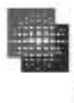




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Cross Border Arbitration & Dispute Resolution Conference 2010

Providing solutions to the complex area of commercial
disputes across international borders



15 & 16 November 2010, Melia White House, London

At this year's event you will hear from

- 25+ leading lights in international arbitration
- Representatives from 11 different jurisdictions
- Corporate insights from GE, Siemens AG and Elia Group
- 4 QCs
- Representatives from 12 key international institutions and courts of arbitration including:
 - UNCITRAL
 - UNCTAD
 - International Court of Arbitration
 - American Arbitration Association
 - London Court of International Arbitration
 - London Maritime Arbitrators Association
 - International Chamber of Commerce
 - The Arbitration Institute of the Stockholm Chamber of Commerce
- This is 1 unmissable event!

Don't miss expert Speakers:

KEYNOTE:

- **J William Rowley QC**, Arbitrator, 20 Essex Street Chambers, Chairman, Emeritus & Special Counsel, **McMillan LLP**, Canada

CHAIR

- **Kathleen Bryan**, President & CEO, **The International Institute for Conflict Prevention & Resolution (CPR)**

KEY INTERNATIONAL INSTITUTION REPRESENTATIVES

- **Lorraine Brennan**, Senior Vice President, **CPR**
- **James Clanchy**, Registrar and Deputy Director General, **London Court of International Arbitration**, UK
- **Mark Appel**, International Centre for Dispute Resolution AAA (ICDR), Ireland
- **Ian Gaunt**, The Honorary Secretary, **London Maritime Arbitrators Association (LMAA)**, UK
- **Jason Fry**, Secretary General, **ICC International Court of Arbitration**, UK
- **Annette Magnusson**, Secretary General, **The Arbitration Institute Of The Stockholm Chamber Of Commerce (SCC)**, Sweden
- **Dr Colin Ong**, Legal Services, Brunei
- **Salim Moollan**, Essex Court Chambers, London, Mauritius delegate at **UNCITRAL**, UK
- **Victoria Orlowski**, Counsel, **International Court of Arbitration**, France
- **Chong Yee Leong**, Partner, Head of International Arbitration, **Rajah & Tann LLP** and Panel member **Singapore International Arbitration Centre (SIAC)** Singapore

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- **Cecilia Misu**, **Siemens AG**, Germany
- **Pierre Bernard**, Secretary General, **Elia Group**, Belgium

LEGAL & ACADEMIC VIEWPOINTS

- **John Lorn McDougall QC**, **Fraser Milner Casgrain LLP**, Canada and Arbitrator, **3 Verulam Buildings**, UK
- **Tom Sprange**, Partner and Solicitor Advocate, **Steptoe & Johnson**, UK
- **Ray Werbicki**, Partner, Head of the International Dispute Resolution group, **Steptoe & Johnson**, UK
- **Matthew Saunders**, Partner, **DLA Piper**, UK
- **John Marrin QC**, Barrister, **Keating Chambers**, UK
- **Professor John Uff CBE QC**, **Keating Chambers**, UK
- **Donald Harvey**, Managing Director, **Secretariat International**, US
- **Henry G. Burnett**, Partner, **Crowell & Moring LLP**, US
- **Emilia Onyema**, Lecturer in International Commercial Law, School of Oriental & African Studies, **University of London**, UK
- **Jonathan Wood**, Partner **Reynolds Porter Chamberlain LLP**, UK
- **Joe Tirado**, Partner, Head of International Arbitration and ADR, **Norton Rose LLP**, UK
- **Marika Paulsson**, Counsel, **Hanotiau & van den Berg**, Belgium

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Cross Border Arbitration & Dispute Resolution Conference

Dear Colleague,

I am extremely pleased and proud to partner with IBC Legal in presenting the upcoming **Cross Border Arbitration & Dispute Resolution Conference 2010**, now in its 2nd successful year.

As the leading think-tank on Alternative Dispute Resolution, The International Institute for Conflict Prevention & Resolution (CPR) has joined forces with the premier provider of legal conferences to bring you the **latest innovations**, the **most up-to-the-minute learning**, and **practical advice on conflict resolution** from around the world.

