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Діалогічна взаємодія з іншомовними газетними текстами

Навчально-методичні матеріали
з дисципліни
«Іноземна мова»
та «Ділова іноземна мова»
за освітньо-професійною програмою
підготовки бакалаврів III курсу
зі спеціальностей
«Правознавство» та «Міжнародні відносини»

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Розглянуто та ухвалено на засіданні
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Дана методична розробка може використовуватися студентами III курсу очної форми навчання для формування у них основних прийомів діалогічної взаємодії з іншомовними газетними текстами з метою їх ефективного розуміння. Методрозробка розрахована на студентів, що володіють знаннями на середньому етапі навчання в соціально-побутовій та соціально-культурній сфері комунікації та опановують юридичну тематику.

1. Creating a dialogue with the author of the text.

(Створення установки на діалог з автором тексту.)

Lesson 1.

Finding different standpoints on the problem of the text.

(Пошук різних точок зору на проблему тексту)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. What law firms in Ukraine do you know?
2. What services do they offer to their clients?
3. How do they attract clients?

Task 2. Study the following vocabulary used in Text 1 which will help to understand it:

Note: *n* – noun (іменник), *adj* – adjective (прикметник), *adv* – adverb (прислівник), *v* – verb (дієслово), *p.p.* – past participle (дієприкметник минулого часу).

Upswing, *n* – підйом

Lucrative, *adj* – вигідний, прибутковий

Recession-punished, *p.p.* – постраждалий від кризи

Cash-flush, *adj* – багатий

Bargain, *v* – торгуватись

Undertake, *v* work – виконувати роботу

Step, *v* up – висувати, виступати

Boost, *v* – рекламувати, сприяти зросту популярності

Lateral hires, *n* – найм працівників зі сторони

Billing policy, *n* – політика ведення розрахунків з клієнтом

Top tier, *n* – високий рівень

Start-up, *n* – щойно заснована фірма

Task 3. Skim Text 1 and answer the following questions (time-limit – 10 min).

1. What measures do the law firms take to attract clients?
2. How did the crisis influence the number of law firms in Ukraine?

Text 1.

Tough economic times force lawyers to compete harder

Mar 25, 2010 by Oksana Faryna, Kyiv Post

Business in Ukraine was on the upswing before the 2008 global economic crisis, so much so that many law firms were busy turning down less attractive clients in favor of more lucrative ones. But in a 180-degree reversal, foreign and domestic law firms now find themselves in a recession-punished economy where they are fighting like never before for clients who are counting every hryvnia.

To survive and excel, once cash-flush law firms now see themselves going the extra mile to bring clients in. That sometimes involves cutting fees, getting paid by results and not per hour, working harder in general and – if any cash can be spared – putting more emphasis on promotion through marketing and public relations strategies.

“The legal environment has become much more competitive,” said Margarita Karpenko, managing partner in Kyiv for DLA Piper. “Price dumping has become a widespread practice. Clients who had easily paid hourly rates before the crisis have started to bargain and have requested fixed rates more often.

Although we have approximately the same number of active clients as before, the volume and scale of work undertaken for them have decreased.”

Some law firms – Ukrainian-owned ones more than international groups – are advertising more. They see the crisis as an opportunity to cut into the business of larger international practices, often offering the same quality services at a lower price. Others are stepping up participation in investment conferences where opportunities exist to bring in new clients. Others are turning to the Internet to boost awareness for their law firm by writing columns.

DLA Piper, for example, is one of the international firms that cut its marketing budget after the crisis. As a result, the firm’s advertising department has been asked to work harder on getting the firm noticed, quoted in media, organizing seminars and presentations, as well as in setting up direct meetings with potential clients. “This is much more work than we used to have before,” said Nataliya Tkachenko, DLA Piper’s marketing manager in Kyiv.

Last year, Ukrainian law firm Spenser & Kaufmann hired a strong business development manager. Grischenko & Partners established its first ever PR department, as did Paritet law firm after 10 years on the market.

“Some mid-size and niche law firms have revised their strategies to actively develop a full practice,” said Svitlana Novikova, partner for Legal Marketing Solutions, a consultancy which specializes in advising law firms. “Arzinger, AstapovLawyers, Spenser & Kauffmann, and Lavrynovych & Partners are all more active and creative in their business and client development tools, practice lateral hires, investing in marketing and visibility, and becoming much more flexible in billing policies.” “Thus, they are picking up some clients from top Ukrainian law firms,” added Novikova.

According to Legal Marketing Solutions, the crisis has also given birth to about a dozen new law firms that seek to service top clients in Ukraine’s capital. They were built up by partners either released by top tier firms, or often by those who quit their jobs as associates to land a partner position in a start-up. And it’s these newborns, as well as existing small- to mid-sized firms, that are often demonstrating the most aggressive hunt for clients and expansion.

Take for example Jurimex, a client of Legal Marketing Solutions, and Arzinger. Both mid-sized law firms are dynamically growing. AstapovLawyers, a firm established in 2002 that grew substantially during the crisis by picking up strong lawyers, has recently expanded by establishing a presence in Moscow and London.

Last year, Magisters placed an entry on Wikipedia. While it is a common practice for international law firms to be present at such online encyclopedias, Magisters became the first Ukrainian law firm to appear on it.

Legal Marketing Solutions said these and other strategies are all a sign that lawyers are trying in this increasingly competitive market to get noticed, be more effective and overall “closer to the clients.”

Task 4. Skim Text 1 again and state the problem and the main idea of the text. Mind that to state a problem one should answer the question “What is the text about?” and to state the main idea one should express the sense of the text in one sentence (time-limit – 5 min).

Task 5. Study information in Table 1. Skim Text 1 again and find different standpoints on the problem of the text following the example below (time-limit – 10 min).

Table 1

Every author of the newspaper text is a partner in communication with the reader. He uses different ways to invite the reader to the dialogue. One of these ways is introduction of different standpoints on the problem of the text. They may be expressed either directly by the interviewees and given in the form of quotations in the text of the article, or indirectly with the reference to the speakers.

In both cases the author tries to show the reader all the sides of the problem of the text and stimulates him for discussion.

As quotations may be expressed by too long and extended sentences try to formulate standpoints presented in them in a shorter and clear form.

For example:

<i>The passage of the text</i>	<i>A standpoint</i>
<p>1. <i>Quotation: "The legal environment has become much more competitive," said Margarita Karpenko, managing partner in Kyiv for DLA Piper. "Price dumping has become a widespread practice. Clients who had easily paid hourly rates before the crisis have started to bargain and have requested fixed rates more often. Although we have approximately the same number of active clients as before, the volume and scale of work undertaken for them have decreased."</i></p>	<p><i>The economic crisis has made law firms more competitive and flexible to the clients' demands. - Margarita Karpenko, managing partner in Kyiv for DLA Piper.</i></p>
<p>2. <i>Reference: According to Legal Marketing Solutions, the crisis has also given birth to about a dozen new law firms that seek to service top clients in Ukraine's capital.</i></p>	<p><i>More law firms appeared due to the crisis seeking for clients in Kyiv. – Legal Marketing Solutions.</i></p>

Task 5. Skim the text again and answer the following questions (time-limit – 5 min):

1. What is the author's opinion of the problem of the text? What makes you think so? Pay attention to the fact that the author of the text usually either expresses his opinion directly or supports those points of view which prevail in the text.
2. What is your standpoint on the problem of the text? Do you agree with the author? Why/ why not?

Lesson 2.

Appeals to the reader. (Звернення до читача)

Task 1. Discuss the following questions in pairs (time-limit 5 min):

1. What reputation does Ukrainian business have in Ukraine?
2. What reputation does European business have in Ukraine?
3. What business would you invest money in: Ukrainian or European?

Task 2. Study the following vocabulary used in Text 2 which will help to understand it:

Weedle, v – виривати
 Leaf, v through – продилятися
 Glossy, adj – глянцевий
 Elated, adj – окрилений
 Obstacle, n – перешкода
 "Culling the cards" – грати нечесно
 Protraction, n – затягування
 Plausible, adj – вірогідний
 Outflow, n – витік
 Inflict, v – спричинити
 Juggling, n – невиконання
 Duly, adv – належним чином
 Tripping, n – обманювати

Task 3. Skim Text 2 and answer the following questions (time-limit – 10 min):

1. Why is Elitbud suing Calyon Bank Ukraine?
2. What are the reasons the bank gives not to fulfill its obligations?
3. What conclusion can you make of doing business with foreign partners?

Text 2.

"French" gambit

10.03.2010, by Viktoria Poda, Kyiv Weekly

Ukrainian company has to wheedle its money out of a French bank.

The conflict between a Ukrainian construction company Elitbud and Calyon Bank Ukraine could seriously damage the reputation of the European business in Ukraine. Having displayed readiness to borrow methods that are typical for certain semi-criminal Ukrainian structures, businessmen from Europe gave a vague idea of Western capitalism for Ukrainians, which turns out to be much less attractive than one would have thought leaping through the glossy ads.

This story goes on for over six months now Construction company Elitbud (do not mistake for Elita Center!) has been known on the capital's market for over five years and continues to build residential properties even in the crisis times, working successfully on three large sites in Kyiv.

At one of these sites, the heroes of our story were careless enough to enter in relations with a well-known in Kyiv bank with French capital.

Here is the story. Elitbud paid to the contractor a considerable sum of advance payment and received a bank guarantee from Calyon Bank Ukraine as a security of contractor's obligations (performance of construction work). It would seem that Elitbud can rest assured that a guarantee from a respectable bank would ensure its rights in case the contractor violates conditions of the contract.

However, everything turned out to be not as simple. We will not go into detail about the relations between the constructor and contractor – each supports its own standpoint. When Elitbud came to the guarantor demanding to repay the guaranteed amount, it was in for a polite refusal.

In its letter, the bank said that the demand was written in accordance with the rules, submitted on time, but that there is a small "but" – the ruling of Kyiv Commercial Court, which banned the bank from fulfilling the guarantee and repaying around UAH 9 mn to Elitbud.

Unpleasantly surprised, our heroes contested a quite disputable ruling in the Kyiv Commercial Court of Appeal and the panel of judges cancelled the definition that prohibited Calyon Bank Ukraine fulfillment of the guarantee.

Elated with success, the construction company immediately informed the guarantor bank that the obstacle that prevented the law-abiding bankers to fulfill the guarantee was removed. Strangely enough, this information did not please Calyon Bank Ukraine. A pause followed and then the response. You ask what kind of response? You would guess correctly – it was negative.

A respectable European bank started to "culling the cards". In its letter the bank explained that it would have fulfilled the guarantee, but only in case the resolution of Kyiv Commercial Court of Appeal came within three days upon delivery of the cancelled definition.

The logic is quite strange, particularly since there must be at least one lawyer in a serious bank who could

explain to the management that the refusal to fulfill the guarantee on grounds listed in the letter response to Elitbud was ridiculous.

