



# GATA – GERMAN AMERICAN TRADE ASSOCIATION

– A NOT FOR PROFIT ORGANIZATION –



Protect yourself against liability risks!

## EXECUTIVE MANAGEMENT MEETINGS

# RISK MANAGEMENT USA

All relevant subjects covered in one day

LEGAL DO'S AND DON'TS • CONTRACT MANAGEMENT • RISK MANAGEMENT / PRODUCT LIABILITY  
CORPORATE GOVERNANCE / PIERCING OF THE CORPORATE VEIL • INSURANCE • TAX STRATEGIES  
MERGERS & ACQUISITIONS • MERGERS & AQUISITIONS • GREENFIELD INVESTMENTS / SITE SELECTION  
EMPLOYMENT / HUMAN RESOURCES, US EMPLOYMENT CONTRACTS • THE US CIVIL PROCESS • COMPLIANCE

# 2025

# GATA – GERMAN AMERICAN TRADE ASSOCIATION

## MISSION STATEMENT

The German American Trade Association (GATA) is a not-for-profit organization that was formed in 2003 by a group of German Industry Associations. GATA's objective is to provide comprehensive risk management protection for German-Speaking companies with existing U.S. business and to facilitate entry to the U.S. market for newcomers.

## EXECUTIVE MANAGEMENT MEETINGS

Particularly in the USA, it is mandatory with regard to liability that employees who hold officer or director positions at the US subsidiary update their specific knowledge of U.S. management at regular intervals. In a very concise manner, GATA provides information about the current framework and obligations of the U.S. subsidiary, and corporate risk management subjects including all liability-relevant topics of the U.S. business and its latest developments in its one-day Executive Management Meetings.

(For companies considering entering the US market, we recommend a visit to the U.S. Entry Meeting the day before).

For further details, please refer to the agenda or the website [www.american-trade.org](http://www.american-trade.org).

## EVENT DETAILS & DATES

The events are limited to small groups of 20-40 people and are held in German.

All speakers have years of experience in cross-border transactions. For the important issues of liability and corporate risk management, specialized German-Speaking attorneys from the US are presenting the relevant topics.

<b>COLOGNE</b>	<b>10.04.2025 (THURSDAY)   DORINT- HOTEL AM HEUMARKT</b>
<b>MUNICH</b>	<b>10.07.2025 (THURSDAY)   PLATZL HOTEL</b>
<b>BERLIN</b>	<b>18.09.2025 (THURSDAY)   The venue/hotel is still to be determined</b>
<b>ZURICH</b>	<b>06.11.2025 (THURSDAY)   AMERON ZÜRICH BELLERIVE AU LAC</b>

**Alternatively:** Individual webinars on all topics by arrangement ([info@american-trade.org](mailto:info@american-trade.org))

## REGISTRATION

GATA is kindly asking for registrations directly on the website [www.american-trade.org](http://www.american-trade.org).

The course fee is € 1.480,- per participant. Please transfer the fee on registration to ensure participation.

Registrations are considered in the order of the course fee and are confirmed upon receipt. Cancellation policies can be found in our General Terms and Conditions on the above website.

## CONTACT

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# EXECUTIVE MANAGEMENT MEETINGS / AGENDA\*

