

# Eric Roring Pesik

## Bibliography

### General Legal

---

#### **Top 10 Negotiated Contract Terms (and why they matter)**

This presentation examines the top 10 contract terms from three perspectives: (1) what terms are the most important to the business, (2) what terms are the most frequent sources of disputes, and (3) what are the most negotiated terms. How do these top 10 lists relate to each other? And what lessons can we take away from this to become better business partners to our clients.

<https://law.scu.edu/event/top-10-negotiated-contract-terms-and-why-they-matter/>

Santa Clara University School of Law, High Tech Law Institute, June 23, 2022

#### **Contracts Training Series**

Developed a series of weekly short-form "BrainShark" trainings on drafting better contracts, avoiding ambiguity, creating enforceable obligations; and disrupting general drafting conventions

Presented live with Q&A discussion and recorded in BrainShark as part of streaming series for legal development programs, 2020-2021

#### **Identifying Contract Risks and Reducing Exposure Through Indemnification, Insurance, Warranties and Liabilities Limitations**

Intensive two-day program teaching non-legal professionals to identify risk-related contractual provisions and assess the relevant risks during each stage of the contract lifecycle; participants learn to transfer and mitigate risks using indemnity, insurance, warranty, liability limitations and other tools, to effectively reduce risks and manage potential loss in the event of contract failures

Clariden Global Leadership Institute Executive Education, August 3-4, 2016

#### **Acquiring and Using Competitive Information**

Internal training to sales team on proper acquisition and use of competitive information; how to use publicly available information, how to manage discussions with customers, consultants, and third parties; how to engage with people at tradeshows, social interactions, emails, and other communications

Seagate annual sales conference January 21, 2016

#### **Trade Secrets, Confidential Information, and Contracts Exceptions**

Internal training to sales team on trade secret lawsuit, protecting confidential information, and contracts exceptions

Seagate annual sales conference January 27, 2015

#### **China Legal Update**

Bilingual (English and Mandarin) training and case studies for China sales team regarding trade secret lawsuit against major competitor, responding to government investigations, and contract management

Seagate China sales conference December 11, 2014

#### **Cross-Border and International Contract Drafting**

Member of panel discussing strategic considerations for the in-house counsel when drafting cross-border contracts business

Counsel-to-Counsel Asia Exchange, September 17, 2014

### **Faster Better Contracts**

Internal training to sales team on the legal contracting process and contract lifecycle management; how to implement best contracting practices by breaking down barriers to teamwork and initiative, and helping to ensure that contracting decisions are made at the appropriate levels of organization

Seagate annual sales conference January 14, 2014

### **Social Media Issues Facing In-House Practitioners**

Member of panel discussing how to balance of freedom of speech and privacy rights; guidelines for monitoring and controls required to protect your company's right across social media platforms

Counsel-to-Counsel Exchange, September 12, 2013

### **Drafting Game Rules to Minimize Litigation**

Chair of summit and keynote presentation discussing business solutions that help avoid or divert disputes to keep everyone "playing at the table" and protect business relationships

<http://www.slideshare.net/ericpesik/drafting-game-rules-to-minimize-litigation>

Litigation & Corporate Counsel Asia Summit, May 20, 2013

### **Social Media and the Law**

Member of panel discussing the legal risks associated with social media and risk mitigation strategies

3rd Annual Social Media for HR Congress, March 14, 2013

### **Antitrust and Competition Law**

Internal training to sales team on how to identify antitrust and competition law risks, how to avoid price fixing, market allocation, and abuse of market power, all while competing vigorously in the marketplace

Seagate annual sales conference January 30, 2013

### **Meeting in the Middle: Embracing Negotiation to Protect Business Interests and Relationships**

Presentation explaining how to avoid litigation through effective negotiation techniques and early reconciliation; understanding business and interpersonal behavior in managing disputes; focusing on business fundamentals

<http://www.slideshare.net/ericpesik/meeting-in-the-middle-embracing-negotiation-to-protect-business-interests-and-relationships>

Litigation Asia Summit, May 20, 2012

### **Practical Drafting of Employment Contracts**

Training workshop on how to simplify employment contracts; avoid common drafting errors; minimize employment disputes; transform legacy contract templates into effective employment contracts

Employment Law Congress, June 29, 2011

### **Insider Trading and "Expert Networks"**

Internal training to sales team on how to identify insider trading risks, how to educate customers on appropriate use of nonpublic information, how to combat use of "expert networks" by hedge funds to obtain inside information

Seagate annual sales conference January 2011

### **Contract Law for Non-Legal Professionals**

Presented two modules for legal and business professionals; the anatomy of a typical business contract; how to work with contracts lawyers; how to draft business requirements to become effective legal requirements; understanding common mistakes and simple tips for drafting commercial agreements

Interactive Workshop for Drafting & Enforcing Business Contracts, May 26, 2010

# Compliance and Ethics

---

## **Great Corporate Culture Doesn't Happen by Accident**

Review the development of Seagate's corporate culture; how our culture has evolved organically over time or been deliberately shaped by actions of different executive teams. This video begins with Seagate's founding and continues over the tenures of our four CEOs and their management styles. This video challenges the Legal team to assess what we like about Seagate's current culture, and where we see opportunities for improvement.