It is not so hard to guess the reasons why Calyon Bank Ukraine is trying to evade fulfilling its obligations of a guarantor. The Ukrainian office of the bank was seriously hit by the crisis thus failing to justify the hopes of French owners and now, they have to perform re-branding changing the name Calyon Bank to what seems to be more harmonious Credit Agricole Corporate and Investment Bank. Protraction of payment on a plausible pretext is very beneficial for the current management, which during the reorganization is ready to dust eyes to the central office in Paris displaying slow down of the outflow of funds.

Representatives of Elitbud suspect that the story with the frozen guarantee is only one of the links in a chain of unfriendly actions aimed against their company. "Since the contractor and Calyon Bank Ukraine are enterprises with French capital with close relations not only in our country, but also in their homeland, freezing of the payment can indicate a conspiracy. We have a reason to believe that non-fulfillment of the guarantee is a result of coordinated actions of officials of the contractor and joint stock company Calyon Bank Ukraine with the objective of inflicting damage on the Ukrainian company "Construction company Elitbud" Ltd. We informed the NBU, Prosecutor General Office, VR Finance and Banking Activity Committee, Embassy of France about this," Elitbud General Director Oleksandr Okhten told KW.

It is hard to even imagine the reaction of the European community in case of a hypothetic situation: Ukrainian bank in France fails to fulfill a guarantee, which it must fulfill in the interests of a French company... Corruption, conspiracy, collusion, discrimination... Such a situation is impossible there, but possible here. Such, essentially "dark", schemes of juggling court rulings are quite often used in the Ukrainian business practice, but Ukrainian businessmen did not expect this from a company with European capital. Now, they probably regret that, because 9 million hryvnia is big money for a construction company that is much needed for settlements with contractors and employees.

Construction company Elitbud is convinced that the law, which is on its side, will triumph and shareholders of Calyon Bank Ukraine will sort out the situation and duly punish the managers of the bank responsible for discriminatory actions on the Ukrainian market, otherwise, there should not be a place in Ukraine for a bank who boldly violates written and unwritten laws.

* Gambit: from Italian gambetto, literally, act of tripping someone, from gamba – leg

Task 4. Study information in Table 2. Skim Text 2 again and find examples of the author's appeals to the reader following the example below (time-limit – 10 min).

Table 2

To invite the reader to the dialogue the author appeals to the reader as if speaking to him directly which makes their communication more friendly and productive. To achieve this aim the author of the text uses personal pronouns "you", imperatives "let's imagine", "let's remember", "imagine", etc.
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For example:

You ask what kind of response? (personal pronoun)

Do not mistake for Elita Center! (imperative)

Lesson 3.

The author's presence in the text. (Присутність автора в тексті.)

Task 1. Discuss the following questions in pairs (time-limit 5 min):

1. Do you consider Ukraine a European country? What makes you think so?
2. What do we need to improve our living?

3. What opinion do foreigners have of Ukraine?

Task 2. Study the following vocabulary used in Text 3 which will help to understand it:

Take for granted – сприймати як належне
Dearth, n – нестача, дефіцит
Challenge, n – шанс, випробування
Host, v – проводити (подію, захід)
Exclude from the umbrella – позбавитись стереотипу
Impact, n – вплив
Ubiquitous, adj – повсюдний
Bolstered, p.p. – такий, що зміцнився
Cultural setting, n – культурна атмосфера
Societal circumstances, n – соціальний добробут

Task 3. Skim Text 3 and answer the following questions (time-limit – 10 min):

1. What are the most unusual things about Ukraine which impressed the author?
2. What influence did the World Cup make on other countries?
3. What is the author curious about?

Text 3.

Studying in Ukraine a valuable experience... but for how long?

17.11.2010 by Christiana Holsapple, Kentucky Kernel

When I speak about my study abroad experiences in L'viv, Ukraine, most often I get the questions, "Why would you want to go there?" and "Where is that place?"

Indeed, most Americans do not consider Eastern Europe a prime travel destination. And it's true; I didn't see the glamorous Eiffel Tower or the famous Tower of London.

However, I did gain experience in a part of the world that is less commonly traveled. I chose to study in a non-traditional location, and by doing so, I was forced to go without the English-speakers and many of the Western conveniences we take for granted.

The aspects I liked most about my experience abroad were the relative absence of tourists, the dearth of Western influence and the challenge of living without some of my American comforts. I was struck by how entirely different everything was in Ukraine, how free it was from many pressures of Western life.

As I saw the advertisements for the 2012 Eurocup, to be hosted in Ukraine and Poland, I could not help thinking how much Ukraine, might change within the next couple of years.

There has been talk about how much more commercialized South Africa has become as a result of hosting the World Cup. I've met Africans from other countries who go so far as to exclude South Africa from the umbrella of real "Africa," as the country has become so Westernized post-World Cup.

Furthermore, we can certainly see the impact of international events in Lexington through the ubiquitous construction for the World Equestrian Games.

Many argue that these changes have been negative, that commercialization is destroying local culture. However, others point out the money pouring in as a result of such international attention. Perhaps commercialization is a small price to pay for bolstered economies. Countless jobs are created, yet through this, the city is changed forever.

Is it more important to maintain the natural cultural setting and societal circumstances?

Or is this path unethical, as it would deny the local people a renewed job market and the potential for improved qualities of life?

I don't know what the right answer is, but I am curious to see what becomes of the city in the next few years. If I visit again in 2012, will I find the same distinctly-Ukrainian town?

Nevertheless, I do know how grateful I am to have had the opportunity to visit L'viv, Ukraine — a place which, at the time, still seemed untouched by the majority of Western ideas.

Task 4. Study information in Table 3. Skim Text 3 again and find examples of the author's presence in it following the example below (time-limit – 10 min).

Table 3

As the author of the text is a real person he tries to mark his presence in the text using personal pronouns "I", "we", possessive adjectives "my", "our", expressive vocabulary to show his attitude to the problem of the text.

For example:

When I speak about my study... (personal pronoun, possessive adjective)

I was struck by how entirely different everything was... (expressive vocabulary)

Task 5. In pairs find examples of different standpoints in the text and report them in the group (time-limit – 5 min).

2. Asking dialogical questions.

(Постановка діалогічних запитань.)

Lesson 4.

Considering questions.

(Запитання-роздуми.)

Task 1. Discuss the following questions in pairs (time-limit 5 min):

1. How did economic crisis affect law companies' work?
2. What measures did they undertake to survive?
3. Were there any positive changes on the legal market due to the crisis?

Task 2. Study the following vocabulary used in Text 4 which will help to understand it:

Recession, n – рецесія, занепад

Sprout, v up – рости

Tailored, p.p. – спеціально створений

Lay, v off – звільнити з роботи

Squeeze, v out of – витіснити

Charge, v – брати платню

Scoop, v up – збирати

Bulk, v up – накопичувати

Credentials, n pl – рекомендації

Merger, n – злиття

Acquisition, n – накопичення, поглинання

In the spotlight – в центрі уваги

Nimble, adj – швидкий, кмітливий

Emergence, n – поява

Bust, p.p. – збанкрутілий
Covet, v – жадати

Task 3. Skim Text 4 and answer the questions in Task 1 again (time-limit – 10 min)

Text 4.

Recession gives birth to new firms

Mar 26, 2010 by Olga Gnativ, Kyiv Post

Instead of wiping out many top Ukrainian law firms, last year's recession actually saw many new legal practices sprout up. Nearly a dozen new, hungry law firms tailored to compete with the big international players and domestic legal giants were established within the last two years. These new practices were mainly set up by former top lawyers and partners of the largest legal market players, including Ukrainian firms Magisters, Asters and big international firms on the market, including Baker & McKenzie and Chadbourne & Parke.

Some opted to set up a new firm after being laid off, squeezed out of a firm or once their salary was cut. Others quit with the intention of going solo, recognizing the recession as an opportunity to start their own practice in an increasingly tough market, often charging clients less than the market leaders.

Thousands of lawyers are estimated to have been laid off during the recession. That made them available to be scooped up by newly established firms eager to bulk up their credentials.

Avellum Partners, a firm that specializes in providing legal counsel on corporate finance, banking, mergers and acquisitions, was established in July by former partners and lawyers from the Kyiv office of Baker & McKenzie. Two former partners from Asters, another Ukrainian law firm which has long been amongst the top players, established EnGarde law firm. Meanwhile, the new D&D law firm was formed in 2009 by former employees in Ukraine of the international firm Chadbourne & Parke.

Another new and relatively small player on the legal market is Pavlenko and Poberezhnyuk. It was established on the eve of the 2008 global financial crisis by former top lawyers from Magisters, Ukraine's largest law firm. It specializes on stock market deals, corporate dispute resolutions and litigation. "A small administrative and legal staff can be as effective as the huge one, and this makes a law firm more competitive in its price policy," said partner Oleksandra Pavlenko.

"We are finding customers coming to us not only for the lower price, but for better service and expertise," said Pavlenko, often in the spotlight during the presidential campaign as candidate Sergiy Tigipko's chief legal representative at the Central Elections Commission. This is exactly what her clients like to see, she added.

"Owners of business and top managers want to work with partners, not lower level associates at the firm. They want to know who is dealing with their problem, what experience this person has, what is their strategy," she said.

Small, nimble firms have other advantages. "While big law firms drown in workloads, treat clients less carefully, yet charge higher rates for less, smaller firms will work harder for fewer clients," argued Sergiy Konnov, partner at Konnov & Sozanovsky. The recession has seen "small law firms shake up the legal market in a good way," Konnov added.

Sergiy Koziakov, senior partner at Volkov Koziakov & Partners Law Firm, saw the emergence of upstarts as a positive sign. "Lawyers are very ambitious, they rarely are team players for a long time, and when they leave a big law firm for a private practice, it is a good sign for the market. It means that there is competition," Koziakov said.

According to an annual legal market study conducted by the Ukrainian Law Firms publication, a law firm of 10 to 20 individuals, lawyers and staff, generally generated about \$1 million in revenue each in 2008. By contrast, law firms with more than 50 total employees made up to \$10 million. Insiders caution, however, that firms can make a lot more revenue than this report showed. Some of it can easily go undeclared in Ukraine's vast shadowy economy. As for 2009, market insiders say the incomes of law firms in Ukraine have decreased generally by 30-50 percent. The biggest drop of cash flow was suffered by law firms with a strong focus on a real estate and banking sector that went bust, as well as those specializing in finance, mergers, acquisition and capital markets.

Lawyers said businesses are more careful about how they spend, which forces law firms to offer not only a well-known brand name, but results, significant expertise and a wide network of offices to service more global business relationships. Exclusive attention and service are increasingly coveted by clients. And if smaller firms can provide these advantages at competitive costs, they may be around for a long time.