<b>08:45 – 09:00</b>	<b>REGISTRATION</b>	<b>12:30 – 13:15</b>	<b>LUNCH</b>
<b>09:00 – 09:20</b>	<b>WELCOME &amp; INTRODUCTION OF THE PARTICIPANTS</b> <ul style="list-style-type: none"> <li>• Overview of today's programme &amp; agenda</li> <li>• Short round of introductions of the participants</li> </ul>	<b>13:15 – 14:30</b>	<b>TAX STRATEGIES FOR ASSOCIATED COMPANIES</b> <ul style="list-style-type: none"> <li>• Tax optimization of the corporate structure (do's and don'ts)</li> <li>• Transatlantic tax optimization - avoid tax traps!</li> <li>• Stumbling blocks: Remote services and remote work (company and employee taxation)</li> <li>• Caution: Exit tax in the event of relocation of functions and/or transfer of shareholders</li> <li>• Need for action in the area of transfer pricing</li> </ul>
<b>09:20 – 09:40</b>	<b>LEGAL DO'S AND DON'TS – AN OVERVIEW</b> <ul style="list-style-type: none"> <li>• Liability issues</li> <li>• USA - 50 States</li> <li>• Human Resources</li> <li>• Assembly &amp; Equipment</li> </ul>	<b>14:30 – 15:15</b>	<b>MERGERS &amp; ACQUISITIONS</b> <ul style="list-style-type: none"> <li>• Overview and introduction to Mergers &amp; Acquisitions</li> <li>• Phases of a transaction</li> <li>• Important clauses in the letter of intent</li> <li>• Locked-box vs. closing accounts</li> <li>• Enterprise value vs. equity value</li> <li>• Special case: Acquisition of an insolvent company (Chapter 7 and Chapter 11, expiry of a 363 sale)</li> </ul>
<b>09:40 – 10:30</b>	<b>CONTRACT MANAGEMENT</b> <ul style="list-style-type: none"> <li>• Correct contract management</li> <li>• Limitation of liability – Contractual examples</li> <li>• Indemnities</li> <li>• Individual provisions</li> <li>• Securing purchase price claims</li> </ul>	<b>15:15 – 15:45</b>	<b>GREENFIELD INVESTMENTS / SITE SELECTION</b> <ul style="list-style-type: none"> <li>• Why choose a location?</li> <li>• Qualitative location criteria</li> <li>• Economic development</li> <li>• The site selection process</li> </ul>
<b>10:30 – 11:00</b>	<b>RISK MANAGEMENT / PRODUCT LIABILITY</b> <ul style="list-style-type: none"> <li>• What is product liability, who is affected?</li> <li>• Strict Liability</li> <li>• Risk management and prevention</li> <li>• PH relevant documents</li> <li>• Content, structure of manuals &amp; adaptation</li> <li>• Technical standards &amp; certifications</li> <li>• Warnings</li> </ul>	<b>15:45 – 16:00</b>	<b>TEA BREAK</b>
<b>11:00 – 11:15</b>	<b>COFFEE BREAK</b>	<b>16:00 – 16:45</b>	<b>EMPLOYMENT / HUMAN RESOURCES, US EMPLOYMENT CONTRACTS</b> <ul style="list-style-type: none"> <li>• Basic principles</li> <li>• Drafting of contracts</li> <li>• No discrimination</li> <li>• Social Security &amp; Expats</li> <li>• 50 States of America – Legal issues</li> <li>• Pseudo self-employment</li> <li>• Current topics</li> </ul>
<b>11:15 – 11:45</b>	<b>CORPORATE GOVERNANCE / PIERCING OF THE CORPORATE VEIL</b> <ul style="list-style-type: none"> <li>• Corporate governance?</li> <li>• Pitfalls</li> <li>• Officer &amp; Board Functions</li> <li>• Documentation obligations in the Minute Book</li> <li>• Avoiding the personal liability of officers &amp; directors</li> <li>• Avoidance of liability for passing through</li> <li>• Correct financial governance</li> </ul>	<b>16:45 – 17:15</b>	<b>THE US CIVIL PROCESS</b> <ul style="list-style-type: none"> <li>• Arbitration vs. Litigation</li> <li>• Choice of Law</li> <li>• Discovery proceedings</li> <li>• Costs</li> </ul>
<b>11:45 – 12:30</b>	<b>INSURANCE /-RISK MANAGEMENT TOOLS</b> <ul style="list-style-type: none"> <li>• Certificate of Insurance (COI's) and Additional insured status</li> <li>• Product liability / classification / foreign umbrella / high deductible / defense costs outside the limits</li> <li>• German master policies as umbrella over US local paper</li> <li>• Primary market versus Excess &amp; Surplus (E&amp;S)</li> <li>• Workers comp – experience mod – high deductible program</li> <li>• Bonds – of balance letter of credits</li> <li>• Automobile – composite rates – nuclear verdicts</li> <li>• D&amp;O / Employment Practices Liability (EPL)</li> <li>• Property – wind / flood / EQ</li> <li>• Cyber</li> <li>• Benefits: self insured versus fully insured – stop loss – pharmacy programs</li> </ul>	<b>17:15 – 18:00</b>	<b>COMPLIANCE</b> <ul style="list-style-type: none"> <li>• Compliance: USA &amp; Germany</li> <li>• Data transfers</li> <li>• Cartel law</li> <li>• Kickbacks</li> <li>• Compliance Management Systems (CMS): Risk Minimization</li> </ul>
		<b>18:00 – 18:10</b>	<b>FEEDBACK FROM PARTICIPANTS</b>
		<b>18:10 – 19:10</b>	<b>COCKTAIL RECEPTION / NETWORKING / QUESTIONS &amp; FAREWELL</b>

DEVELOPMENT  
OF US BUSINESS



INSURANCE



COMPLIANCE



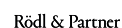
TAX  
STRATEGIES



CORPORATE RISK  
MANAGEMENT



M&A  
US TAXES



INSURANCE



RECRUITMENT



# PREVIOUS PARTICIPANTS

