

## KC attorney advises on Iran sanctions

By: Jessica Shumaker February 23, 2016

A monumental moment for international trade has kept one Kansas City attorney busy in recent weeks.

Linda Tiller, an attorney for Husch Blackwell, focuses part of her practice on international sanctions. January 16 marked a big day for her work — it was Implementation Day, when the International Atomic Energy Agency found Iran to be in compliance with the terms of a joint nuclear program agreement set out in summer 2015.

Tiller said on Implementation Day, the Office of Foreign Asset Controls, or OFAC, issued guidance on the sanctions. The federal office administers sanctions in countries including Iran, Cuba, Syria and Sudan.

She said news reports of the day incorrectly identified which sanctions were involved.

“Only the secondary sanctions were lifted,” she said. “They were all related to Iran’s nuclear program and they primarily hit non-U.S. persons.”

That group also includes foreign companies. Tiller said in recent years, OFAC has implemented extensive sanctions for Iran that would allow the U.S. to impose sanctions on foreign nationals and companies doing business with Iran.

“The U.S. would have no enforcement power or jurisdiction, but what the government could do is say, if you engage in these activities which we don’t like, we can take certain actions against you, and they did,” she said.

Although sanctions prohibiting American companies and individuals from doing business in Iran are still in place, there is an exception for some foreign subsidiaries of U.S. companies. In these cases, foreign subsidiaries can get a license to do business in Iran if they are operated independently of their American parent company.

Tiller said her practice includes advising companies in the U.S. and Europe on how to navigate sanctions.

“Looking at all of the policies and procedures that might come into play is a big job for a lot of these companies,” she said. “And then there’s also the decision, ‘Do we really want our child out there operating independently of mom and dad, because mom and dad are ultimately liable if there is an issue.’”

To respond to changes in the Iran sanctions, Tiller said her firm has set up an internal Iran team, which cuts across its specialty business units to cover a variety of industries, and also launched a working group with Pinsent Masons, a U.K.-based law firm that operates internationally.

Tiller, who has been with Husch Blackwell since 1994 and primarily focused on international trade since 2001, said her work with OFAC goes back “long before most people had even heard of OFAC.”

“The penalties were not that great, not very large at the time,” she said.

In more recent years, she said the office has had some high profile cases, added personnel and increased penalties.

She said her practice sometimes includes some odd working hours.

“(I’ve) been up at 3 in the morning for conference calls when we’ve got the U.K. and Asia and the U.S. all trying to coordinate a call,” she said.

Tiller added that she appreciates the diversity of the work itself.

“It’s just no two days alike,” she said. “All my clients are different. I love working with people around the world.”



Linda Tiller

Tiller said for several years, she was involved in an international networking group, which allowed for her to build contacts globally.

While clients in the U.S. might expect a Washington-based firm for international work, she said international clients don't necessarily see it the same way.

"Clients in Europe, they don't care," she said. "They see Washington, D.C. as kind of the go-to place, but that's why it's very important to have contacts around the world that will (say), 'I've got this perfect person who doesn't live in Washington.'"

Tiller said with travel and technology, there is no reason why an internationally-focused practice can't thrive in the Midwest. She said it's mainly a matter of making contacts and looking for opportunities to work with firms in and out of the U.S.

"For anyone who wants to do international trade, there's no reason why it cannot be done here or any city in Missouri," she said.

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