Task 4. Study information in Table 4. Skim Text 4 again and practice asking considering questions following the example below (time-limit – 15 min).

Table 4.

<p>Considering questions are a type of dialogical questions that express the reader's reaction to the text and his attitude to the author. They can contain doubts, necessity to extend knowledge, denial and discussion of the author's standpoint:</p> <ul style="list-style-type: none"> - Questions-doubts (сумніви) (the reader doubts the relevance of the author's reasons). <i>For example: Is this problem worth so much attention?</i> - Questions-extensions (заглиблення) (the reader is not satisfied with the author's reasons and wants to understand the problem himself). <i>For example: Why didn't you give reasons of both sides of the argument?</i> - Questions-consent (згода) or denial (незгода) (the reader agrees or does not agree with the author's statements and conclusions). <i>For example: How can you come to such a conclusion if the fact is not proved?</i>
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For example:

1. *Was that year's recession the only reason why a lot of small law companies appeared? (doubt)*
2. *Why do big companies choose to lay their employees off and let small law firms shake up the legal market? (extension)*
3. *Do you mean that all big law companies charge clients more but give them less attention? (denial)*

Lesson 5.
Reflexive questions.
(Рефлексивні запитання.)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. How often do people use lawyers in Ukraine?
2. Are Ukrainians aware of their legal rights?
3. What does the term "pro bono" mean? How can it be applied to the lawyers' work?

Task 2. Study the following vocabulary used in Text 5 which will help to understand it:

Pro bono – безкоштовний
Utilities, n pl – комунальні послуги

Alimony, n – аліменти
In tune – в злагоді
Guideline, n – директива, вказівка
Call, v on – закликати
Compulsory, adj – обов'язковий
Be entitled to – мати право на
Load, n – навантаження
Legal entity, n – юридична особа
Scam, n – махінація
Condominium, n – співвласність
Charity, n – доброчинність
Underutilized, р.р. – недостатньо використаний
Pursue, v – вести (справу)

Task 3. Skim Text 5 and answer the following questions (time-limit – 10 min):

1. Who can get pro bono services in Ukraine?
2. How well are pro bono services organized in Ukraine? Why?

Text 5.

Firms encourage lawyers to do pro bono work for governments, non-profits and low-income people

Jun 30 2011 by Mark Rachkevych, Kyiv Post

In a nation where the average monthly salary is \$300, not many can afford a lawyer's hourly rate. This hard fact excludes most Ukrainians from access to legal representation.

Since the majority of people don't use lawyers for even the most basic of services, many aren't aware of their legal rights or how to defend them. Some Ukrainians don't know how to obtain state subsidies for utilities, apply for alimony payments or how to conduct simple real estate transactions.

Fortunately, the capital's main legal players realize this. They appear well in tune with the idea of free, or pro bono, work for the neediest people as part of a socially responsible business strategy.

"It's not hard to organize an event to get the top 50 law firms to provide pro bono activities," said Valentyn Zagariy, president of the Ukrainian Bar Association. Zagariy's 3,000-member organization recently brought together 47 law firms on a Saturday to provide legal services to individuals, civil society organizations and small businesses free of charge. Some guidelines call on lawyers to give 50 hours of free work per year.

Bar association member Asters law firm was one of them.

"While we strongly encourage pro bono practice, it's not compulsory," said Asters founding partner Oleksiy Didkovskiy. "It's amazing how many people don't know what they're entitled to. So we play a socially vital role by educating the public."

Didkovskiy estimates that, by the end of the year, his firm will have devoted at least 3 percent of its case load, or roughly 58 hours per lawyer a year, to do pro bono work.

By comparison, the American Bar Association's ethical rules state that all lawyers must provide a minimum of 50 hours of pro bono legal work and services per year.

Most law firms in Kyiv take a case-by-case approach when evaluating potential pro bono cases, according to Kyiv Post research. The majority of cases involve consultations and evaluating the rights of a person or legal entity. Occasionally cases are more complicated.

Magisters, a Kyiv-headquartered law group which has expanded across the former Soviet Union in recent years, has represented plaintiffs who suffered from the 2006 Elita Center real estate scam in which 1,759 condominium buyers lost an estimated \$80 million...

But most often they provide consulting work to charities, nonprofit organizations such as museums as well as litigating in court, according to Andy Hunder, Magisters' international business development director in London...

Experts said the pro bono efforts of law firms remain underutilized.

"Pro bono activities exist in Ukraine, but these are often unorganized ad hoc efforts essentially left to the initiative of the individual attorneys. Without a mechanism making the availability of services known to people in need, it is likely that much of the goodwill generated by pro bono work is underutilized," said Inna Topal, who oversees the U.S.-sponsored Access to Justice Legal Empowerment project.

Currently, 26 law firms, including Konnov & Sozanovskiy, Spenser & Kauffmann, Lavrynovych & Partners, and AstapovLawyers have joined the project to provide various services.

For instance, AstapovLawyers is helping the United Nations High Commissioner for Refugees. "AstapovLawyers is one of the few, if not the only, company in the Ukrainian market to be developing an independent human rights protection practice," said Ivan Lishchyna, a senior associate with AstapovLawyers.

If a matter is of broad public concern, or if a case would not be pursued otherwise, then Oberkovych deems it pro bono worthy. The firm also helps non-profit groups and poor people...

Many mention altruistic reasons of giving back to society, while others mentioned gaining additional experience in a certain legal field, and some said it was their duty.

Task 4. Study information in Table 5. Skim Text 5 again and practice asking reflexive questions following the example below (time-limit – 15 min).

Table 5.

Reflexive questions are a type of dialogical questions that express the reader's appealing to his knowledge and experience in the problem covered in the text. They contain analysis of the reader's reflections and experience, practical questions to assess the possibility to apply this information in his life and work, generalization of the process of reading and reflection on the text:

- Questions-analyses (аналіз) (the reader analyses his own reflections, experience, knowledge).

For example: What do I know about that?

- Practical questions (практична запитання) (the reader considers possibility to use information from the text for his life and work).

For example: How can I use this information for my job?

- Questions-generalization (узагальнення) (the reader makes conclusions of the process of reading and reflection on the problem of the text).

For example: What useful information have I got from the text?

For example:

1. *How much do I know of my own legal rights? (analysis)*
2. *Can I ask for free service from a lawyer in a law firm referring to this text? (practical question)*
3. *How much have I learned from this text? (generalization)*

Lesson 6.
Anticipating questions.
(Запитання-передбачення.)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. Is Ukraine open for foreign investments?
2. What legal documents are aimed to stimulate foreign investments?

Task 2. Study the following vocabulary used in Text 6 which will help to understand it:

Emerge, v – з'являться
Crucial, adj – вирішальний
Lucrative, adj – вигідний, прибутковий
Trumpet, v – трубити
Net, adj – чистий
Incentive, n – стимул
Exemption, n – звільнення
Sanguine, adj – оптимістичний
Deem, v – вважати
Amendment, n – поправка
Provision, n – умова
Overturn, v – змінити
Backflip, v – стрибок назад
Acquisition, n – надбання

Task 3. Skim Text 6 and answer the questions in Task 1 again (time-limit – 10 min).

Text 6.

Ukraine's foreign investment rules have long way to go

Sep 8, 2011 by Will Fitzgibbon, Kyiv Post

As Ukraine emerges from a long and painful economic crisis, a clear and effective legislative framework for foreign direct investment is crucial to attract the limited funds available by convincing investors that Ukraine is a lucrative and reliable market.

The government has trumpeted legislative changes and political stability as providing a stronger basis for attracting foreign money. But lawyers said that, for all the legislative hard work, it remains unclear that it has actually helped the investment climate.

"Unfortunately, I can't recall any healthy changes to the investment environment in recent years," says Vladimir Kotenko, partner and head of tax and law at Ernst & Young in Ukraine.

The biggest change for the country's FDI environment, for good or for ill, has been the consolidation of Ukraine's various tax laws into the one document – the Tax Code of Ukraine – which entered into force on April 1.

Sergiy Oberkovych, of Gvozdiy & Oberkovych law firm, said he regarded the new code as a net positive, despite its complexity. "It provides incentives for agricultural and for renewable energy businesses," he said.

Oberkovych added that energy-related value added tax exemptions and a zero capital tax rate will encourage more foreign interest in alternative energy.

Other lawyers, however, are less sanguine. “I would strongly disagree that the tax code reforms made business easier in the country,” said Kotenko from Ernst & Young.

Igor Reutov, head of corporate issues and investment at Gramatskiy & Partners, agrees. While he acknowledges that it provides some order by unifying taxation principles and policies, “provisions of the Code do not provide fair principles and plain rules for a taxpayer. ... The Code cannot be deemed as an investment climate improver,” he said.

Another suite of legislative amendments to attract domestic and international attention is the Law on the Foreign Investment Regime. In May 2010, the government overturned a 2009 law requiring registration of foreign investments, following complaints that the procedures discouraged FDI.

Despite the backflip, Reutov and the U.S. State Department, in its annual investment climate statement, are among those who said the change has not stimulated investment.

“De facto,” Reutov said, “the state registration of the foreign investment remains obligatory,” otherwise they lose legal protection and privileges.

Denys Sytnyk, a partner with the Kyiv office of Schoenherr law firm, sees a further F-grade for the Ukrainian government in banking legislation.

Sytnyk believes amendments in July to Article 34 of the Law of Ukraine on Banks and Banking Activity make it “practically impossible for foreign investors to directly or indirectly acquire shares in Ukrainian banks.”

The new law requires National Bank of Ukraine approval of acquisitions by non-residents but limits acquisitions to residents of countries with which the NBU has a banking supervision cooperation agreement. Only eight such agreements exist presently.

Sytnyk said he has clients who wanted to sell their shares in Ukrainian banks to other foreign banks but now can't.

“The Basel Principles [globally applied standards in international banking and finance known] are meant to make life easier. The Ukrainian parliament made it more difficult because it applied them improperly,” he said.

Kateryna Domashenko, associate at Pavlenko & Poberezhnyuk Law Group, added that “compliance with the law and obtaining consent in particular for foreigners will be very difficult.”

Task 4. Study information in Table 6. Skim Text 6 again and practice asking anticipating questions following the example below (time-limit – 10 min).

Table 6.

Anticipating questions are a type of dialogical questions aimed to make the reader think of the contents of the text, predict the continuation of the story and consequences that follow.

For example: Will the situation worsen if this continues?

Lesson 7.

Asking dialogical questions (practice).

(Постановка діалогічних запитань (практика))

Task 1. Study the following vocabulary used in Text 7 which will help to understand it:

Gumshoe, n – детектив

In handy – в пригоді

Muddled, p.p. – заплутаний

Murky, adj – темний

Seal, v – вирішувати
Stifle, v – стримувати, придушувати
Hurdle, n – перешкода
Choke, v – душити
Mitigate, v – зменшувати
Grueling, adj – виснажливий
Oppressive, adj – жорстокий
Follow, v suit – брати приклад

Task 2. Skim Text 7 and make a list of skills to describe a Ukrainian top lawyer (time-limit – 10 min).

