

## Ninth Annual Leading Arbitrators' Conference – March 25, 2013

**Monday March 25, 2013****Grand Hotel Wien**, Kaerntener Ring 9, A – 1010 Vienna, Austria**Contents**

- Conference Downloads
- Program Information
- Co-Chairs
- Faculty
- Schedule
- Registration
- Accommodations

## Conference Downloads

- [Hotel Reservation Form](#) 
- [Conference Registration](#) 

## Program Information

Juris Conferences LLC is pleased to present its Ninth Annual Leading Arbitrators' Symposium on the Conduct of International Arbitration.

Leading international arbitrators and practitioners will discuss, in Socratic form, four topics of importance to counsel, arbitrators and business people who are involved in the resolution of international commercial disputes through arbitration.

Program Sessions Include:

- Effective Presentation of Evidence – Including Witness Statements and Cross-Examination
- Hearing and Post-Hearing Activities
- Ethics and Behavior
- Effective and Efficient Management of Proceedings – Including the Preparation of Awards by Arbitrators

These topics are of critical importance to those interested in how international arbitrations can be effectively and fairly conducted. Audience questions and interactions with the various panels is encouraged.

Refer to the schedule and faculty list for complete conference agenda.

## Co-Chairs

**Grant Hanessian** is a partner in the New York office of Baker & McKenzie, where he serves as co-chair of the Firm's International Arbitration Group. He has more than 25 years of experience as counsel and arbitrator in disputes concerning energy, construction, commodities, financial services, insurance, intellectual property and other matters. Mr. Hanessian is Vice Chairman of the Arbitration & ADR Committee of the United States Council for International Business (USCIB), the US national committee of the International Chamber of Commerce (ICC); a member the ICC Commission on Arbitration, ICC Task Force on International Arbitration with States and State Entities, the AAA-ICDR International Advisory Committee and a founding board member of the New York International Arbitration Center. Mr. Hanessian is editor of ICDR Awards and Commentaries (Juris 2012), and co-editor of the Gulf War Claims Reporter (ILI/Kluwer 1998), International Arbitration Checklists (Juris 2d ed., 2008), and Baker & McKenzie's North American International Litigation & Arbitration Newsletter. He is recommended by Chambers Global and Chambers USA, PLC Which Lawyer, Legal 500 and International Who's Who of Commercial Arbitration in the field of international arbitration.

**Michael Bühler** – is a Partner in Jones Day's Paris office and co-head of the firm's International Litigation and Arbitration Practice. He focuses on international dispute resolution in complex arbitrations. He has represented major corporations and state-owned entities in more than 100 arbitrations and has acted as chairman, sole arbitrator, and party-appointed arbitrator in arbitrations worldwide. Some of the fields that Mr. Bühler conducts arbitrations in are civil construction, engineering, oil and gas projects, and distribution and license agreements in various sectors, including the chemical, pharmaceutical, food, liquor, and luxury goods industries.

## Faculty

## Platinum Sponsor



## Sponsors



**GRAF & PITKOWITZ**  
ATTORNEYS-AT-LAW

## With Support of



## Upcoming Conferences

[Seventh Annual Investment Treaty Arbitration Conference - April 22, 2013](#)

[Ninth Annual Leading Arbitrators' Conference - March 25, 2013](#)

**Alexander Bělohávek** is Founder and Senior Partner of The Bělohávek Law Offices, Prague. He is a Member of the International Court of Arbitration at the International Chamber of Commerce (ICC) in Paris as well as Member of the ICC Commission on International Arbitration and a Member of the National Committee of the ICC in the Czech Republic. He has acted as arbitrator or counsel in more than 170 international arbitrations and is listed as arbitrator with the international arbitral centers of several economic chambers in Central Europe. He has published numerous books and articles on arbitration and business law.

