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## Q&A With Kirkland & Ellis' Laura Fraedrich

*Law360, New York (September 11, 2009)* -- Laura Fraedrich, head of Kirkland & Ellis LLP's international trade practice group, represents clients in a broad range of export control, customs and trade remedy matters. She advises clients regarding issues related to the International Traffic in Arms Regulations, the Export Administration Regulations and embargoes administered by the Office of Foreign Assets Control.

She also represents importers and foreign producers in all types of U.S. customs matters and trade remedy matters. She assists companies in evaluating whether to seek clearance and preparing joint notifications to the Committee on Foreign Investment in the United States. Finally, she counsels clients regarding the Foreign Corrupt Practices Act and represents them in investigations and before U.S. enforcement agencies.

### **Q: What attracted you to your practice area?**

A: Several things attracted me to the practice of international trade. I studied economics in college, and I found the application of economics in trade remedy cases, particularly at the International Trade Commission (ITC), to be very interesting. The ITC must evaluate the economics of a particular industry to determine whether imports are injuring the industry.

My international trade practice spans many different disciplines — customs law, export controls, trade remedies, and foreign direct investment. I am stimulated by working on many different matters and aspects of the practice every day.

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

A: The most challenging aspect of my practice to date was more of an overall client representation than a single case. As a second-year associate, I found myself being the lead day-to-day counsel to a large Japanese trading company when another lawyer at my firm decided to work part time.

The Japanese client was a very established, somewhat patriarchal, firm and I found many challenges as a woman lawyer handling all of their trade remedies matters. This was during the late 1990s and early 2000s when there were many steel trade cases involving the client, including a global trade remedy case. Establishing a good working relationship with the managers of nearly a dozen offices in Japan and the United States was both challenging and rewarding.

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

A: One of the most challenging legal problems currently facing clients related to international trade is the interrelationship between the global information boom and trade compliance issues. With the explosion of the Internet and global communication, many clients find themselves engaging in cross-border trade without knowing the rules for ensuring that they comply with global trade laws.

Another challenging aspect of global trade is the relatively recent emphasis on security of trade rather than trade facilitation. While all clients recognize the importance of trade security to prevent terrorist attacks, most of the trade initiatives in the post-9/11 period have been security measures that slow the movement of goods. This has been especially burdensome for clients during the recent recession.

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

A: In the next five years, I expect global trade to explode, creating many opportunities for international trade lawyers. I expect that there will be increased foreign direct investment in the United States and that scrutiny of this investment by the Committee on Foreign Investment in the United States will increase.

As U.S. business continues to expand operations overseas, imports will increase. Additionally, U.S. export control enforcement authorities, especially the Department of State, will increase enforcement efforts and penalty assessments to keep sensitive technologies out of the hands of adverse people and countries.

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

A: From 1995 to 1997, I clerked for Judge Pauline Newman on the U.S. Court of Appeals for the Federal Circuit, one of the most impressive lawyers I have ever encountered. Judge Newman had been a very successful patent lawyer and held many interesting positions before she was appointed to the Federal Circuit by President Ronald Reagan in 1984.

She had been director of the Patent, Trademark and Licensing Department at FMC Corp from 1969 to 1984. Prior to that time, she was a science policy specialist for UNESCO.

Judge Newman turned 70 years old during my clerkship, but she was one of the sharpest and most dedicated lawyers I ever had the pleasure to work with. Beyond her impeccable work, she always had a twinkle in her eye that makes me smile when I think of her.

She is still an active judge at the Federal Circuit today.

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

A: The practice of international trade requires knowledge of economics, business and accounting, so I would advise young lawyers to brush up on those skills. It would also help to have a keen interest in the activities of the world and the movement of economic history; e.g., the economic aggressiveness of China and the possible historic, social and economic changes occurring in Japan since its recent election. Global politics affect global trade.