Text 7.

Ukraine's 'top lawyers' can be worth knowing

Jul 1, 2011 by Kyiv Post Staff

Whether you're a small businessperson, big foreign investor, oligarch, diplomat, gumshoe journalist or average citizen, getting to know the top commercial lawyers in Ukraine can come in handy.

Why?

Because these intelligent, educated and well-informed individuals have some of the best insights into what is happening in Ukraine and how to get things done.

They know the country's muddled laws inside out and how favoritism works in courts. As a result, they know best how to swim successfully in the murky waters of this nation's very untrustworthy judicial system.

They know best how to protect investments, open closed doors, seal deals, get permits and pay taxes. They know what lawmakers are up to when they adopt legislation that stifles competition or fuels corruption. They know what law changes are needed to fix the country. The list goes on.

In servicing foreign investors – big and small – they help bring fresh blood into Ukraine's economy and know best of all what legislative hurdles are keeping badly needed foreign direct investment out.

In servicing domestic oligarchs and their companies, they know what is happening – and far too often choking – Ukraine's heavily monopolized and politicized economy.

"Lawyers do get in on a lot of information," said Oleh Malsky, a partner at Kyiv-based AstapovLawyers. "It adds a lot to understanding of what's going on in the country."

Ukraine is not an easy place to do business. Mitigating risks is more than wise. Getting out of trouble when it arises is a matter of survival.

When it comes to the best of Ukrainian lawyers, sources say they work hard and long hours, but get rewarded well. Ukraine's top lawyers can earn millions of dollars annually, enough to retire on after a few years of grueling work, insiders said.

"The minimum annual income that qualifies you as a top lawyer would be somewhere at \$2 million," said Malsky. "This is approximately what a leading Ukrainian law firm would pay a partner for a successful year."

According to Malsky, lawyers at international law firms typically charge the highest rates for their work, with the top end at \$850 or so per hour. Hiring junior lawyers at the same firm can cost three times less.

“The difference between the monthly salaries of beginner lawyers and a top partner can be between 100 to 1,000 times, [with the] beginner at a starting salary of \$1,000-2,000 per month,” said Serhiy Chorny, managing partner in Kyiv for international legal services giant Baker & McKenzie.

Some of Ukraine’s top lawyers are actually born abroad. Foreign lawyers often play a vital role in bringing their valued expertise to Ukraine. Many of them also go out of their way to lobby reforms in the country with domestic officials and abroad.

The majority of Ukraine’s top lawyers are Soviet-born, but Western-educated. As a result, they stand out in terms of experience, know-how and world views from the older generation. They see and understand how far Ukraine has come since its oppressive past and how far it has yet to go before attaining European or American standards.

Some high-profile Ukrainian lawyers – such as Serhiy Vlasenko and Oleg Riabokon -- both formerly of Kyiv-based Magisters law group – have in recent years made the leap into Ukrainian politics. If more follow suit soon, some think Ukraine could stand a better chance of improving its governance.

“It would be really great to get into parliament and work there on improving the legislation,” said Chorny. “I think any normal lawyer would want to do it. You feel there is an opportunity to do it, and you really know how.”

Task 3. Skim Text 7 again and role-play «An interview with the author» in pairs with your classmate:

- 1) student A takes on the role of the author of the text;
- 2) student B interviews him asking dialogical questions (considering and anticipating).

Discuss the dialogical questions you asked with other students in class (time-limit – 15 min).

Lesson 8.
A quest game.
(Гра в запитання.)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. What are the criteria for the companies to choose a right law firm for their needs?
2. How important is price in selection of a law firm?

Task 2. Study the following vocabulary used in Text 8 which will help to understand it:

Downturn, n – занепад

Cast, v the net – полювати на когось

Rarity, n – раритет

Estimate, n – оцінка

Drop, v – спадати

Modest, adj – помірний, невеликий (про ціну)

Niche, n – ніша

Merger, n – злиття

Acquisition, n – поглинення

Crucial, adj – вирішальний

Longevity, n – тривалість (життя, діяльності)

Directory, n – вказівник

Insight, n – розуміння

Outsourcing, n – виконання певної частини роботи працівниками з інших компаній (за домовленістю)

Task 3. Skim Text 8 and answer the questions in Task 1 again (time-limit – 10 min).

Text 8.

Price not the only factor in choosing the right law firm

Jul 9, 2010 by Olga Gnativ, Kyiv Post

Picking the right legal partner is often a challenge, especially if a company needs expertise in a specific area or is on a tight budget.

The economic downturn has forced companies to cast the net wider in the search for the most suitable law firm for their needs, and carry out tenders – previously a rarity – to find the best balance of price and value.

But finding the best law firm is about more than just price. Market players also list experience, reputation, ranking and past performance on specific projects as key factors to consider when making the choice. According to various estimates, the legal market dropped by up to 40 percent since the start of the crisis in fall 2008, with the number of business projects down and spending on lawyers more modest than previously.

Using a number of different law firms and holding tenders used to be a rare feature on the Ukrainian market before the crisis, but not anymore.

“We use multiple partners for different tasks which require various skills,” said Artem Kryzhanovsky, financial director of 3M in Ukraine, a global technology company.

Law firms have responded by looking for specific niches and setting up boutique firms, which deal exclusively in one or a select few areas of legal practice.

“Recently we stopped using big law firms on a regular basis, limiting cooperation to a minimum. We try to do everything with in-house lawyers as much as possible,” said Svitlana Ivashchenko, head of the legal department at Cheese Club Corporation, a dairy producer.

Still, assistance is necessary on specific kinds of projects, in particular mergers and acquisitions or international trade, where global expertise is needed, she added.

In this case, Ivashchenko sets closed tenders to choose a firm.

Experts pick out five elements crucial in making the right choice:

Longevity

The year a firm was set up is one of the most reliable criteria for selection. The oldest Ukrainian law firms emerged in the early 1990s; at the same time the first international firms entered the market. Many such firms have a strong reputation and offer a wide range of legal expertise in all areas of business.

Younger law firms have built their strategy focusing on specific areas of practice...

The development and growth of the market has significantly encouraged lawyers to look for niches, and the downturn has accelerated this trend, giving birth to many boutique law firms.

“Still, to be a credible law firm, it should have been operating on the market for at least five years,” said Max Nefyodov, director of investment banking at Dragon Capital investment bank.

Word of mouth

Insiders’ views from previous clients are a crucial tool for selecting the most appropriate legal partner.

“The best instrument to find an experienced company with a good reputation is a recommendation from their clients,” said Alina Bubko, a lawyer at Colliers International, a global real estate company.

According to the clients approached by the Kyiv Post, the reputation within the market plays an essential role when inviting a law firm to work on a project. Reputation is formed either by recommendations or references from clients, customers or business partners, or experience and impressions from previous cooperation with a firm or lawyer...

“To participate in our closed tenders of five to six firms, we normally invite those recommended by others or those who showed good performance in the past.”

Ranking

Many companies that operate in Ukraine or just entered its market from abroad are not well-informed about the legal services available. These firms often use independent international business directories that conduct annual rankings within the legal market. These directories collect information about firms' projects, the value of deals worked on and expertise, and provide relevant recommendations.

“If there is no in-house lawyer [within a company] with insight into the market, then ranking is helpful to select a law firm for outsourcing,” said Cheese Club Corporation's Ivashchenko...

Projects fulfilled

The scale and the value of projects that a law firm has worked on also give a good indication of its performance. Many Ukrainian and international rankings of law firms use the value of deals to measure its importance; others pay more attention to the expertise in specific and complicated projects...

Price

After the economic downturn, most market players say pricing became more flexible on the legal market. Rates have significantly dropped and law firms are more often prepared to negotiate on price. Price is therefore no longer a crucial competitive advantage, and clients are much more focused on the service...

Task 4. «A quest game». Work in groups. Name students to assume roles according to the scenario of the game:

- 1) student (group) A who asks questions about the meaning of unknown words in the text;
 - 2) student (group) B who asks considering questions;
 - 3) student (group) C who asks reflexive questions;
 - 4) student (group) D who asks anticipating questions (about the following extension of the plot);
 - 4) student E who appoints some students to ask their questions and others to answer them.
- Skim Text 8 again to prepare questions and answer them (time-limit – 10 min).

Lesson 9.

Asking W5H questions (Q3POC). (Постановка запитань W5H)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. How do law firms keep their staff well-trained?
2. What can law firms do to improve their services?

Task 2. Study the following vocabulary used in Text 9 which will help to understand it:

Commensurate, adj – такий, що відповідає
Top-tier, n – високий рівень
Transparency, n – прозорість
Conscientiously, adv – добросовісно
Separate, v wheat from the chaff – обирати найкраще
With an eye on the bottom line – слідкувати за витратами
Live, v up to – відповідати
Peer, n – колега
It pays for them – це їм вартуватиме
Contingency, n – непередбачувані витрати

Task 3. Skim Text 9 and answer the questions in Task 1 again (time-limit – 10 min).

Text 9.

Leading companies express satisfaction with quality of legal work in local firms

Sep 8, 2011 by Will Fitzgibbon, Kyiv Post

Ukraine's largest corporations are generally satisfied with the quality of service they receive from law firms in the country, according to their own senior staff, but said choices had to be made carefully to ensure quality and avoid overpaying.

Chief executives and other senior staff from Ernst & Young, Danone, McDonald's, Dragon Capital, Slavutich Carlsberg Group and Credit Agricole say that law firms in the capital generally provide quality legal services commensurate with prices.

Nonetheless, some businessmen and women have suggestions for big and small law firms alike on how they could improve their services.

In line with global practice, most large corporations in Ukraine have their own internal legal counsels who provide advice on most day-to-day matters. It is common practice, however, for businesses to engage external law firms for litigation or for issues requiring specific experience or involving professional liability insurance.

"In most cases there is no doubt about extensive experience and high quality of work of the senior team members, such as managing partners or heads of law firm's practices," said Svyatoslav Sheremeta, co-head of the legal department at Dragon Capital.

All businesses contacted by the Kyiv Post reported being satisfied with the level of legal services provided by law firms in Ukraine with which they work.

"Danone Ukraine is satisfied of legal services level which is provided by the law firms Danone Ukraine works with," said the company's public relations director Valeria Trifonova.

The preference is clearly for top-tier international firms, such as Baker & McKenzie and DLA Piper and top Ukrainian firms, both of which have experience with complex cases and multi-jurisdictional networks in the region and internationally. Preference is given to those that can guarantee strict anti-corruption and transparency standards.

Sheremeta pointed out that his company conscientiously separates the legal wheat from the chaff because there can be great differences in quality of service. "Not many Ukrainian law firms apply sufficient effort and spend sufficient resources on training their lawyers to provide services at the international standards level," he said, "which many top tier international law firms continued to do even during the crisis times."

