ABA Section of International Law
Your Gateway to International Practice

The 2016 Moscow Dispute Resolution Conference
ABA's EIGHTH ANNUAL CONFERENCE ON THE
RESOLUTION OF CIS-RELATED BUSINESS DISPUTES
Radisson Royal Hotel Moscow
SEPTEMBER 30, 2016

ORGANIZATIONAL PARTNER:

ICC
RUSSIA
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The world business organization
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The listing of the Steering Committee was compiled as accurately as possible from Section records. If we have omitted your name or have it listed incorrectly, we sincerely apologize.
The court of public opinion has existed since ancient times, even if the venues have varied dramatically throughout the centuries. As trials and other cases are determined through the processes of society, there can be community interest in the outcome, especially for important cases, and many believe that public opinion may, at times, impact upon decision making and trials, arbitrations and other procedures for adjudication. This has long posed a dilemma for advocates who, while respecting ethical restraints, nonetheless seek every proper advantage for their clients and recognize that the court of public opinion could influence, negatively or positively, the outcome in the court of law. The traditional challenges have been difficult enough with traditional media such as newspaper and television. Today with the ascension of internet and social media, the challenges are even greater and the answers even less certain than before.

This program presents an examination of the advocates’ duties and challenges along with examples of effective strategies and potentially disastrous mistakes. The panel includes distinguished attorneys who are experienced in attempting to address these issues as well as media experts and journalists to provide different and even countervailing perspectives. Most importantly, it is hoped that the panel discussion will prompt questions and insights from members of the audience. Ultimately, the best message for the court of public opinion is to prevail in the court of law, but the road along the way is rarely a smooth one.

Speakers:
Kendall Coffey, Coffey Burlington, Miami, FL, USA
Philip Hall, Portland Communications, London, United Kingdom
Andrey Knyazev, Moscow, Russia
James Popperwell, Macfarlanes, London, United Kingdom

<table>
<thead>
<tr>
<th>8:00 AM - 9:00 AM</th>
<th>REGISTRATION &amp; BREAKFAST</th>
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</thead>
<tbody>
<tr>
<td>9:00 AM - 10:15 AM</td>
<td>PLENARY MEETING: SESSION NO. 1</td>
</tr>
<tr>
<td>Winning and Losing in The Court of Public Opinion: Lawyers, Business Disputes, and the Media From a Global Perspective</td>
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Sponsored by: Lidings

| 10:15 AM - 10:35 AM | NETWORKING BREAK |

| 10:35 AM - 11:45 AM | CONCURRENT INTERACTIVE ROUNDTABLES: SESSION NO. 2 |

Each of the sessions in this time slot will be interactive roundtables. Audience participation is encouraged – indeed, essential – for the success of the session. We would like to hear from you. Please come prepared with your questions and comments!
Legislative Developments in Russian Arbitration

At the end of December 2015, the Russian Federation enacted legislation that will significantly impact both domestic arbitration and international arbitration proceedings seated in Russia. The bulk of the new legislation takes effect in September 2016, although a few provisions will become effective in February 2017.

The changes include new rules on the arbitrability of corporate disputes and a registration regime for Russian arbitration institutions. The legislation also impacts judicial assistance in arbitration proceedings.

The moderators will briefly outline the changes and facilitate an interactive discussion regarding the implications for arbitral institutions and their users and how these changes impact the choice of Moscow as an arbitral seat.

Co-Moderators:
Ben Carroll, Linklaters, London, United Kingdom
Andrey Gorlenko, Arbitration Center at the Institute of Modern Arbitration, Moscow, Russia
Roman Zykov, Russian Arbitration Association, Moscow, Russia

Damages in International Arbitration: Latest Trends and Practical Tips

Damages represent the ultimate goal for claimants in most arbitration cases, and the major fear of respondents. This round table will be an opportunity to address the latest valuation trends and to engage in an in-depth discussion of valuation strategies that everyone, even those without economic training, will be able to understand. The round table will offer practical advice and discuss the valuation of damages in main industry sectors. Discussion topics will include:

- Recent arbitral awards: what are the latest trends in damages?
- How does recent commodities market volatility impact damages assessments?
- Should damages be discounted due to country risk and, if so, when and how?
- Shareholder value: is the value of control in Russia and Eastern Europe greater than in the West?
- Presenting a robust damages case: does cross-examination really matter?
- Getting the right damages number: should economists sit as arbitrators?

Co-moderators:
Anna Crevon, Dentons, Paris, France
Richard Caldwell, The Brattle Group, London, United Kingdom

Russia’s Pivot to Asia

This session will feature an interactive discussion of the following topics, among others, arising from Russia’s “pivot to Asia”:

- Asia-Pacific region - new opportunities, new challenges (what Russian lawyers need to know about these jurisdictions as arbitral seats);
- Is the “pivot to Asia” a “pivot to China”?
- Global implications of Russia’s pivot’s to Asia (how Russia’s closer relation with Asian countries would impact other international actors, as EU or USA, and their role in Russian legal matters?);
- Russia’s pivot to Asia as seen by Asian countries;
- Russia’s position in the world in the times of TPP (does the Treaty change/weaken Russia’s position in Asia?).