**Stephen Bond** is senior of counsel in Covington & Burling LLP's London office. He specializes in international commercial arbitration and is a member of the firm's Arbitration Practice Group. Mr. Bond's experience includes disputes in the energy, international joint venture, construction, technology, sales and distribution fields. Formerly, a Partner with White & Case in Paris, Mr. Bond was Secretary General of the International Court of Arbitration of the ICC from 1985-1991

**Dominique Brown-Berset** is a Founding Partner of Brown&Page, working out of the firm's Geneva office and specializing in dispute resolution and public international law. She has been acting as Counsel, Co-Counsel and Arbitrator in over 165 international arbitration cases around the world. Ms. Brown-Berset is former Chair of the Arbitration Committee of the International Bar Association (IBA) and former International Vice President of the Chartered Institute of Arbitrators.

**Carlos Alberto Carmona** is Professor of Law at the University of Sao Paulo, Brazil, and Partner of Marques Rosado, Toledo Cesar e Carmona Advogados. Mr. Carmona was one of the three members of the committee that drafted the Brazilian Arbitration Law. He is a lawyer in São Paulo with a Ph.D. from University of São Paulo (USP) Law School. He is Professor of Civil Procedure at USP and author of several books and articles on arbitration.

**Ulf Franke** is an international arbitrator and currently Chairman of the Board of the Stockholm Chamber of Commerce (SCC). He is former Secretary General of the Arbitration Institute of the SCC, a position he held from 1975 to 2010. Mr. Franke also served as Secretary General of the International Council for Commercial Arbitration (ICCA) from 1994 to 2004 when he was appointed Honorary Secretary General. He is a past President of the International Federation of Commercial Arbitration Institutions (IFCAI). Earlier in his career Ulf Franke served as a Judge in Sweden. Apart from having administered numerous domestic and international arbitrations, Ulf Franke has also served as an arbitrator in many countries.

**Teresa Giovannini** is a founding partner of LALIVE specializing in international arbitration and litigation, as well as art law. She has acted as counsel and arbitrator in more than 130 international arbitrations, either ad hoc or administered by various institutions (AAA/ICDR, CCIG, ICC, ICHEIC, ICSID, LCIA, Chamber of Commerce of Milan, Chamber of Commerce of Venice. Her areas of specialization include disputes relating to procurement contracts, license, agency, joint venture and shareholder agreements in a wide range of sectors, in particular infrastructure projects, aviation, transfer of technology, construction of turnkey factories, pharmaceuticals, luxury goods and arts.

**Wulf Gordian Hauser** is a Partner in Hauser Partners' Vienna office. The main areas of his practice are mergers and acquisitions, capital markets, banking and corporate finance and international commercial arbitration.

**Doug Jones** is one of the leading arbitrators in the Asia-Pacific region. He has had over 30 years experience in project work, as Counsel in international and domestic arbitrations and mediations, and as an Arbitrator (sole, party appointed and chair). Mr. Jones has experience of both ad hoc and institutional commercial arbitrations under the AAA, ACICA, DIAC, HKIAC, ICC, KLRCA, LCIA, SIAC, UNCITRAL and other International Rules. He sits regularly as Arbitrator in London; in addition to many other jurisdictions, from Singapore to California, Dubai to Kuala Lumpur. He is President of the Australian Centre for International Commercial Arbitration, former President of the of the Chartered Institute of Arbitrators, London and a Member of the LCIA Court. He is a foundation fellow and graded arbitrator of the Institute of Arbitrators & Mediators Australia, President, Dispute Resolution Board Foundation Australia, member of the ICC Australia Arbitration Committee, fellow Western Australian Institute of Dispute Management (WADIM) and a member of a number of panels of International Arbitral bodies including an Australian Government nominee on the ICSID Panel of Arbitrators.

**Mark Kantor** is an independent arbitrator and mediator. He teaches courses in International business Transactions and in International Arbitration as an Adjunct Professor at the Georgetown University Law Center. Mr. Kantor was formerly a partner with Milbank, Tweed, Hadley & McCloy in their Corporate and Project Finance Groups. His recent arbitration and mediation engagements include disputes in the energy,

telecommunications, semiconductors, political risk insurance, water rights, finance and banking.