A good business is necessarily one with an eye on the bottom line. So it's no surprise that senior staff usually find legal fees charged by law firms in Ukraine high, sometimes too high.

Natalya Bondarenko, legislative director at Slavutich Carlsberg Group, reports that "international firms are really higher in prices, but their services live up to our expectations."

A spokeswoman for McDonald's in Ukraine confirmed through email that although the fast-food giant was "satisfied" with the services of external law firms, "the prices are too high." Dragon Capital's Sheremeta said that "local offices of big international law firms in Ukraine, as well as top local Ukrainian law firms, in terms of legal fees often are trying to follow their Western peers, while the same level of quality is not always ensured."

However, Sheremeta did praise increasingly flexibility in some firms' fee structures that seek to maximize their competitiveness and added that "now their clients have more possibilities to find high quality legal services at reasonable price."

With an ever-growing number of law firms working in Ukraine, businessmen and women are aware that it pays for them to do their research in finding the best quality for the best price. But it is not always easy.

"You can find good quality for good prices but you need to be an insider," said Alexei Kredisov, managing partner at Ernst & Young Ukraine. On the odd occasion when Ernst & Young seeks external counsel, they find it easy to locate a good firm. "It is easier for us," he said, "because we are in the business of law. Others may be limited in their contacts because the legal market is not so developed."

Companies have their own suggestions for how Ukrainian law firms could better please their bigger corporate clients.

Danone Ukraine says that it has "made some initial moves" in the direction of adopting a "success" or contingency fee basis in its work with Ukrainian law firms that would replace the traditional hourly fee structure.

Danone Ukraine favors this, Trifonova said, because the absence of "clear and transparent" fee structures means that "sometimes there are different prices for the same services and quality and Danone has huge variations in the fees"...

Firms should also put more effort "into training of junior members of the team," Sheremeta said.

Task 4. Work in pairs. Ask your partner Wh5H questions (Who? What? When? Why? Where? How?) (Time-limit – 10 min). Try to ask dialogical questions using the above-mentioned question words.

Lesson 10. **Press-conference.** **(Прес-конференція.)**

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. Do you play any gambling games? Where do you like playing them?
2. Do you attend any special clubs to play gambling games?

Task 2. Study the following vocabulary used in Text 10 which will help to understand it:

Gambling, n – азартні ігри
Ban, n – заборона
Revoke, v – скасовувати
Bill, n – законопроект
Lucrative, adj – прибутковий
Engage, v – вступати
Mandatory, adj – обов'язковий
Downgrade, v – знизити категорію
Persecution, n – переслідування
Rival, n – ворог

Task 3. Skim Text 10 and prepare 3 dialogical questions you could possibly ask the developers of the bill Gambling Games.

Text 10.

Rules of the game

22.11.2010 by Olha Kuryshko. Kyiv Post

The government enters the gambling business to squeeze out the rest of the players

Initially, after the legislative ban on gambling in 2009, the gambling industry in Ukraine indeed quieted down. Entrepreneurs that had their licenses revoked seized their activity and hid the equipment in the basements.

Despite this, several months later the gambling business returned and for the most part illegal.

At first, several interactive clubs, where clients were offered to play virtual roulette or poker, appeared on busy streets of Kyiv.

A bit later, the demand for real-life gambling transformed into supply. Despite the ban, the owners of such online casinos pulled the hidden machines out of their basements and the jingling sounds of victory began ringing again

Apparently, guided by a well-known rule "If you can't beat 'em, head 'em", the Ministry of Finance developed a bill Gambling Games. The document has already been approved by the Cabinet and is ready for submission to the Verkhovna Rada, where it has a good chance of being passed into law.

The essence of the proposed innovation mainly comes down to the government becoming the main and most privileged player on this market.

For this purpose, the National Organizer of Gambling is being created. It will either be allowed to independently engage in this lucrative business (an unlimited license for this organizer will cost only UAH 1,000) or entrust this sector to other players in the gambling business, but at a much higher price of UAH 40 mn for a 7-year license.

This means that large chains of casinos and gambling centers will be open for business in high class hotels throughout the country.

As such, the authorized capital of a casino operator should not be less than the price of the license (UAH 40 mn) and the cost of equipment. Playing on gambling machines will be permitted in 4- and 5-star hotels and entertainment complexes with a space of less than 500 sq. m.

Permission for gaming in expensive hotels is no accident. In the context of preparations for Euro 2012, hoteliers gave the government two conditions.

The first one is to offer hotels tax privileges, which has already been done in the draft law of the Tax Code.

The second condition was to allow casinos to operate on the territory of 5-star hotels.

By international rules, the presence of a casino is a mandatory condition for getting the fifth star. After the introduction of the gambling ban, some hotels were forced to downgrade their category and as a consequence lost a good share of their well-to-do clients.

At the same time, not very wealthy fans of gambling will have more problems finding a place to gamble.

The law will preserve the ban on gambling machines, interactive TV games and bookmaker activities and will fully ban online casinos.

While for the time being, illegal "interactive clubs" has not really faced persecution, after the introduction of the new rules, the situation is expected to radically change.

Now they will not only violate certain abstract moral principles but steal money from the National Organizer of Gambling, i.e. the government.

Meanwhile, the current Cabinet cannot be reproached of being soft on rivals.

Task 4. "Press conference". Work in groups. Students are divided into two groups:

- 1) group A represents the developers of the bill Gambling Games;
- 2) group B – journalists.

Group A (journalists) skims Text 10 again to prepare dialogical questions. Group B (developers) skims Text 10 to get ready to answer questions from Group A. (time-limit – 5 min). Improvise a press-conference where the journalists meet the developers of the bill Gambling Games (time-limit – 10 min).

3. Predicting the extension of the text.

(Передбачення подальшого розвитку змісту тексту.)

Lesson 11.

Task 1. Look at the headline of Text 11 and try to predict its main topic in groups of three (time-limit – 3 min).

Task 2. Study the following vocabulary used in Text 11 which will help to understand it:

Bubble, n – публікація
Spell, v – викликати
Coffer, n – скарбниця
First and foremost – передусім
Stake, n – кілок
Shift the burden – перекласти тягар
Adjust, v – погоджувати
Concession, n – уступка
Suffice, v – бути достатнім
Submit, v – подавати на розгляд
Hosting, n – проведення

Task 3. In pairs skim the first part of Text 11 and try to predict its continuation. Then skim the second part and compare information in it with your prediction. In case you have a different continuation explain the reasons of your choice. To express your predictions use expressions from Table 7 (time-limit – 10 min).

Table 7.

The list of phrases to introduce predicting the extension of the text:

I'd say...

Could it be...

Perhaps it's...

I think it's...

It looks like...

For example:

Perhaps our government is going to create a plan of attracting investments into Ukrainian economy.

Text 11.

Budget bubble spells trouble

19.11.2010 by Viktoria Poda, Kyiv Weekly

The Cabinet's grandiose projects may cost a fifth of the nation's budget next year.

This year the government changed its tactic of promises. Instead of the tales about the possibility of financing all projects in full from the national budget, now the emphasis is being placed on attracting investments into such projects. Naturally, high-ranking authorities do not mention that attracting investments also requires state financing and the realization of the projects announced will cost no less than UAH 55 bn a year from the state coffers.

Attracting investments is one of the government's top priorities, no arguments about that. Naturally, the government on more than one occasion stressed that an investor needs first and foremost a healthy investment climate when it comes to small-time investments. However, today politicians are putting a stake on major mega-projects in the billions, but realizing them solely on investors' money is hardly possible.

For example, the country's largest project over recent years: preparations for hosting the European football championship, one can see that the attempts of the state to shift the burden of as many financial problems as possible on the shoulders of private investors proved to be unsuccessful.

In the projects that have been carried out recently: the modernization of the energy sector and coal industry, the governmental financing amounted to 20-50% and higher. In other words, an investor or a pool of investors in most cases categorically refuses to bear all the risks. The optimal minimization of risks for them is either receiving the given object into private ownership or co-investment on the part of the state.

By the way, this past week the law on state-private partnership took effect. Government officials spared no efforts to emphasize that the law envisages different forms of cooperation, from state contracts to concession agreements. Only once did members of the Cabinet of Ministers mention the possibility of co-investment into such projects. But independent experts see in this point the main breakthrough compared to the Law On Concessions that only envisages the possibility of providing a concessioner with subsidies, compensation and privileges and that exclusively applies to unprofitable or low-profit objects of concession.

Over the past several months the powers that be have promised quite a lot, but it suffices taking a look at those projects that are estimated in the billions to understand the scale of planned attraction of investments. Besides the national Euro-2012 project, all others can be divided into three categories. The first one deals with nature-related weather situations. After the floods in Prykarpattia, the Cabinet

promised a comprehensive UAH 10 bn program for advance warning of natural disasters. After the tragic railway accident at an RR crossing in Marganets, the Cabinet ostensibly plans to allocate UAH 8 bn for equipping railway crossing with bridges (UAH 2 bn a year).

The second group is projects "in the interest of sponsors", both political and economic in nature. This includes plans to build a bridge across the Kerch Strait (UAH 1.4-1.6 bn) and the need for immediate investment into extraction of gas deposits on the Black Sea and Azov Sea shelves (UAH 7 bn over 5 years) and forming a joint venture for the production of elements of nuclear fuel (UAH 4 bn)...

Finally, the third group – these are national projects that the government has been developing for four months now. Mind you, only this week were government officials able to make approximate cost estimates of how much money will be needed to execute these projects.

Head of the working group Vladislav Kaskiv said US \$15 bn will be attracted over the next 4-5 years (appr. UAH 24 bn annually). But this is rather doubtful, expert say, as this amount is only sufficient to cover the costs of preparations for submitting applications to the International Olympic Committee for hosting the 2022 Olympic Games, building the Natural Liquefied Gas Terminal and National Energy projects.

Task 4. Skim Text 11 again and ask 3 dialogical questions: considering, reflexive and anticipating. Discuss your questions with your group mate (time-limit – 10 min).

4. Expressing doubts and reservations.

(Висловлення сумнівів.)

Lesson 12.

Task 1. Work in pairs. Read the ideas below and express reservations (time-limit – 5 min). Use the phrases in Table 8 to introduce your reservations.

Table 8.

When the author puts forward an idea which you don't agree with completely, you have to be able to express your doubts and reservations.

The list of phrases to introduce the reservations:

I'm afraid...

I don't see how...

But the problem is...

Yes, but...

I doubt...

Possibly, but...

What I'm worried about is...

What bothers me is...

For example:

"The legal environment has become much more competitive". – I doubt that because the crisis wiped out many law firms so there's no many competitors to deal with.

1. "Newsweek has declared Ukraine the best poor nation in the world".

