in the run up to the exhibition. The afternoon came to an end with an interesting discussion with Maja Stadler-Euler and other lawyers from Taylor Wessing in Hamburg's Art Association restaurant.

CHRISTMAS CONCERT Successful performance in Moot Court

On Thursday, December 4, 2008 the choir, under the direction of Anke Rentz, the orchestra, led by Dr. Helmut Tschache and the Jazz Ensemble, whose coach is Ole Seimetz, presented their work from the Fall semester in Moot Court: Luiza Jeske played a solo baroque orchestra suite by Georg Philipp Telemann on the treble recorder. An adagio by Mozart and a spirited Slavic dance by Dvorak complemented the orchestra set. After the choir sang Christmas madrigals and gospel, pop and jazz songs, the choir and the orchestra preformed a magnificent piece from J.S Bach together. To finish off, the Jazz ensemble presented the end product of their recent practices.

NEWSLETTER

In-house News for Alumni and Friends of Bucerius Law School

January 2009

Page 5



Aside from the Orchestra the Choir and the Jazz ensemble impressed the audience

RESOURCE DEVELOPMENT

LINKLATERS BECOMES A PARTNER OF BUCERIUS LAW SCHOOL

by Andrea Leuck-Baumanns, Resource Development

Bucerius Law School has got a good reason to be happy and to be very grateful: Linklaters, a law firm which has donated to Bucerius Law School for many years, has decided to provide the law school with more financial support and more input. As of January 2009, Linklaters is one of three law firms which has a partner status at the law school. Bucerius Law School is not only grateful for the financial support, but also sees the decision by the law firm as a validation of the quality of teaching at the law school.

Linklaters has been involved in the law school since it was founded. Partners at the law firm have always been integrated into teaching, act as examiners in the selection process and in 2008 through their donations enabled the first Bucerius Summer Program in International Business Law to take place. The Summer Program was such a success that it is also taking place this year, again with the backing of Linklaters. Linklaters also supports the Institute for Corporate and Capital Markets Law and is a

popular destination for interns and trainee lawyers from Bucerius.

STUDENT LIFE

AMNESTY INTERNATIONAL Law school group introduces itself

by Constantin Blanke-Roeser, Student

At the end of the "Transatlantic Lecture" on November 12, 2008 at Bucerius Law School, the Amnesty International law school group sold wine to raise money for the work group as well as for the umbrella organization AI Deutschland. For many it was the first encounter with the still very young law school group. Aside from the basic tasks assigned by the district the work of the group, which was founded in spring 2007, consists of carrying out campaigns and informative events as well as urgent action campaigns. The group took part in an urgent action campaign for two political prisoners in Belarus and helped organize the annual Amnesty International meeting which took place in Hamburg in 2008. Their current focus is China.

On December 10, 2008 the Universal Declaration of Human Rights celebrated its 60th anniversary. To celebrate this the group had an information booth in the German Theatre, which was a great honor as they acted as a representative of the Hamburg union.



Members of the Amnesty International law school group

NEWSLETTER

In-house News for Alumni and Friends of Bucerius Law School

January 2009

Page 6

Continuous integration with the AI Network in Hamburg is planned for the future. For further information please send an email to amnesty@law-school.de.

CRIMINAL LIABILITY OF ASSISTED SUICIDE?

6th Moot organized by Bucerius Law Journal

von Sascha Arnold, Bucerius Law Journal

Should assisted suicide organizations in Germany be punished? This question was looked into by numerous well known individuals as part of the 6th Moot organized by the Bucerius Law Journal on November 27, 2008.

The motive behind the discussion was a legislative initiative from the federal council of Germany, as to whether assisted suicide should be a punishable offense. For Eugen Brysch, Executive Council of the German Hospice Foundation, as well Harald Schliemann, the former Minister of Justice in Thüringen, the answer was clear: Yes! Brysch pointed out that people should not be able to conduct business with suicide in Germany. They were confronted by Dr. Roger Kusch, founder of the Assisted Suicide Association, and Dieter Graefe, a defense lawyer who represents assisted suicide organizations. Both demanded that assisted suicide be approached with a liberal outlook. According to Kusch this discussion is concerned with general freedom of action, which is guaranteed by constitutional law. And every decision has to be justified before this law as well.

Students and guests in a packed out Auditorium followed the dispute which, despite the emotional aspect of the topic, remained objective and level headed. A transcript of the discussion was issued in the III/2008 edition of the Bucerius Law Journal.

The Bucerius Law Journal is a student newspaper for law, which is published by students at Bucerius Law School three times a year. The current issue can be downloaded for free at www.law-journal.de.



Left to right: Professor Dr. Frank Saliger, Dieter Graefe, Jan Sturm (Bucerius Law Journal), Harald Schliemann, Stefan Frick (Bucerius Law Journal), Dr. Roger Kusch, Eugen Brysch

IMPORTANT DATES

Events at Bucerius Law School

JANUARY

- On **January 21, 2009** from 6.30 to 8 p.m. the Studium general at Bucerius Law School, the Übersee-Club and the America Center Hamburg with guests such as Klaus von Dohnanyi, Josef Joffe, Gary Smith und Matthias Matussek are hosting an event titled "**President Barack Obama- Perspectives for America and the world.**" To register please contact Ingrid Herzig at ingrid.herzig@law-school.de.
- On **January 31, 2009** the Bucerius/WHU Master of Law and Business Program is hosting an **Info Day** at Bucerius Law School from 10 a.m. to 2 p.m. To register go to www.bucerius.whu.edu.

MAY- SAVE THE DATE

- Bucerius International Alumni, German Bucerius Alumni and ZEIT Foundation Alumni are being invited to a reunion in London in May 2009. The first reunion of it's kind will be held from Friday, May 9 to Satur-

NEWSLETTER

In-house News for Alumni and Friends of Bucerius Law School

January 2009

Page 7

day, May 10, 2009 and alumni are being asked to save the date. Further information will be sent in February. For more information please contact Kasia Kwietniewska at kasia.kwietniewska@law-school.de.

Bucerius Education Events

FEBRUARY

- **ILEC (International Legal English Certificate) Examination Preparation Course:** On **February 25, 2009** the preparation course for the ILEC Examination will begin. The participants will be lead through exercises by James Faulkner, Director of the Bucerius Law School Language Program, over the course of eight evenings.

Further information can be viewed at (www.bucerius-education.de) or received per E-Mail at bucerius-education@law-school.de.

External Events

Bucerius Event offers exclusive events at Bucerius Law School and in the Goßlerhaus, in Hamburg Blankenese. More information can be found at www.bucerius-event.de. Requests for prices can be send to bucerius.event@bucerius.de (contact person is Maike Lütken, the Director of Bucerius Event, Tel: (040) 307 06-128).

Editorial

**Bucerius Law School
Hochschule für Rechtswissenschaft
Law School Management**

Karsten Schmidt, President
Hariolf Wenzler, CEO
Thomas Rönnau, Vice President
Jungiusstraße 6
20355 Hamburg

Translation: Lowri Gilbert

Editing and Contact:
Kasia Kwietniewska, Director
Clifford Chance International Office
kasia.kwietniewska@law-school.de