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 Clancy, Registrar and Deputy Director General, London Court of International Arbitration, UK
• Mark Appel, International Centre for Dispute Resolution AAA (ICDR), Ireland
• Ian Gaurd, 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 Orlovskaï, 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

CORPORATE PERSPECTIVES

• Jean-Claude Najar, General Counsel France & Senior Counsel EMEA, GE, France
• 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 Marin QC, Barrister, Keating Chambers, UK
• Professor John Uff QC, Keating Chambers, UK
• Donald Harvey, Managing Director, Secretariat International, US
• Henry G. Burnett, Partner, Crowell & Moring LLP, US
• Emila 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
• Marike Paulsson, Counsel, Hanotiau & van den Berg, Belgium

Bookings Hotline +44 (0)20 7017 5503
To register or for the latest programme: www.ibclegal.com/arbitration
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 Najar, 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 Orlowski, 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

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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-tabling and other methods of receiving expert testimony

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

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
- 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
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 New for 2010
- 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-tabling 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
- The viability of necessity defences
- Cost of insuring - how far should protection go
- 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 in equitable 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

Keating Chambers is renowned as one of the leading barristers’ chambers in all aspects of the law relating to construction, engineering, procurement, energy, and technology sectors and are publishers of Keating on Construction Contracts. The barristers provide advisory and advocacy expertise in dispute resolution worldwide relating to all internationally recognised forms of contract including FIDIC, NEC, IChemE, CRINE and JCT. Keating Chambers have been awarded Construction Set of the Year for the last four years.

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