2. "Ukraine-EU summit won't change much".
3. "The Cabinet's grandiose projects may cost a fifth of the nation's budget next year".
4. "International firms are really higher in prices, but their services live up to our expectations".

5. Arguments and Counter-arguments.

(Висушення аргументів за і проти.)

Lesson 13.

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. Is percentage of solving criminal cases high in this country?
2. Do prosecutors treat all citizens equally?

Task 2. Study the following vocabulary used in Text 12 which will help to understand it:

On end – поспіль
 Hapless, n – нещасний
 No-show, n – людина, яка не підтверджує власну присутність або участь в чомусь
 Alleged, adj – підозрюваний
 Misappropriation, n – незаконне присвоєння
 Culprit, n – обвинувачений, злочинець
 Linger, v – затягуватись
 Root, n – причина
 Stake, n – доля
 Muzzle, v – змусити мовчати
 Predecessor, n – попередник
 All-but-monopolized, p.p. – майже повністю монополізований
 Ruthlessly, adv – жорстокий
 Retribution, n – кара
 Overdue, adj – такий, що запізнюється
 Scope, n – обсяг, масштаб
 Coercion, n – примус, насилля
 Amendment, n – поправка
 Functionary, n – працівник
 Opine, v – висловлювати думку
 Comply, v with – погоджуватись
 Commitment, n – зобов'язання

Task 3. Skim Text 12 and find the reason why Ukrainian prosecutors fail to solve big criminal cases (time-limit – 10 min).

Text 12.

Prosecutors fail to solve biggest criminal cases

Mar 25, 2010 by Peter Byrne, Kyiv Post

Prosecutors in Ukraine have great powers and even greater impotence. They can jail the powerless or innocent for months on end without trial, and keep criminal investigations hanging over the heads of the hapless for years. But when it comes to solving any big cases, the nation's 10,000 prosecutors are no-shows.

What about investigations into the theft of billions of dollars in imported natural gas? Prosecutors can't get to the bottom of it.

Alleged misappropriations of up to billions of dollars more in central bank assistance? The culprits got away.

Who ordered the murder of Georgiy Gongadze in 2000? That's a tough one, despite hundreds of hours of incriminating audiotapes in the office of ex-President Leonid Kuchma and a reported confession from the policeman who actually strangled the journalist.

The General Prosecutors Office of Ukraine is where criminal cases go to linger and die, not get solved. And corrupt politics, like so much in the nation, is at the root of it all...

Kyiv's Pechersk district court on March 23 ruled that criminal investigations against Bakai, who headed the state gas and oil monopoly Naftogaz from 1998 to 2000, should be closed for lack of evidence.

Bakai, who in 2003 was appointed head of the State Management of Affairs Department, an institution that manages properties on behalf of the president and cabinet under Kuchma, fled to Russia in December 2004. He was subsequently charged with illegally privatizing state-owned stakes in the Dnipro Hotel, Ukraina Hotel and the Ukraina Exhibition complex in Kyiv.

Yuriy Boichenko, spokesman for the prosecutor's office, said on March 24 that his office may or may not appeal the court decision to throw out the charges. "We have not received a copy of the Pechersk court ruling," Boichenko said. "By law, our office will have seven days to study it before deciding to appeal ... or not." Boichenko said prosecutors will not follow political dictates and will, instead, follow the law in Bakai's case.

But the critics have a different view. They say dozens of high-profile cases involving former state officials have been thrown out or muzzled by current Prosecutor General Oleksandr Medvedko and his predecessors.

The fault, they say, lies with the unwritten rule of impunity that exists between the rivaling business oligarchs and parties that have all-but-monopolized the country's politics and economy. They often fight ruthlessly for power, but avoid putting opponents behind bars for fear of retribution. Instead, criminal cases are opened often just to show opponents who is in charge.

Many legal experts say a legal change in the powers of prosecutors is long overdue.

The European Commission for Democracy Through Law, also known as the Venice Commission, has over the years compared Ukraine's prosecutor's office to the Soviet (and Czarist) style "prokuratura." The general prosecutor controls a very powerful institution whose functions considerably exceed the scope of prosecutors in democratic nations.

According to the Constitution adopted in 1996, the authority of the prosecutor's office is as follows: "Prosecution in court on behalf of the state; representation of the interests of a citizen or of the state in court cases determined by law; supervision of the observance of laws by bodies that conduct detective and search activity, inquiry and pre-trial investigation; and supervision of the observance of laws in the execution of judicial decisions in criminal cases, and also in the application of other measures of coercion related to the restraint of personal liberty of citizens."

A fifth function was added in constitutional amendments adopted in December 2004: "To supervise over the observance of humans' and citizens' rights and freedoms and the observance of laws on these matters by bodies of state power, local self-government, their officials and functionaries."

Parliament made another step to broaden the prosecutors' function through a new law adopted in first reading on March 14, 2009. The law would make it a very powerful and excessively centralized institution whose functions considerably exceed the scope of functions performed by a prosecutor in a democratic country, the Venice Commission opined in June 2009.

"The draft does not bring Ukraine any closer to complying with the commitment towards the Council of Europe that 'the role and functions of the Prosecutor's Office will change, transforming this institution

into a body which is in accordance with Council of Europe standards," the opinion said. In other words, don't expect any changes for the better anytime soon.

Task 4. «Distrustful critic». Scan Text 12 and find different standpoints on the problem of the text. Think up your own counter-arguments to those standpoints and write them down using information in Table 9 and following the example given below (time-limit – 10 min).

Table 9.

Very often, when the author expresses his opinion and tries to persuade the reader in it, we need to think up a counter-argument.

The list of phrases to introduce your counter-arguments:

Even so,

That may be so, but...

That's probably true, but...

Possibly, but...

For example:

"They can jail the powerless or innocent for months on end without trial, and keep criminal investigations hanging over the heads of the hapless for years." – That may be so, but we cannot deny successful solution of many cases as well.

Task 5. Present your counter-arguments in groups of three and discuss them (time-limit – 10 min).

Lesson 14.

Summary of the text.

(Резюме тексту)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. Do you ever buy fake goods?
2. What goods attract your attention?
3. Do you believe in authenticity of goods buying them in expensive boutiques in this country? Abroad?

Task 2. Study the following vocabulary used in Text 13 which will help to understand it:

Seizure, n – конфіскація

Fake, adj – підроблений

Counterfeit, adj – фальшивий

Decline, n – зниження рівня

Pattern, n – загальна картина

Switch, v to – перейти на, змінити

Stem, v – походити від

Intercept, v – перехоплювати

Slip, v through – прослизнути

Task 3. Skim Text 13 and answer the following questions (time-limit – 10 min):

1. What happened to the flow of fake goods in EU?
2. What is the probable cause of this situation?
3. What kinds of goods are usually counterfeited?

Text 13.

Seizures of fake goods in EU fall

July 22, 2010 by Nikki Tait, The Financial Times

Seizures of suspected fake goods – from counterfeit medicines to imitation Gucci handbags – by European Union customs officers fell for the first time last year.

Latest EU figures show that there were just more than 43,500 cases in which goods suspected of violating intellectual property rights were stopped by customs at EU borders, totalling 118m articles.

That compared with about 49,000 cases in the previous year, when the number of articles affected was 178m.

EU officials say that the decline is probably due to the economic recession, which has reduced all imports into Europe sharply. "There was just less trade," said one on Thursday.

But they admit that the pattern was mixed – with about one third of all EU states actually seeing the number of cases and articles seized rise in 2009.

And they acknowledged that recession may have led some customers to try switching to cheaper goods, although they say it is unclear whether or to what extent this has benefited counterfeiters.

Meanwhile, lawyers warn that many counterfeit goods are still going undetected and say that recession may be allowing more to slip through customs' hands.

"The recession means that more consumers are tempted to purchase counterfeit goods. It also raises concerns about budget pressure on customs authorities like HMRC in the UK," said Andrew Hobson, partner at Reynolds Porter Chamberlain, a law firm based in London.

"Businesses will be concerned that these cases against counterfeit goods just represent the tip of the iceberg. So many counterfeit goods go undetected by EU customs."

More than a quarter of last year's cases – 27 per cent – related to clothing, with watches making up another nine per cent, and fake medicines or healthcare products totalling a further eight per cent.

A growing number of cases stem from packages intercepted in the postal system, although air transport is still the most favoured transport method, accounting for 38 per cent of cases.

China, meanwhile, continues to be the main source of fake goods, accounting for 64 per cent of the total seizures, up from 54 per cent a year ago.

EU officials, however, say that other countries were prominent in particular categories – including Turkey for food and beverage items, the United Arab Emirates for medicines and Egypt for toys and games.

Task 4. Write a short summary of the text: 1) topic of the text; 2) its main idea; 3) general statements. No emotional comments or your own opinions should be mentioned.

Task 5. Work in groups. Divide into 3 groups:

- 1) Group A represents EU officials who state the positive change in the number of seizures of fake goods;

- 2) Group B represents lawyers who warn about danger of undetected counterfeit goods getting more;
- 3) Group C represents experts who listen to statements of groups A and B and evaluates their grounds.

Groups A and B prepare to defend their statements using information Text 13. Then they present their positions and answer the questions of the opponents. The group of experts evaluates presentations and defines the best-grounded position (time-limit – 15 min).

6. Commentary upon the text.

(Коментування тексту.)

Lesson 15.

Assessment of the text.

(Оцінка тексту.)

Task 1. Look at the title of Text 14 and discuss the following questions in pairs (time-limit – 5 min):

1. What is the following text about?
2. What famous lawyers in Ukraine have you heard of?
3. Where can you find information about their performance?
4. Who creates ratings of the best lawyers? Do you believe them?

Task 2. Study the following vocabulary used in Text 14 which will help to understand it:

Reveal. v – відкривати, з'ясувати
 Back. v up – відзначати
 Vanity fair. n – ярмарок суети
 Be. v rated – брати участь в рейтингу
 Chide. v – сварити
 Nurture. v – живити
 Trophy. n – нагорода
 Reputable. adj – поважний
 Transparent. adj – прозорий

Task 3. Skim Text 14 and state its main idea (time-limit – 10 min).

Text 14.

Who are best lawyers in Ukraine? Everyone, if you believe some of these legal rankings

Apr 7, 2011 by Kateryna Panova. Kyiv Post

An examination of law firm websites reveals that almost every one of them is the best.

Reading the websites of Ukrainian law firms, it seems that every one of them is the "best." Each is the "best" in a particular practice, has the most professional lawyer or is just No. 1 in the country.

Dozens of rankings and professional awards are mentioned to back up a firm's excellence -- from Ukrainian Yuridychna Gazeta to the British Legal Awards.

Even market leaders are involved in this vanity fair, which seems more important to the law firms themselves rather than a useful guide for their clients.

The problem is that it is often quite hard to understand which awards truly signify professional achievement and which ones simply are paid for.