Since the global economic crisis, it has become clear that business must change and adapt with fewer resources. So, the legal business must respond and find new ways to achieve the same or better results with lower cost.

The single, **most effective cost-saving opportunity** comes from successful conflict resolution, and more specifically, from **resolving disputes more quickly** through **alternatives to costly litigation** or protracted arbitration.

This Conference brings together **world renowned experts** who will guide you through the **latest legal developments in arbitration** and provide the **practical guidance** you need to achieve a more efficient arbitration process. You will hear from leading practitioners and from highly experienced in-house counsel about techniques that work in their day-to-day practice.

The CPR Institute is known around the world for bringing together academic rigour, practical knowledge and real case examples, as well as for entertaining and enlightening panels and interactive sessions. This conference is no exception. In addition, you will have the opportunity to meet and network with prominent in-house and private practice lawyers from around the world.

Decide now to join us for this **exciting Conference on November 15th & 16th**.

I look forward to seeing you in November.



Kathleen A. Bryan
President & CEO

The International Institute for Conflict Prevention & Resolution (CPR)

Who Should Attend?

This cutting edge conference has been researched with, and developed for all professionals involved in those disputes including:

- in-house counsel
- company and group directors
- lawyers and those acting for companies

Day 1 – 15 November 2010

8.30 Registration & Coffee

9.00 Chairs Introduction

Kathleen Bryan, President & CEO, CPR

9.10 **KEYNOTE**

The Characteristics of a Perfect Tribunal

J William Rowley QC, Arbitrator, 20 Essex Street Chambers, Chairman Emeritus & Special Counsel, McMillan LLP

10.00 **4 Critical Cross Border Cases and Commentary in 40 minutes**

The recent key cases which have shaped international arbitrations and alternative dispute resolution

Joe Tirado, Partner, Head of International Arbitration and ADR, Norton Rose LLP

10.40 Morning Coffee

11.00 **Ethical Considerations in International Arbitration**

- To disclose or not to disclose
- Institutional codes of ethics- do they work?
- Conflicts of interest- real or imaginary?

Tom Sprange, Partner and Solicitor Advocate, Steptoe & Johnson
Jean-Claude Najjar, Senior Counsel & Chief Compliance Officer, GE Capital

11.45 **Arbitrators and Tribunal Chairs – What to look for and where to look?**

Bullet Sole Arbitrator vs. 3-man Tribunal

- Party Nomination vs. Institutional Selection
- Selection of the chair
- Attributes to look for in an arbitrator
- Attributes to look for in a chair
- Where to look?
- Terms and Conditions of Appointment

John Marrin QC, Barrister, Keating Chambers

12.30 Lunch

13.30 **A Comparison of the Institutions: What's New and What's Unique?**

This interactive discussion will uncover the key changes at UNCITRAL, SIAC and ICC and pinpoint exactly what you need to be aware of

- Provisional remedies – emergency measures
- Time and cost
- Institutional arbitrations vs. ad-hoc arbitrations
- What to look out for
- When to diverge

Debate between Institutional Representatives

Moderator John Lorn McDougall QC, Fraser Milner Casgrain LLP, Canada and Arbitrator, 3 Verulam Buildings, UK

Mark Appel, International Centre for Dispute Resolution AAA (ICDR)

Jason Fry, Secretary General, ICC International Court of Arbitration (ICC)

James Clanchy, Registrar and Deputy Director General, London Court of International Arbitration (LCIA)

Victoria Orłowski, Counsel, International Court of Arbitration (ICA)

Kathleen Bryan, President & CEO, CPR

Chong Yee Leong, Partner, International Arbitration, Rajah & Tann LLP and Panel member, Singapore International Arbitration Centre (SIAC)

Annette Magnusson, Secretary General, The Arbitration Institute Of The Stockholm Chamber Of Commerce (SCC)

