
January 2012

Welcome and Opening of 2010 Annual Conference

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Recommended Citation

Daniel Ujcz, *Welcome and Opening of 2010 Annual Conference*, 36 Can.-U.S. L.J. 35 (2011)
Available at: <https://scholarlycommons.law.case.edu/cuslj/vol36/iss1/6>

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WELCOME AND OPENING OF 2010 ANNUAL CONFERENCE

United States Speaker – Daniel Ujcz

INTRODUCTION

Daniel Ujcz

MR. UJCZO: We are already in violation of Henry's longstanding rules as we are running a few minutes late this morning. I am Dan Ujcz,¹ the managing director of the Canada-United States Law Institute.² On behalf of the Institute, our two founding institutions, The University of Western Ontario Faculty of Law³ and Case Western Reserve University School of Law,⁴ I again welcome you to our 27th Annual Conference.

I extend a warm welcome to our two national directors, our Canadian director, Professor Chi Carmody,⁵ as well as members of the faculty, staff, and students from The University of Western Ontario, as well as our United States director, Jon Groetzing,⁶ and our colleagues of the administration, faculty, and staff that are joining us here at our host institution. I further extend a heartfelt welcome to the members of our Executive Committee and advisory board that are joining us this weekend. This has been a period of not only providing their talents and leadership to this conference, but there have been a number of side meetings, including one pretty early this morning, as we begin planning for next year. Accordingly, I would like to thank the leaders for their leadership of our institute.

I also thank all of our speakers and panelists for contributing their extraordinary talents to these conference proceedings. An event like this does not happen without the support of a number of institutions. I encourage you to look in your materials to see the list we have of not only all our speakers today, but also of our sponsors and members. I would like to mention sever-

¹ *Staff*, CAN.-U.S. L. INST., <http://www.cusli.org/about/staff.html> (last visited Oct. 5, 2010).

² CAN.-U.S. L. INST., <http://cusli.org> (last visited Oct. 5, 2010).

³ U. W. ONT. FAC. L., <http://www.law.uwo.ca> (last visited Oct. 5, 2010).

⁴ CASE W. RES. U. SCH. L., <http://law.case.edu> (last visited Oct. 5, 2010).

⁵ *Founding Institutions and National Directors*, CAN.-U.S. L. INST., http://cusli.org/about/founding_institutions.html (last visited Oct. 5, 2010).

⁶ *Id.*

al sponsors in particular: Cliffs Natural Resources,⁷ who is not listed on the materials but has provided support, and Jim Graham,⁸ as well as the consulate general of Canada-Detroit.⁹ I had the opportunity to meet with Robert Noble¹⁰ last night, as well as George Costaris¹¹ and a number of our other colleagues that will be here. They offer their support.

We started last night by marking not only the beginning of this conference, but also the new era of our Institute. I, again, offer our heart-felt thanks to the new co-chairs of the Canada-United States Law Institute, Governor Jim Blanchard¹² and Minister James Peterson.¹³ Thank you for setting the perfect tone for the weekend.

As we discussed last night, this is a weekend of mixed emotions. This is our first conference in twenty-seven years without the presence of Henry King.¹⁴ Henry designed this conference twenty-seven years ago.¹⁵ This was his baby for a number of years of his life. His children just contacted us, including his son yesterday, who said, "Remember, this is Dad's baby."

Henry had a magic recipe for this conference, and it included three ingredients. The first was that this conference is always forward-looking. This is not the place where you come to hear about what is happening in the Canada-United States relationship. To borrow Larry Herman's phrase from last night, "This is where you come to hear about the next big idea concerning the world's most important bilateral relationship."

We began discussion of regulatory harmonization last April at the annual conference in August with North American leaders and Guadalajara¹⁶ and

⁷ CLIFFS NAT. RESOURCES, <http://www.cliffsnaturalresources.com> (last visited Oct. 5, 2010).

⁸ JIM GRAHAM – WARD 1 COUNCILMEMBER, <http://www.grahamwone.com> (last visited Oct. 5, 2010).

⁹ CONSULATE GEN. CAN. DETROIT, <http://www.canadainternational.gc.ca/detroit/index.aspx> (last modified Oct. 13, 2010).

¹⁰ CAN.-U.S. L. INST., 2010 CONFERENCE ABSTRACT: THE CANADA-U.S. REGULATORY REGIME 5 (2010), available at http://cusli.org/conferences/annual/annual_2010/documentation/Final_program.pdf.

¹¹ *Staff Directory*, CONSULATE GEN. CAN. DETROIT, http://www.canadainternational.gc.ca/detroit/offices-bureaux/staff-personnel.aspx?lang=eng&menu_id=324&menu=L (last visited Oct. 5, 2010).

¹² *Executive Committee*, CAN.-U.S. L. INST., <http://cusli.org/about/executive.html> (last visited Oct. 5, 2010).

¹³ *Id.*

¹⁴ See Dennis Havesi, *Henry T. King Jr., Prosecutor at Nuremberg, Dies at 89*, N.Y. TIMES, May 12, 2009, at A25, available at <http://www.nytimes.com/2009/05/12/us/12king.html>.

¹⁵ *History*, CAN.-U.S. L. INST., <http://cusli.org/about/history.html#conferences> (last visited Oct. 5, 2010).