For Alex Frishberg, head of Frishberg & Partners law firm. "to be ranked, you have to pay every year and quite a lot. The firms who have been paying for advertisements for years are guaranteed to participate in one or another nomination."

His firm hasn't participated in the game for a while and, therefore, is no longer rated. Frishberg said. He believes all of the ratings to be just advertisements, which might cost tens of thousands of dollars per year. "You can take that logo, put it on the website and say that you are rated No. 1 – the best in the world," he said, chiding colleagues.

It appears that British ratings are somehow better perceived than all the others, probably because many international deals are governed by United Kingdom law and most of the offshore jurisdictions use it as well. A whole industry exists to nurture this desire to be number one, if not because of real achievements, then just for the willingness to spend money.

The Kyiv Post looked through several offers to participate in the ratings to get an idea of the current prices.

The first email to the Kyiv Post came from one ratings agency, claiming "to represent the leading professional firms, within the various areas of specialization, across the various geographical regions." Winning the rating costs roughly \$2,500, and another \$150 will get a trophy.

Another email with suspicious proposals came from a second ratings firm, considered reputable by some lawyers. It contained a proposal for a law firm to become an "exclusive expert" for a guide about raising capital – all for a discount price of up to \$7,500.

"We believe that good companies do not need advertisement. We are even very selective in submitting the information about our firm to directories and ratings," said Oksana Buchatska, marketing and PR coordinator for Baker & McKenzie, a firm that has a policy against paying for these advertisements to secure ratings. According to her, the only trustworthy ratings are Chambers Global, Legal 500, IFLR and PLC Which Lawyer.

Andy Hunder, international business development director at Magisters, said that participating in reputable contests is "usually transparent and always free" and buying advertisements would not influence a firm's position in the ranking. "Number one is Chambers & Partners, having an approximately 61 percent market share. Then there is Legal 500 with about 21 percent and you have the others, like Who Is Who legal, PLC Which Lawyer, Martindale-Hubbell, which have under 10 percent," Hunder said.

Rankings done by Ukrainian media are generally believed to be either corrupt or done without interviewing clients for references.

"We have lots of questions about how some firms we even do not know get to the first places there," Buchatska said skeptically.

Task 4. Skim Text 14 again and express your opinion using the following list of words given in Table 10. Share your ideas with the class and discuss them together (time-limit – 5 min):

Table 10.

Emotions that information in the text may cause generally can be divided into three groups: negative, neutral and positive. Here's the list of the words to express the reader's emotions and attitude to the text (placed in order from strongly negative to strongly positive):

- 5 – (*indignant*)

- 4 – (*disappointed*)

- 3 – (sad, hurt)
- 2 – (confused)
- 1 – (dislike)
- 0 – (agree, disagree)
- + 1 – (like)
- + 2 – (surprised nicely)
- + 3 – (touched)
- + 4 – (impressed)
- + 5 – (delighted)

For example:

I feel disappointed with our system of rating and awarding law firms. Those people who deal with law and legal rights appeared to violate them without any remorse.

Task 5. Change the title of Text 14 as if the author wants to shock, incite interest, make laugh, criticize, mock. Use a dictionary for necessary words to express your ideas.

Lesson 16.

Thinking on the problem while reading. Part 1.

(Роздуми над проблемою під час читання. Частина 1.)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. What does success in courts depend on?
2. What are the necessary skills for a lawyer to win a case in court?

Task 2. Study the following vocabulary used in Text 15 which will help to understand it:

Bidder, n – той, що добре платить

Litigation, n – судочництво

Juggling, n – спритність; маніпуляція (судовим процесом)

Bilateral, adj – двосторонній

Task 3. Look at the example in Table 11 of writing all possible thoughts and questions to the author while skimming Text 15 and add your own questions (time-limit – 15 min).

Text 15.

Here's a challenge: Helping clients win in corrupt courts

Mar 25, 2010 by Olga Gnativ, Kyiv Post

Table 11.

Newspaper text	Reader's thoughts
The economic downturn has contributed to rising numbers of property, financial and contract disputes, prompting lawyers to think hard about how to represent clients in a judicial system widely viewed as for sale – either to the highest bidder or to those with the most power. However, lawyers say that success or failure in court depends on many factors, not only personal connections or the failure to meet demands for bribes. Legal competence and knowledge of how Ukraine's court system works are also vital.	<i>Is our judicial system really so corrupted? Can competence and knowledge of the lawyer resist bribery in courts?</i>
"In order to have an effective litigation practice in	<i>Where can a lawyer learn to do so? So, are the</i>

<p>Ukraine, you must be a master of procedural code, to demonstrate unbelievable word and procedural juggling,” said Oleksandra Pavlenko, a partner with Pavlenko and Poberezhnyuk law group.</p>	<p><i>lawyers manipulating people and creating their opinion?</i></p>
<p>Appearance is also important, according to Pavlenko. “Judges pay attention to the way you present the case, what cases you led before, the outcome and publicity of the proceedings.” Pavlenko said.</p>	<p><i>Is it possible for the lawyer to win the case if he did not succeed in the previous ones?</i></p>
<p>Olexandr Martinenko, head of the commercial practice at CMS Cameron McKenna, an international law firm, said litigation and dispute resolution work have increased substantially during the recession, with most of the work going to Ukrainian firms.</p>	<p><i>What cases are courts considering during the recession? What is the outcome of the most of them? Why does most of work go to Ukrainian firms?</i></p>
<p>The reason? “Some international law firms avoid litigation in Ukraine altogether,” Martinenko said. “They are concerned about their global reputation and don’t want to be accused of offering bribes to obtain a favorable outcome.” Other law firms provide litigation services out of a sense of obligation. They say a clean reputation is more important for most publicly traded foreign companies than a victory in a Ukrainian court. “When we start working on a case, we warn our clients about the risk and don’t promise an outcome,” Martinenko said. “[Corruption] here is something that is called a country risk.”</p>	<p><i>Is information given by the author in this text trustful? What conclusion can I come to as for dealing with international companies? Will the situation change in future and will we gain clean reputation one day?</i></p>
<p>Litigating abroad Lawyers prefer adjudicating cases with the relatively more independent judges in the nation’s courts of appeals and cassation. They say another option is to litigate outside of Ukraine in international arbitration courts, although this practice is far less common.</p>	<p><i>Why is litigating outside of Ukraine less common practice? Is it more expensive or costly?</i></p>
<p>“If one of the participants in a dispute is a company with foreign investments, then the case may be heard outside of the country,” said Svitlana Romanova, head of Baker & McKenzie’s litigation practice. “But purely Ukrainian incorporated companies can’t go to international [arbitration] courts to litigate their disputes.”</p>	<p><i>Do foreign companies win in courts outside Ukraine more easily? Does this mean that purely Ukrainian companies can win only through bribing judges?</i></p>
<p>Even if a foreign company wins the case outside of Ukraine against a local counter-party, it may face difficulty having the decision enforced because there are no bilateral agreements between Ukraine and Western European countries, United States or Canada on recognition of these court decisions, she said. “Ukraine has such agreements only with some former Soviet and East European countries, with some countries of the Middle East, Asia, as well as with Cyprus, Greece and Turkey,” Romanova said.</p>	<p><i>Is Ukraine going to have bilateral agreements with more countries?</i></p>

Lesson 17.

Thinking on the problem while reading. Part 2. (Роздуми над проблемою під час читання. Частина 2.)

Task 1. Look at the title of Text 16. Discuss the following questions in pairs (time-limit – 5 min):

1. What is the following text about?
2. Try to predict the contents of the following text.

Task 2. Study the following vocabulary used in Text 16 which will help to understand it:

Underpinning, n – фундамент
High-flyer, n – амбіційна особа
Abandon, n – нестриманість
Bogus, adj – підробний
Phony, adj – фальшивий
Impede, v – заважати
Ruse, n – хитрість
Ad = advertisement, n – реклама
Extrapolation, n – поширення
Ludicrous, adj – смішний
Expat, n – емігрант
Adhere, v – дотримуватись
Nefarious, adj – нечесний
Slippery slope, n – слизький схил
Platitude, n – банальність
Ferret, v out – розшукувати
Stack, n – куча
Endemic, adj – властивий даній місцевості

Task 3. Skim Text 16 and write all possible thoughts and questions to the author while reading (time-limit – 20 min).

Text 16.

Business Sense: Paying for news only feeds corruption

Oct 8, 2010 by Michael Willard, Kyiv Post

Think your company is a good corporate citizen? Think again.

If you are purchasing press as if it were legitimate news, you have stepped over the line. It is impossible to be a good corporate citizen and at the same time help destroy the underpinning of ethical journalism by buying press.

In other words, you can't be half pregnant.

Today in Ukraine, multinational companies – Fortune 500 high-flyers – purchase newspaper stories with abandon. They either have their public relations or marketing departments buy stories as if they were legitimate news, or ask their public relations agencies to be a willing partner.

It was estimated at a recent European Business Association PR committee meeting that nearly 20 percent of all the “news stories” printed in Kyiv are bogus. These are so-called “hidden ads” – quite simply, purchased stories. The percentage rises dramatically in the regions.

In fact, companies – both multinational and regional – create a market for phony news and, in so doing,

contribute to one of the worst practices in journalism in Ukraine and Eastern Europe. It impedes the development of a free press.

Why? The answer is simple: It is easy and it is available. Also, newspapers and television stations put forth the ruse that if a product's name is mentioned in a story, the article must be treated as an ad.

This is untrue. There is no such legislation. It is merely the extrapolation of a statute to ludicrous lengths. The interpretation doesn't pass the common-sense test, nor is it a practice in Western countries. It merely is a big tree for lazy PR people to hide behind.

Another reason for buying press that I have heard from expats is, "When in Rome, do as the Romans do." This statement, if strictly adhered to, would make outlaws of most of us.

Finally, there is the argument that paid press is the only way to fight so-called "black PR," nefarious practices used to defame a company. This simply means that a company's strategic advisors – press and otherwise – are not sufficiently creative to come up with a legitimate battle plan.

However, I think it is best to concentrate on why buying press – other than the fact that it is just wrong – doesn't make good business sense. In fact, it's a waste of time and resources.

Purchased press has absolutely no credibility. At the EBA PR committee meeting, Myron Wasylyk, managing director of The PBN Company, a public affairs firm, pointed to a survey that revealed that virtually no one believes purchased stories.

From past experience with companies that have purchased press, it is apparent that it represents a slippery slope. Once you buy press, you can't get into that same publication again without paying – even for a legitimate story with real news value.

From a newsman's viewpoint – and I was an editor many years before forming a PR agency – a purchased story generally has little news value and represents platitudes and positioning statements put forth by a company. In other words, they represent fried air.

It is the job of a company's PR department or agency to ferret out legitimate news and to package it in such a way that it is recognized as having news value. It is not easy, but it is why companies have PR departments and agencies. It takes absolutely no talent to purchase stories.