Leadership Summit for Legal, Government Relations, and Global Trust and Security, June 7, 2022

## **The Truth about Tone from the Top: Learning from the latest scandals about building a sustainable and ethical corporate culture**

Presentation and panel discussion regarding key takeaways from recent FIFA, Volkswagen, LIBOR, FOREX, and 1MDB corruption scandals

<http://www.slideshare.net/ericpesik/the-truth-about-tone-from-the-top-by-eric-pesik>

Asian Banker Financial Crime 360 conference, November 24, 2015

## **Encouraging Employees to use Corporate Reporting Mechanisms to Mitigate Whistleblower Risk**

Presentation about crafting compliance policies and creating an environment to encourage employees to use internal reporting before reporting outside to regulatory agencies

Anti-Corruption & Anti-Bribery Master Class, November 2, 2015

## **Setting up an Optimal Anti-Corruption and Anti-Bribery Training and Compliance Programme**

Member of panel discussing the building blocks of an effective training and compliance programme; devising clear anti-bribery policies and controls to ensure employees can distinguish between legitimate entertainment and misconduct; and how to enforce core values of ethics despite peer pressure and cultural differences

South East Asia Anti-Corruption Forum, June 30, 2015

## **JP Morgan and the Princelings of China**

Presentation of real world case study analysis of the JP Morgan "Sons & Daughters" Program

<http://www.slideshare.net/ericpesik/jp-morgan-and-the-princelings-of-china-by-ericpesik>

Mastering Compliance in the International Markets, June 9, 2015

## **Bringing the Concept to Life: Enhancing Business Value with Well-Defined Risk Appetite & Risk-Intelligent Culture**

Member of a panel discussing how to overcoming the challenges of developing a comprehensive risk appetite; and how it affects business decisions

Enterprise Risk Management, May 11, 2015

## **Why Compliance Adds Value**

Member of a panel discussing top tips for effective management of anticorruption due diligence, and balancing compliance costs and managing compliance Expectations

International Financial Law Review, April 23, 2015

## **Managing Risk from Top to Bottom**

Member of a panel presenting how to train different-level employees on compliance issues, from C-Suite to the factory line; and how to use HR as a compliance gatekeeper

<http://www.slideshare.net/ericpesik/managing-risk-from-top-to-bottom-by-ericpesik>

3rd Asia-Pacific Summit on Anti-Corruption, Compliance and Risk Management, December 03, 2014

## **Economics of Bribery**

Who bribes? How much do they pay? And what value do they get? How can we use the answers to discourage bribery? And while we will never eliminate the motivation for bribery, we may reach the point where bribery is no longer business as usual

<http://www.slideshare.net/ericpesik/compliance-day-event-economics-of-bribery>

American Chamber of Commerce in Singapore, March 18, 2014

## **Prime-Time Asia Personal Power Lunch**

Building on previous presentations on corruption, presented further discussion on the economics of bribery: who bribes, how much do they pay, and what value do they get?

<http://www.slideshare.net/ericpesik/economics-of-bribery>

Private event for Prime-Time Asia on October 24, 2013

## **The Economics of Corruption**

An in-depth look at who pays bribes, how much they pay, and what benefits do they get; contrasting the performance comparisons between bribe-paying companies and control firms

<http://www.slideshare.net/ericpesik/economics-of-corruption>

CFO Asia Congress, October 8, 2013

## **The Perceived and Real Effectiveness of Integrated Versus Separate Compliance and Legal Functions**

Moderator and panel member discussing the benefits and challenges facing integrated versus separate compliance and legal functions; the impact on departmental resources, oversight, and autonomy; the perception of internal clients

<http://www.legalbusinessonline.com/features/emerging-problems-emerging-solutions/57773>

Southeast Asia In-House Legal Summit, March 12, 2013

## **Reality Check - Benchmarking Anticorruption Resources**

Whitepaper proposing a methodology for measuring corruption risk and to translating the risk assessment into a benchmark for appropriate allocation of resources