¹⁶ 2009 CUSLI Annual Conference Archives, CAN.-U.S. L. INST., http://cusli.org/conferences/annual/annual_2009/index_archives.html (last visited Oct. 5,

identified this as an issue needing focus in the bilateral relationship. As we have seen as recently as this morning, some information came out where individuals are soliciting input from the respective governments on regulatory harmonization.¹⁷

The second key ingredient is that this is a multidisciplinary entity. As Minister Peterson indicated last night, as you look out into the audience, you will see the top legal professionals and scholars in the Canada-United States relationship. In addition, there are scholars from many other disciplines, including economics, energy, and transportation. We have industry leaders represented by the number of companies that are supporting this event, as well as government officials from both the federal, state, provincial, and local levels. This truly does present a comprehensive picture of this issue, regulatory convergence, as well as the broader Canada-United States relationship.

Henry's third ingredient is something to which I have referred over the years as the summer-camp feel of this conference. This means that not only do we have a substantive component of these proceedings, but there is also an active question-and-answer exchange during these events. There are also the Research in Motion Blackberry Breaks which, for many of you, will be just as important as the substantive sessions. Finally, of course, there are the meals, receptions, and camaraderie of the after-hours. We encourage interaction, as it is part of building professional and personal relationships at the Institute.

Now, I am a good Eastern European boy. I learned a long time ago with my grandmother's chicken paprikash recipe that you do not tinker with something that has been a success for a number of generations. Thus, we keep the spirit of this conference alive, and we hold true to those three principles.

We have also made three enhancements this year. The first is, as you see, that this conference is rededicated as the Henry T. King, Jr. Conference on Canada-United States Relations.¹⁸ As I stated last night, that is not really a change. We all call this Henry's conference anyway, but this name change marks his legacy, and his fingerprints rest on this.

Secondly, we will conclude these proceedings on Saturday with an immediate press release identifying the topics that were discussed today.¹⁹ In many ways, over the years, the terrific material that is presented is provided

2010).

¹⁷ See *Spotlight on Harmonization of Regulation*, SEC. AND EXCH. COMM'N, <http://www.sec.gov/spotlight/harmonization.htm>. (last modified Sept. 3, 2009).

¹⁸ 2010 *Henry T. King, Jr. Annual Conference*, CAN.-U.S. L. INST., <http://cusli.org/conferences/annual/index.html> (last visited Oct. 12, 2010).

¹⁹ *Id.*

in our *Canada-United States Law Journal*.²⁰ There, you can see everything on the record. Our students on the *Canada-United States Law Journal* staff are here recording, but it takes about eight months to publish, and in some cases even longer, as we saw last year because of the volume of speakers we had. We want to ensure that on our final day's proceedings we can summarize what we heard and can mark the path forward. That will be facilitated at our final session by Chris Sands, senior fellow at the Hudson Institute,²¹ so that we can really describe what will have happened here over these two and a half days.

Finally, though this event will have ended, it marks the beginning, as opposed to the endpoint, of these discussions. Through this conference, we are launching a regulatory convergence initiative involving a number of players. We had over 250 emails over the last week from companies throughout Canada and the United States and from legal professionals and scholars saying, "I cannot come to Cleveland." Perhaps they knew it was scheduled to snow. They would continue, however, by saying, "I want to be involved in this initiative. How can I be involved immediately in the wake?" We will be working with those actors. Canadian manufacturers and exporters have some ideas for carrying the ball forward. This is thus the beginning of a larger initiative that our Institute will be pursuing over the next eighteen months.

With that, I should make a programming note. You received a Canada-United States Law Institute bag. This is the must-have apparel item of the year. In this is a folder with the agenda and biographies, as well as some information on Connect2Canada.²²

For those of you that are unfamiliar with Connect2Canada, please log on. It is an entity-initiative operated out of the Canadian Embassy of Washington, D.C. that will give you up-to-date information on news and events. It is an unparalleled way of keeping involved in the Canada-United States relationship. You will also see in your bag our most recent issue of the *Canada-United States Law Journal*. It is a thick material. You may remember we had forty-two speakers last year, and breakouts. Our students did an excellent job.

Finally, my favorite item. Many of you may wonder what this is. Our great friends at Sandler & Travis²³ in Detroit provided the flip drives for this

²⁰ *Law Journals and Publications*, CAN.-U.S. L. INST., <http://cusli.org/lawjournals/lawjournal.html> (last visited Oct. 5, 2010).

²¹ *Christopher Sands*, HUDSON INST., http://www.hudson.org/learn/index.cfm?fuseaction=staff_bio&eid=SandChri (last visited Oct. 5, 2010).

²² CONNECT2CANADA, <http://www.connect2canada.com/home-accueil> (last modified Jan. 8, 2011).

²³ SANDLER & TRAVIS TRADE ADVISORY SERVICE, <http://www.strtrade.com/> (last visited Jan. 5, 2011).

event. It looks immediately like a business card, but if you flip it open, it is a flash drive that you can stick in your computer. It took me about three months to figure out what this was, but it is excellent.

Our students have done a terrific job putting all of the background materials for the sessions on the flash drives. They will also post them to the web site as well.

Without further ado, I will now turn it over to Professor Bill Leatherberry,²⁴ and he will introduce our panel for today, followed by a fifteen-minute question and answer session, just as every session at this conference will have.

Thank you.

²⁴ *Meet Our Faculty*, CASE W. RES. UNIV. SCH. L., <http://law.case.edu/FacultyResearch/MeetOurFaculty/FacultyDetail.aspx?id=127> (last visited Oct. 5, 2010).

