



Portfolio Media, Inc. | 648 Broadway, Suite 200 | New York, NY 10012 | www.law360.com
Phone: +1 212 537 6331 | Fax: +1 212 537 6371 | customerservice@portfoliomedia.com

Q&A With Snell & Wilmer's Richard Katz

Law360, New York (October 05, 2009) -- Richard Katz is of counsel at Snell & Wilmer LLP and represents U.S. and foreign importers and exporters with respect to U.S. government trade regulation, including the structuring of overseas sales transactions, customs duties and compliance, federal agency regulation of imports, export licensing, penalties, and audits. He has represented clients in diverse industries, including consumer electronics, footwear, apparel, telecom, natural resources, logistics, and transportation.

Q: What attracted you to your practice area?

A: Actually, a number of things. I was fortunate to go to Columbia Law School, where I studied international law with Professor Telford Taylor (the Nuremberg trials prosecutor). I also traveled abroad for five months after law school, which was considered an unusual and career-damaging thing to do in the late 1970s. However, it had a very positive effect on me; I realized that the world was more complicated and diverse than life at the big New York City law firms. I became comfortable speaking with foreigners and found I could relate to them. I learned a passable French, which helped at the time. New York was also a very international city (still is) and provided incredible opportunity for a young lawyer with few connections.

Q: What is the most challenging case you've worked on, and why?

A: I had a client whose warehouse and offices were raided by U.S. customs agents. They exceeded their search warrant and seized his employees' personal vehicles, which had nothing to do with the investigation.

The government later changed its own administrative law by publishing a ruling in the Federal Register specifically designed to criminalize this particular client's prior conduct (think "bill of attainder"). The government then tried to deport my client, who had green-card status at the time.

Working on this matter really shook my faith in the fairness of the American system in that government agents were allowed to wreak havoc on a business and a family with little regard for the law. Over time, and with the help of terrific criminal counsel, my client's rights and business were largely restored, but not without several years of unnecessary expense, pain and anxiety for my client and his family.

Q: What are the most challenging legal problems currently facing clients in your practice area?

A: Clients selling merchandise under export control are confused about which government regime applies to their products, since administrative jurisdiction is confusing. They also have difficulty with the export or release of technology and information to foreign nationals, both abroad and in the U.S.. Often, clients are simply overwhelmed by the volume of regulations that could possibly apply to their cross border business activities and worry about whether they are in compliance.

Q: How do you see your practice area evolving in the next five years?

International trade law has largely been the province of New York City and Washington, D.C., lawyers. That is changing in that medium and large-size law firms all over the U.S. are getting involved in cross border transactions and associated trade regulation.

Also, U.S. trade regulations are having an increasing effect and applicability to overseas activities of U.S. firms and their affiliates. The U.S. government has widened its regulatory and enforcement efforts to events and activities outside of the US.

Q: Outside your own firm, name one lawyer who's impressed you and tell us why.

Michael Buttermann at Duane Morris in New York. Mike practices law in three languages (English, Spanish and Portuguese). He has lived and practiced law overseas, has gotten his colleagues involved in many interesting projects, has a world-class education and intellect, and is totally unpretentious. As an international lawyer, he is the real deal.

Q: What advice would you give to a young lawyer interested in getting into your practice area?

Work in Washington, D.C., for at least two years; become totally proficient in a second language; and work abroad for at least one year. (All things I haven't done, incidentally.)