<http://www.slideshare.net/ericpesik/corruption-reality-check>

Published January 14, 2013

## **Effective Internal Controls**

Presentation explaining how to develop risk-focused internal controls; conducting risk analysis; understanding human factors in implementing effective internal controls

<http://www.slideshare.net/ericpesik/effective-internal-controls>

Corruption & Compliance, South & South East Asia Summit, September 20, 2012

## **Fighting Global Corruption**

Presentation on building sustainable corruption risk assessment processes and developing risk management plans proportional to organizational risk exposure; understanding the responsibility of risk officers in identifying corruption risks and implementing effective remedial measures

<http://www.slideshare.net/ericpesik/fighting-global-corruption>

Asia Risk Professionals Congress, March 8, 2012

## **Bribery and Corruption**

Internal training to sales team on identifying bribery and corruption risks, "know your customer", being careful of intermediaries, avoiding facilitation payments, accurate record keeping, and the problem of fake receipts

Seagate annual sales conference February 1, 2012

### **Everybody's Problem: The Global Challenges of Bribery and Corruption**

Member of panel discussing legislative proliferation of FCPA, UK Bribery Act, and similar laws; balancing bribery risk against traditional fraud risks, such as employee theft and financial statement fraud

Asia-Pacific Fraud Conference, organized by Association of Certified Fraud Examiners, October 25, 2011

### **Tools and Strategies for Promoting Compliance as an Integral part of Business Decisions**

Member of panel discussing legal department's advisory role in framing the compliance problems in a way that gains support; removing the perceived need for bribery; providing effective employee training

4th Annual Anti-Corruption South & SE Asia Summit, September 15, 2011

### **The Foreign Corrupt Practices Act**

A statutory reference set compiling the Foreign Corrupt Practices Act and the whistleblower provisions of Dodd-Frank Wall Street Reform and Consumer Protection Act

<http://www.amazon.com/Foreign-Corrupt-Practices-Act-Reference/dp/1463600577/>

Editor, 22 July 2011, ISBN: 1463600577

## Human Resources and Labor Law

---

### **Asia's Increased Competitive Landscape & HR Implications on Talent Attraction and Retention**

Presentation examining the rise of Asia and the new diversified workforce; what sets winning companies apart; what is new in performance & pay; how to bring HR programs to reality

<http://www.slideshare.net/ericpesik/asias-increased-competitive-landscape-hr-implications-on-talent-attraction-and-retention>

Compensation & Benefits Asia Congress, March 24, 2014

### **How to Create an Environment that Prevents and Reduces Employee Burnout**

Training seminar dispelling myths about job motivation and burnout; understanding cross-cultural factors that drive job satisfaction; creating lasting changes in productivity and employee attitudes through job enrichment

Effective Strategies to Prevent Employee Burnout, March 4, 2010

## Shipping and Import / Export Controls

---

### **Incoterms 2020**

Understanding the International Chamber of Commerce, Incoterms 2020 and their applicability for incoming materials & components, outgoing finished goods, and inter-company shipments

Presented live with Q&A discussion and recorded as part of logistics training program, 2019-2020

### **Incoterms 2010**

Same as above, but with prior International Chamber of Commerce, Incoterms 2010

Seagate Logistics Training 2009 and 2010

### **International Traffic in Arms Regulations**

A statutory reference set compiling the US International Traffic in Arms Regulations, US Arms Export Control, and Directorate of Defense Trade Controls

<http://www.amazon.com/International-Traffic-Arms-Regulations-Reference/dp/1442183624/>

Editor, 2008 ISBN: 0557010349; 2009 ISBN: 1442183624

# Academic Lectures

---

## **International Business Law, Politics, & Ethics**

Served as visiting adjunct Assistant Professor for executive MBA course examining international legal, political, and ethical issues faced by business executives in multinational corporations, and regional companies looking to expand internationally; answering the real-life question: "what do I need to know to do business here?"