**Charles Kaplan** is a Partner and is the Co-Head of the Herbert Smith Freehills' global arbitration practice and leads the arbitration group in Paris. Mr. Kaplan has been involved as counsel and arbitrator in numerous international arbitration proceedings, ad hoc and under the Rules of the ICC, AAA/ICDR, ICSID and UNCITRAL. He is a member of the editorial board on international arbitration of the *Revue de Droit des Affaires Internationales* / *International Business Law Journal*.

**Vladimir Khvalei** is a Partner, Baker & McKenzie, Moscow office and is the Head of the firm's CIS Dispute Resolution Practice Group. Mr. Khvalei is a Vice President of the ICC International Court of Arbitration. Mr. Khvalei has wide experience participating in international arbitration cases under the arbitration rules of ICAC, UNCITRAL, ICC, SCC and other arbitration institutions, both as a party counsel and an arbitrator

**Lawrence W. Newman** is Of Counsel in the New York office of Baker & McKenzie. Mr. Newman practices mainly in the area of international litigation and arbitration. He is the author and co-author of several works on international arbitration and litigation. For Cross-Exam~conceived the idea of the book upon which the conference is based. Mr. Newman received his initial courtroom experience in his five years as an Assistant United States Attorney in the Office in the United States Attorney for the Southern District of New York, after which he joined the litigation department of the New York office of Baker & McKenzie. That department, under his direction, focused on international litigation and arbitration and became the leading law office in the world (in terms of number of cases) in the representation of claimants against Iran in arbitration at the Iran-United States Claims Tribunal in The Hague. Mr. Newman has represented claimants and respondents in commercial and investment arbitration proceedings in the United States, Europe and Latin America. He also sits as an arbitrator in cases involving international matters.

**Colin Ong** is the Managing Partner of Dr Colin Ong Legal Services and a member of the Brunei, English and Singapore bars. He is a practicing barrister in England (Essex Court Chambers) and a Chartered Arbitrator. He has acted as arbitrator or as lead counsel in arbitrations under ICC, UNCITRAL, LCIA, LMAA, BANI, CIETAC, HKIAC, KLRCA, SIAC, TAI and WIPO rules. Listed by *Global Arbitration Review* as one of 45 leading international arbitration practitioners under the age of 45.

He is the president of the Arbitration Association Brunei Darussalam (Statutory Default Appointing Authority); Advisory Councillor of the Indonesian National Arbitration Board (BANI); member of National Arbitration Committee, Cambodia; a vice-president of the APRAG and on the Advisory Committee of the China-ASEAN Legal Research Center. He is the first practicing lawyer from the 10 ASEAN countries to be appointed as a Master of the Bench of the Inner Temple. He has been a panelist of the ASEAN Protocol on Enhanced Dispute Settlement Mechanism; former principal legal consultant to the ASEAN Centre for Energy; Former Vice-Chair of IBA Arbitration Committee and Vice President of the LCIA Asia-Pacific Users' Committee.

**Vladimir Pavić** is on the Faculty of Law with University of Belgrade. Professor Pavić's areas of specialization are private international law, international commercial arbitration, international business law and foreign direct investment, competition law, and e-commerce and internet regulation. He has been the Vice-President of the Permanent Court of Arbitration attached to the Serbian Chamber of Commerce since 2012.

**Alexander Petsche** is a Partner with Baker & McKenzie/ Diwok Hermann Petsche Rechtsanwälte GmbH in Vienna. He is active in the firm's litigation and arbitration practice group and is a Lecturer at the University of Economics in Vienna and at the Danube University in Krems.

**Philippe Pinsolle** is a Partner at Quinn Emanuel Urquhart & Sullivan. He has acted as Counsel in more than 120 international arbitrations, with a particular focus on investor-State arbitrations and commercial disputes involving industries such as oil and gas, energy, construction and defense. Mr. Pinsolle regularly acts as chairman, sole arbitrator and party appointed arbitrator and as expert under the aegis of the ICC, LCIA, ICSID, AAA, the Stockholm chamber of Commerce, the Geneva Chamber of Commerce and Industry and the French Arbitration Association.