Salim Moollan, Essex Court Chambers, London, Mauritius delegate at UNCITRAL, UK

15.00 Afternoon Tea

15.20 **Model Clauses Demystified**

- What should be in them
- What should be avoided
- Specific vs. non-specific
- How to dovetail with Institutional Rules
- Forum selection - the charging structure and provision choice

Mark Appel, International Centre for Dispute Resolution AAA (ICDR)

Lorraine Brennan, Senior Vice President, CPR

16.10 **SPECIAL ADDRESS – Enforcing the NY Convention**
Henry G. Burnett, *Partner*, **Crowell & Moring LLP**, **US**
Marika Paulsson, *Counsel*, **Hanotiau & van den Berg**

17.00 Chair's closing remarks and end of day one

Day 2 – 16 November 2010

8.30 Registration & Coffee

9.00 Chairs Introduction
Kathleen Bryan, *President & CEO*, **CPR**

9.10 **Developments and Enforcing Arbitration Awards in Developing Countries**

Surmounting the difficulties in each of these growth areas of revenue:

- Middle East & Africa

Emila Onyema, *Lecturer in International Commercial Law, School of Oriental & African Studies, University of London*

- Asia
 - Hong Kong
 - India
 - Singapore
 - Malaysia

Chong Yee Leong, *Partner, International Arbitration, Rajah & Tann LLP*

Dr Colin Ong, **Legal Services**

9.50 **Confidentiality and Privilege in International Arbitration**

Moderator: Jonathan Wood, *Partner, Reynolds Porter Chamberlain LLP*
Panel

Pierre Bernard, *Secretary General, Elia Group*
Lorraine Brennan, *Senior Vice President, CPR*

Cecilia Misu, **Siemens AG**

Ian Gaunt, *The Honorary Secretary, London Maritime Arbitrators Association (LMAA)*

10.30 **Document Disclosure**

- Document production in international arbitration
- Disclosure of electronic documents in international arbitration
- The revised IBA Rules of Evidence
 - what you need to know

Ray Werbicki, *Partner, Head of the International Dispute Resolution Group, Steptoe & Johnson*

11.10 Morning Coffee

11.30 **The Role of the Expert in International Arbitration**

- Party-appointed vs. tribunal-appointed experts
- Expert reports and meetings between experts
- Admissibility of expert opinions
- Cross-examination as the means of testing expert opinions
- Expert round-tableing and other methods of receiving expert testimony

Todd Wetmore, *Partner, Shearman & Sterling LLP*
Donald Harvey, *Managing Director, Secretariat International*

12.15 Lunch

13.15 **KEYNOTE – INVESTMENT TREATIES**

- Investment treaty arbitrations, why do they matter?
Secretary General, UNCTAD (Invited TBC)

13.50 **Investment Treaty Panel Discussion: Compensation, Remedies & Treaty Shopping**

- BIT breaches and resulting arbitrations
- Minimise risk at the planning stages as well as during the lifetime of the project
- Protective strategies you should employ if the project reaches dispute stage
- The viability of necessity defences
- Cost of insuring - how far should protection go
- *Yukos* Arbitration – Energy Charter Treaty Arbitration lessons
- Entry barriers for third-party investors

Matthew Saunders, *Partner, DLA Piper*

14.30 Afternoon Tea

14.50 **Open Discussion With The Investment Treaty Expert Panel**

- Compensation for discrimination, unfair and inequitable treatment, expropriation and breaches of other treaty obligations
 - Trends and developments
 - Calculations and appropriateness of
 - the Discounted Cash Flow (DCF)
 - Net book value
 - Equitable compensation
 - Underlying asset valuation approach
 - Going concern value
 - Liquidation value
- Remedies and restitution analysis
- Treaty shopping, is it a practical phenomenon?

Moderator

Professor John Uff CBE QC, **Keating Chambers Panel**

Matthew Saunders, *Partner, DLA Piper*

Cecilia Misu, **Siemens AG**

Ian Gaunt, *The Honorary Secretary, London Maritime Arbitrators Association (LMAA)*

16.20 Chairs Closing Remarks

16.30 Close of Conference



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