Whether in Kyiv, Krakow or Kalamazoo, a good story with news value will rise to the top of the stack and be published or broadcast. No one wants to miss a good story.

If corruption is endemic in Ukraine, this one aspect might be thought small. It is not. But one thing is certain: Purchased press will exist so long as it has enablers who otherwise pride themselves on being socially responsible corporate citizens.

Task 4. State your own opinion of the text above and give reasons to prove it.

Lesson 18.

Commenting upon the text. (Коментування тексту.)

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. What professions do you consider useful in this country?
2. What professions are well-paid in this country?

Task 2. Study the following vocabulary used in Text 17 which will help to understand it:

Refute, v – відкидати

Subsistence, n – існування

Consumption, n – споживання
Ultimate, adj – кінцевий

Task 3. Skim Text 17 and answer the following questions (time-limit – 10 min):

1. Which profession out of those mentioned in Text 17 is the most difficult to your mind?
2. What benefits and losses do the professions mentioned in Text 16 bring to Ukraine?

Text 17.

The most useless professions in Ukraine

25.03.10 by *Tatiana Voronetska, Kyiv Weekly*

British researchers from the New Economics Foundation recently studied the economic balance of some well-paid jobs that are useless to society and also ended up proving the great benefits of some low-paid jobs. Famous for their extraordinary views, these experts refuted the idea that an employee receives income equal to his contribution to the economy. The Ukrainian newspaper *Komentarii* applied this approach to Ukrainian society and found non-prestigious jobs bring benefits up to UAH 10 for each hryvnia spent on them, while senior managers receiving the highest salaries in the country bring only losses of 38 UAH for each hryvnia they earn

Kindergarten nanny. Officially, this job is titled “assistant to a kindergarten teacher”. These nannies receive around UAH 850 a month. Some cities add to this sum from local budgets, but not all towns and villages can afford this luxury. Even in Kyiv, nurses in most kindergartens earn under UAH 1,000.

The average salary in Ukraine is about UAH 1,877, but studies show women earn on average 15–20% less than men. Thus for women the average salary is around UAH 1,595. Given that one day-care worker tends 17 children on average, her role as a nanny in watching the children can be assessed as 30%, so the benefits from her job are around UAH 8,100. So, for one salary paid by the state to a nurse, the state receives around UAH 9,5 back.

Hospital nurses. Hospital nurses earned an average of UAH 650 a month last year — just the minimum subsistence wage. However, the simple wet cleaning which nurses perform on a daily basis reduces the chances for infections by 50%. The official number of people infected this way is around 5,000 annually.

WHO reports such diseases are transferred by 8,7 to 21% of patients depending on the country. The average Ukrainian hospital has about 950,000 patients a month. So, if a nurse keeps at least two people from getting infected, her social impact for the state will be equal to UAH 2,760. That is, each hryvnia paid saves the state at least UAH 4.2.

Top bank managers. In most countries bankers are blamed for almost all the consequences of the crisis, because of their risky games behind the recession. While it would be unfair to blame Ukrainian bankers for all their country’s wrongs, their activity before and during the first months of the crisis did in many ways worsen the situation.

Despite this, Ernst&Young reports salaries in the banking sector have continued to grow. If the average salary of the chairman of a Ukrainian bank in the past was about UAH 75,000 a month, it grew to UAH 118,000 just in the first three months of 2009. At the same time the salary of the ordinary top manager for the same period increased from UAH 22,700 to 43,000 UAH — not including bonuses. As of mid-year 2009, 184 banks operated in Ukraine with 9,000 top managers. The cost of this army amounts to nearly 13 bn hryvnia. So, one hryvnia earned by a banking director cost Ukraine a full UAH 38.

Managers of Advertising Companies. While advertising companies do contribute to the economy, they also push consumption often not backed by income. For example, experts say 25% annual growth in the

pharmaceutical market is simply due to the large scale of advertising expensive imported medicines that are not in fact always necessary. In assessing the role of advertising in the actual consumption will be based on the fact that the company customers do not pay more for the services of advertisers the final advertising revenues. In 2008 according to State Statistics Committee, Ukrainians actually spent UAH 564.2 bn on goods and services. During the same period, the All-Ukrainian Advertising Coalition reported that the turnover of the advertising market was UAH 11.5 bn. In other words, advertising increased actual consumption by at least 2%. International experts believe this «advertising» promotion in Ukraine was not supported by real income and was simply funded by loans. In 2008, the market loans for physical persons increased by 114 bn hryvnia and with 2% of this (or UAH 2.28 bn) was thanks to the work advertising companies.

Tax consultant. It is difficult to assess the effect of tax consultants activities, because they say the ultimate goal is not tax evasion or the violation of tax laws, but merely the rational distribution of resources to optimize taxes. Be that as it may, from the standpoint of the state the result of their work means a loss of tax revenue. Typically, tax consultants work according to three principles. The first is an hourly wage, when the consultant works as a tax auditor. Second is the development of an optimization plan that costs around UAH 7.000–15.000 for an average Ukrainian company. Third is implementing the plan and supervising it.

The fact is that often tax consultants specify the minimum cost of supervising an activity, but if the effect is significant, they can earn up to 10% of the money saved on taxes. That is, one received hryvnia can mean the loss of 10 hryvnia for the state.

Task 4. Learn how to comment upon the text above using information in Table 12 and the example below (time-limit – 15 min).

Table 12.

Before writing a commentary upon the text one should analyze it according to the following indices:

- 1) definition of the topic and the main idea of the text, the parts one can divide the text into, its actuality and importance;
- 2) appealing to the author of the text, discussing his standpoint;
- 3) appealing to the reader's experience, assessment of the text's actuality;
- 4) emotional reaction to the text;
- 5) resume of the text.

To define the topic of the text one should answer the question «What is the text about?»

To define its main idea one should express the sense of the text's message and its plot in one single sentence.

An appeal to the author contains a dialogue with him and involves an expression of the reader's opinion of the author's presentation of the text. The reader should agree or disagree with the author giving his arguments.

Appealing to the reader's experience involves his reflections upon the practical use of information in the text and its relevance to the reader's life and work.

An emotional reaction means giving reader's impressions of the text describing his attitude to the text.

A resume contains a brief exposition of the plot without any comment.

For example:

1) *The text deals with evaluating different professions (problem).*

The main idea of the text is – misbalance between social importance of some jobs and their salary.

The text can be divided into two main parts: a) description of a job and b) comparison of the state expenditures and profit from the job.

This text is very interesting and easy. This information is actual nowadays not actual any more.

2) *I totally agree / disagree with the author because...*

I think the author uses not reliable source of information.

I wouldn't refer to that person /source because...

3) *Unfortunately this information is not relevant to me, because I am not working yet.*

I think this text is very useful for me because I haven't known the current situation in the job market before. Now I need to think on my choice of profession more carefully.

- 4) *I feel dignified of such situation in the job market. How can our state treat people so unjustly! On the other hand I think this list of jobs is not complete so I can't totally rely on this data because the researches could miss other professions which could change the rating.*
- 5) *In this text the author analyses responsibilities and incomes of five professions. He begins with the description of a navy's duties and shows her high social importance and low salary. Then the author passes to the description of hospital nurses, top bank managers, managers of advertising agencies and finishes with tax consultants.*

Lesson 19.

Task 1. Discuss the following questions in pairs (time-limit – 5 min):

1. Do foreigners use legal services in Ukraine?
2. What spheres of life do foreigners need legal help in?

Task 2. Study the following vocabulary used in Text 18 which will help to understand it:

Adoption, n – усиновлення
Muddy, adj – каламутний
Crawl, v out – виповзати
Assets, n pl – активи
Scattered, p.p. – розкиданий
Sound, adj – чіткий
Tackle, v – погоджувати
Pick, v up – одужувати

Task 3. Skim Text 18 and state the main idea of the text (time-limit – 10 min).

Text 18.

Demand growing for family-law practice, lawyers in Ukraine say

Sep 15, 2011 by Rina Soloveitchik, Kyiv Post

Many need legal advice for marriage, divorce, adoption and surrogate mothering.

Ukraine's leading law firms get paid top dollar for helping domestic and foreign companies swim safely in the nation's muddy business waters.

But where can an average foreigner, be it an expat residing in Ukraine long term or just passing through, turn to for help when they get out of a jam or just need basic legal advice at an affordable price?

With business activity levels still depressed as the economy slowly crawls out of the 2009 recession, top lawyers that were years ago charging several hundred dollars per hour to the biggest of clients will now take just about any kind of work.

But expats may be able to find better price and quality service with a handful of law firms that specialize in servicing individual foreigners at more reasonable prices.

A few of the law firms in Kyiv that tailor to such demand include the Family Law group, Vronskiy, Vronskaya & Partners and AGA & Partners.

At prices between 100-250 euros per hour, they advise foreigners on how to adopt babies in Ukraine, buy

apartments and get necessary residency permissions, marry locals and get divorced while protecting assets should relationships go wrong.

While there are thousands of individual lawyers and smaller practices scattered throughout the country that can charge much less, they often don't have sufficient English language skills, or a sound understanding of international law and related nuances that could arise.

It is "most common for foreigners to seek legal advice in questions of marriage and divorce," said Anna Leluck from Family Law Group.

Established in 2005, the law firm claims to exclusively specialize in family law as well as in servicing foreigners.

"Usually it is men marrying Ukrainian women – we advise them and the Ukrainian girls," added Anna Vronskaya, managing partner at Vronskiy, Vronskaya & Partners.

Family Law Group said a basic service involves preparing bureaucratic paperwork for a basic marriage between a foreigner and Ukrainian.

Investing the relatively small sums for proper legal advice upon marriage can help avoid more costly and painful headaches that can follow should the relationship collapse, added Vronskaya.

"With property abroad, the collapse of a marriage can be extra painful for the foreigner," she said adding that the average hourly rate for legal advice by her firm runs some 100 euros.

"We help to formulate a prenuptial agreement – a contract agreement concerning wealth division in case of divorce while also tackling questions concerning children," Vronskaya said.

Aminat Suleymanova from AGA & Partners said that her firm is handling an increasingly number of adoptions and surrogate mother cases, where foreigners hire local Ukrainian women to give birth to their children.

"We can document the process and send the necessary paper work to the country of return to show that the procedure was legal," Suleymanova said.

Business is picking up, the lawyers said.

The amount of clients for such services since 2001 has increased by about 40 percent, to more than 60 annually, Suleymanova said.

"More and more foreigners are building families in Ukraine. Also many of the couples that got married in the 1990s are now starting to get divorced," Suleymanova said.

"Couples also tend to acquire more property than singles, so there is more to argue about after a divorce," Vronskaya added.

Task 4. Skim Text 18 again and write a commentary upon it (time-limit – 30 min).