**Nikolaus Pitkowitz** is Founding Partner and Head of Dispute Resolution of Graf & Pitkowitz, Attorneys at Law in Vienna. He is a Board Member of the Vienna International Arbitral Centre (VIAC), experienced party counsel, member of several arbitral panels (including VIAC, CEE/SEE, HKIAC, SIAC), a certified mediator and co-editor of the *Austrian Yearbook on International Arbitration*.

**Vinayak P. Pradhan** is a Partner in SKRINE's Dispute Resolution Division. He heads the firm's Construction, Engineering & Arbitration Practice Group. He is the Vice Chair of the ICC Commission for Arbitration. Mr. Pradhan is currently the President of the Chartered Institute of Arbitrators (UK).

**Klaus Reichert** is a barrister in practice at the Dublin and London Bars (the latter through Brick Court Chambers). His work is principally concentrated on dispute resolution in the international field as arbitrator, counsel and mediator. Mr. Reichert has had in excess of 30 arbitral appointments. These have been under most of the major rules (ICC, LCIA, ICDR, UNCITRAL, DIFC-LCIA) as chair, party appointee or sole arbitrator. He has a specialized litigation practice in Dublin and London dealing principally with commercial disputes with an international focus, arbitration matters and construction. Mr. Reichert is one of the invited members of the Expert Group formed by the Hague Conference on Private International Law for its current project on principles of choice of law in international contracts.

**Catherine Rogers** is a scholar of international arbitration and professional ethics. Professor Rogers is an Associate Reporter for the American Law Institute's Restatement of the Law (Third) of International Commercial Arbitration. She has served as a member of the American Society of International Law Task Force on global legal Ethics, as an expert consultant to ARIAS-US, as a member of the CPR International Institute for Conflict Prevention and Resolution, and as a member of the Academic Council of the Institute for Transnational Arbitration. Before entering academia, Professor Rogers practiced international litigation and arbitration in New York, Hong Kong and San Francisco.

**Mauro Rubino-Sammartano** is a Partner at LawFed-BRSA. This firm represents a merger between Rubino-Sammartano e Associati and Bianchi e Associati. Mr. Rubino-Sammartano is currently the President of the European Court of Arbitration and of the Mediation Centre of Europe, the Mediterranean and Middle East.. He is also an associate member, as Italian advocate of Littleton Chambers in London. Mr. Rubino-Sammartano has acted and regularly acts as chairman, party-appointed, sole arbitrator and counsel in a large number of arbitral proceedings. His practice is largely based on international and national litigation and arbitration in the field of contracts, construction law, mergers and acquisitions, sales of goods, joint ventures and interlocutory injunctions.

**Anne Véronique Schlaepfer** is a partner in Schellenberg Wittmer's Geneva office and co-heads the Schellenberg Wittmer arbitration team. She has acted as counsel in commercial disputes involving, inter alia, construction contracts, corporate affairs, energy (upstream and downstream), joint venture agreements, sales contracts, collateral management agreements, and know-how license agreements. Anne Véronique Schlaepfer serves as arbitrator in numerous proceedings and represents parties before Swiss courts in arbitration-related court proceedings, in particular challenges of arbitral awards. She advises companies when negotiating agreements governed by Swiss law and acts as legal expert in arbitration proceedings. Anne Véronique Schlaepfer is a vice-chair of the IBA Arbitration Committee. She was the Chairperson of the Arbitration Court administering Swiss Rules arbitrations from February 2010 to February 2013. She is a member of the Arbitration Committee of the Geneva Chamber of Commerce. Anne Véronique Schlaepfer is also a lecturer on international arbitration at the University of Paris XII. She is a member of various professional arbitration associations (London International Arbitration Club, LCIA, ASA).