[https://drive.google.com/file/d/0B\\_i9azqfo3jVa0ICbEJPMjF1eUU/view](https://drive.google.com/file/d/0B_i9azqfo3jVa0ICbEJPMjF1eUU/view)

University Buffalo School of Management, the State University of New York, October 20, 2014 through November 1, 2014

## **Globalization of Ethics and Compliance**

Guest lecture examining the history of global compliance and ethics: where did it start; where are we now, and what's in store next for multinational companies

<http://www.slideshare.net/ericpesik/globalization-of-ethics-and-compliance>

University at Buffalo School of Management, the State University of New York, September 21, 2013

## **Legal Environment of Business**

First-year business course on legal issues of Singapore-based businesses: contracts, sale of goods, negligence, economic torts, agency, business organizations, and historical context of Singapore business laws

Regent Business School, Singapore, 2008 through 2011

## **Singapore Companies Law**

Second-year business course focusing on British and Singaporean corporate law: agency, partnership, limited liability companies, corporations, shareholder rights, directors and management, company stock and finance, insolvency and liquidation, securities laws and public offerings

Regent Business School, Singapore, 2008 through 2011

## **Teamwork and Leadership**

Third-year small group module focusing on leadership and management of cross-cultural teams, understanding individual and group dynamics, organizational behavior, trust & conflict within teams, building high-performance teams, developing effective communication

Regent Business School with Paris Graduate School of Management Singapore, 2009

## **Corporations and Other Business Organizations**

Served as adjunct Professor of Law for core legal curriculum covering US federal securities laws, merger and acquisitions, shareholder lawsuits, business ethics, fiduciary duties, corporate finance, capital markets, corporate organization, alternative forms of business organizations, limited liability companies, limited partnerships, and privately-held close corporations

Monterey College of Law, Monterey, California, USA, 2001 to 2006

# Other Presentations and Trainings

---

## **PowerPoint for Leaders**

Presented at Seagate's Singapore Women's Leadership Network and recorded as part of streaming series for Seagate career development programs; tips on how to present yourself as a leader when delivering PowerPoint and other presentations, focusing specifically on issues faced by women presenters

Presented live August 18, 2020

## **Awesome PowerPoint for Awesome Lawyers**

Presented at legal all-hands meeting; focusing on how to develop communication skills for lawyers for compelling legal presentations and trainings; how lawyers can facilitate smart business decisions; and how to represent legal to our business counterparts

Presented October 2019

## **Destroy PowerPoint Zombies!**

Featured on The Best Slideshares of 2015 with nearly a half million views

Have you ever felt trapped in a bad PowerPoint presentation? Ever listen to a speaker drone on like a zombie? Do boring uninspiring slides leave you feeling like the walking dead? Don't be a PowerPoint zombie! Here are 6 tips to avoid Death by Powerpoint!

<http://www.slideshare.net/ericpesik/zombie-powerpoint-by-ericpesik>

Published July 17, 2015

## **Do you want to be a Billionaire?**

Billionaires are members of the most elite group of people in the world; to join the billionaire club, you must be one in three million; the good news is - if you want to join this elite club, its membership is growing

<http://www.slideshare.net/ericpesik/do-you-want-to-be-a-billionaire-by-ericpesik>

Published October 2, 2014

## **Top 10 Things People Admit Doing on Conference Calls**

Why are conference calls unproductive? Over half of all employees admit they are multitasking with other priorities while attending conferences calls; what are the top 10 things your colleagues are doing while on mute?

<http://www.slideshare.net/ericpesik/top-10-things-people-do-during-conference-calls>

Published August 24, 2014

## **25 things NOT to do during Hungry Ghost Festival**

Every year, usually in August, the Chinese in Singapore observe a large-scale tradition of paying respects to the dead; during this month, the "Gates of Hell" are opened and souls of the dead are freed and allowed to roam the earth where they seek food and entertainment; if you want to experience Ghost Festival without insulting the spirits, this presentation compiles a collection of taboos

<http://www.slideshare.net/ericpesik/twenty-five-things-not-to-do-during-hungry-ghost-festival>

Published August 4, 2014

# Interviews and Citations

---

## **Privacy at Work**

Interviewed regarding the legal aspects of employee privacy and social media, and the balance between the legitimate needs of companies to protect their reputations, HRM Asia online magazine, August 1, 2012

## **Data Gatekeeper: How HR can Manage IT Security**

Interviewed in legal and business concerns regarding the exploitation of corporate information by competitors, customers, and suppliers; abuse of confidential information in insider trading, HRM Asia magazine, Issue 11.8, August 2011

## **Eric Pesik: Seagate Technology International**

Profile of my role at Seagate Technology; discussing my views on the development opportunities for in-house lawyers in Asia; advice for aspiring corporate counsel, Asian Legal Business magazine staff, Issue 10.11, November 2010

## **Putting a Lid on Stress**

Interviewed regarding managers' roles in reducing employee stress through job growth and enrichment opportunities contrasted with task rotation and job loading, HRM Singapore magazine, Issue 10.5, May 2010

## **Leading Practices in Information Management and Records Retention Programs**

Interviewed regarding development of in-house corporate records management program and records management training; Part of an ongoing series of American Corporate Counsel Association's Best Practices Profiles, August 2003