**Franz T. Schwarz** is a Partner in Wilmer Hale's Litigation/Controversy Department, and a vice chair of the International arbitration Practice Group. Mr. Schwarz's practice focuses on complex multi-jurisdictional disputes. He has extensive experience with arbitral practice, procedure and advocacy both in civil and common law systems. Mr. Schwarz has represented clients in numerous ad-hoc arbitrations and before all major arbitral institutions (including ICC, LCIA, Vienna and Stockholm), at multiple seats and governed by a broad variety of substantive and procedural laws. He has a particular focus on joint venture, mergers and acquisitions, financial services, project finance, as well as commercial and corporate disputes.

**Volker Triebel** was the German member of the International Court of Arbitration of the International Chamber of Commerce (ICC) in Paris from 1985 until 1990. He has been involved in more than 150 arbitration cases, both institutional and ad hoc: as both counsel and arbitrator. Mr. Triebel was a founding member of the Düsseldorf branch of Hogan Lovells. He was a Partner until 2008 and Head of the German arbitration practice. Because of the many conflicts, he retired as Of Counsel in 2012 and since then works as an independent arbitrator and counsel with offices in Düsseldorf and London.

Schedule

---

**8:30 – 9:00 Registration**  
**Coffee and tea upon arrival**

**9:00 – 10:30 Working Session 1**  
**Effective Presentation of Evidence – Including Witness Statements and Cross-Examination**

*Panel: Dominique Brown-Berset – discussion leader, Wulf Gordian Hauser, Doug Jones, Mark Kantor, Vladimir Khvalei, and Phillipe Pinsolle*

- Different presentation styles in various legal systems: emphasis on oral or written evidence; is there a predominating style of taking evidence in international arbitration, i.e., have we arrived at a *Lex naturalis arbitri* void of cultural differences?
- Are PowerPoint's good advocacy?
- Presentation of evidence by videoconference. Is this the future?
- Is it always necessary to have an oral hearing?
- Who controls the length of a hearing? Should arbitrators impose their views or defer to the parties?
- Are there too many witnesses, too many documents – is advocacy lost among the detail?
- Are post-hearing briefs disappearing from the scene? Their strengths and weaknesses.
- Should there be page limits to written submissions

**10:30 – 11:00 Coffee / Tea Break**

**11:00 – 12:30 Working Session 2**  
**Ethics and Behavior**

*Panel: Catherine Rogers – discussion leader, Stephen Bond, Carlos Alberto Carmona, Charles Kaplan, Alexander Petsche, and Anne Veronique Schlaepfer*

- Applicable ethical codes, for arbitrator and attorneys
- Independence and impartiality of arbitrators; standards of impartiality
- Arbitrators' duty to disclose
- Arbitrators' duty to investigate whether there are conflicts
- Preparation of witnesses; where goes the borderline to abuse?
- Do attorneys' request for discovery have ulterior motives, e.g. to get access to business secrets, marketing methods, know-how or other information useful to his client but not necessary for the case?
- Remedies
- Ethical issues versus cultural differences, have we arrived at a global standard

**12:30 – 14:00 Networking Luncheon**

**14:00 – 15:30 Working Session 3**  
**Post-Hearing Activities**

*Panel: Ulf Franke – discussion leader, Vinayak Pradhan, Klaus Reichert, Franz Schwarz and Volker Triebel*

- Post-hearing briefs and/or separate oral argument? Are post-hearing briefs disappearing from the scene? Their strengths and weaknesses? Should they be limited in scope /by topics (factual/technical/legal)?
- Should closing submissions generally be limited to core issues? If so, how and when to identify them? "Positive" and "negative" list of issues?
- How much time after the evidentiary hearing? Page limits?
- Closing of the proceedings as regards new evidence.
- When is it justified to reopen the proceedings after they have been "closed?" How to best limit the risk of having to re-open the proceedings?
- Should arbitrators start deliberating right after the evidentiary hearing?
- When should arbitrators start with the drafting of the award? Is there a way to allocate the drafting work within the tribunal?

**15:30 – 16:00 Coffee / Tea Break**

**16:00 – 17:30 Working Session 4**  
**Effective and Efficient Management of Proceedings**

*Panel: Lawrence W. Newman – discussion leader, Teresa Giovannini, Colin Ong, Vladimir Pavic, Nikolaus Pitkowitz, and Mauro Rubino-Sammartano*

- Whose arbitration is it anyway: the extent of control the parties can expect to have over the way in which arbitrations are conducted; is it ever appropriate for arbitrators to impose their views regarding extent of discovery and time allowed for cross-examination?
- Disconnects between the approaches parties and their lawyers may assume will be taken to the management of proceedings, whether arising from cultural differences or from idiosyncratic approaches taken by some arbitrators?
- Expectations and realities as to time and cost; best practices for reducing time and costs?
- How do arbitrators encourage parties to comply with the procedural directions? Using costs as a weapon? What else?
- When a witness testifies in his own language but clearly is comfortable in the language of the arbitration – should the tribunal direct the witness to use that language in order to speed up the proceedings and avoid unfair advantages?
- When the arbitrators are too busy; has the order introduced by the ICC, that arbitrators must indicate availability before accepting an appointment, achieved its purpose of speeding up the arbitrations?
- What about the ICC's new order that the arbitrators must inform the Parties of the date by which they expect to submit their draft award? Has this reduced the delay in getting awards to the Parties? What other ways exist to achieve that goal?

### 17:30 – 19:00 Drinks Reception

#### Registration

<b>Ninth Annual Leading Arbitrators' Conference</b>	\$750.00	<a href="#">Register Now!</a>
<b>Ninth Annual Leading Arbitrators' Conference (discount*)</b>	\$475.00	<a href="#">Register Now!</a>

\*Discounts are available to full-time academics, government employees, and in-house counsel.

#### Accommodations

Rooms have been blocked for the nights of 23 March 2013 through 25 March 2013 at the Grand Hotel Wien, Kaerntener Ring 9, A – 1010 Wien at a rate of €255,00 through €315,00 per night (depending on room type) that includes all applicable taxes and fees.

Rooms have been blocked for the nights of 23 March 2013 through 25 March 2013 at The Ring, Kärntner Ring 8, A-1010 Wien at a rate of €275,00 through €315,00 per night (depending on room type) that includes all applicable taxes and fees.

The block of rooms has been reserved for the conference until **24 January 2013**; after this date bedrooms will be subject to availability. All arrangements are between the registrant and the hotel.

#### Hotel Contact Information:

**Margit Chaloupka**, Banquet & Conference Manager  
**Grand Hotel Wien**, Kaerntener Ring 9, A – 1010 Vienna, Austria  
**Tel:** +43 1 515 80 1820 **Fax:** +43 1 515 8014  
**Hotel Registration Form:** [Hotel Reservation Form](#)   
**Email:** [mchaloupka@jjwhotels.com](mailto:mchaloupka@jjwhotels.com)  
**Web:** [www.grandhotelwien.com](http://www.grandhotelwien.com)

#### Contact Us

Juris Conferences LLC  
 71 New Street  
 Huntington, New York 11743  
 USA  
 Phone: +1 (631) 350-2100  
 E-mail:  
[events@jurisconferences.com](mailto:events@jurisconferences.com)

#### Faculty Speakers

Juris Conferences is proud to be associated with the leaders in the field of arbitration and dispute resolution. [Click here](#) to learn more about some of the esteemed professionals who have participated as speakers

#### Juris Publishing

[Juris Publishing](#) is a full-service legal publisher and a leader in the field of Arbitration and Dispute Resolution. We produce more than 60 publications: monographs, treatises, reference works,

#### JurisNet, LLC

To enhance Juris' International and Domestic Arbitration and Dispute Resolution publishing efforts, [JurisNet LLC](#) has formed cooperative relationships with some of the most prestigious Institutes and Universities in the world.

and faculty in previous Juris  
Conferences' events.

journals and a world renowned  
monthly newsletter.