Co-Moderators:
Olga Boltenko, Clifford Chance, Singapore
Joe Liu, Hong Kong International Arbitration Centre, Hong Kong
Noradele Radja, Lalive, Geneva, Switzerland

11:45 AM - 11:55 FM
NETWORKING BREAK

1:25 PM - 1:30 PM
CONCURRENT INTERACTIVE ROUNDTABLES: SESSION NO. 3
Each of the sessions in this time slot will be interactive roundtables. Audience participation is encouraged – indeed, essential – for the success of the session. We would like to hear from you. Please come prepared with your questions and comments!

Administrative Litigation

Creating specialized process and institutions for considering administrative disputes has been trendy in many civil law jurisdictions over the past years. Russia has recently joined the club by adopting a Code of Administrative Court Proceedings in 2015. This session will address the results of one-year-long application of the Code, as well as the overall experience of trying administrative cases in Russia.

Topics for discussion will include:

- What constitutes an administrative dispute?
- Distinguishing features of administrative court procedure as compared to commercial litigation;
- The effect of the new regulations on court practice;

Arbitration of Commodity Disputes

International arbitration is increasingly a preferred forum for resolving commodity disputes as it can be adapted to the particular needs of professionals in this field, who aim at resolving disputes in line with their way of conducting business: simply, fast and in a cost-efficient manner. Cities that are important for commodity trading, such as Geneva, Zug, Lugano, London and Singapore, see a significant increase in the number of commodity disputes being resolved through arbitration. Since Russia is one of the major players on the commodity market, in particular with regard to raw materials, the topic became of high interest and importance to Russian parties involved in commodity trading.

Various trade associations and arbitration institutions in the last years developed special rules, tools and services for the expedited resolution of commodity disputes.

Technology and Arbitration

International arbitration depends on interconnectivity between parties, counsel, witnesses, and arbitrators based in different parts of the world. Recent technological developments present opportunities to inject flexibility in to the process and more efficiently resolve disputes. But the use of technology is not consistently spread across countries, and even within countries, different law firms, practitioners and arbitrators may be slower to adopt, sometimes dismissing the use of new technologies as passing fads.

In this session, we will discuss the following topics:

- Arbitration agreements in a new era of electronic communications;
- The electronic capabilities of arbitral institutions and the Russian arbitrazh courts;
- Developments in e-discovery;
• How will the new Code work in cases involving an “international” element (e.g. foreign party etc.)?
• Further development of administrative procedural legislation (new Code of Administrative Offenses, etc.).

**Co-moderators:**
*Anastasia Astashkevich,* Astashkevich and Partners, Moscow, Russia
*Andrey Zelenin,* Lidings, Moscow, Russia

This roundtable will focus on:
• The peculiarities of commodity disputes;
• Ways of their fast and most efficient resolution, including specialized dispute resolution options;
• Certain arguments that are typically raised in commodity arbitrations;
• The needs of professionals in the field of commodity trading; and
• Current trends and developments in this area.

The moderators will lead the discussion providing background information and comments, and inviting participants of the roundtable to share their opinion, views and experiences for an engaging and enriching discussion, allowing the participants to extend their knowledge in this area of dispute resolution.

**Co-moderators:**
*Anna Kozenko,* Schellenberg Wittmer, Zurich, Switzerland
*Phillip Habegger,* Swiss Chambers’ Arbitration Institution; Lalive, Zurich, Switzerland

1:00 PM – 2:00 PM
**NETWORKING LUNCHEON**
_Sponsored by:_ Arnall Golden Gregory LLP

2:00 PM – 3:10 PM
**CONCURRENT INTERACTIVE ROUNDTABLES: SESSION NO. 4**
*Each of the sessions in this time slot will be interactive roundtables. Audience participation is encouraged – indeed, essential – for the success of the session. We would like to hear from you. Please come prepared with your questions and comments!*
### 3:10 PM - 3:30 PM
**Coffee Break**

### 3:30 PM - 4:40 PM
**Concurrent Interactive Roundtables: Session No. 5**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Panelists</th>
</tr>
</thead>
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| The pioneering techniques in international tracing and recovery of assets will feature case studies, best practices and interactive panel discussion which will enhance your capabilities when dealing with global fraud litigation and asset recovery. The panelists and the participants, both lawyers and detectives, will share their unique experiences and insights in this growing area including the most recent high profile international cases with Russian participation uncovering largest fraud cases running to many billions of dollars. | Co-moderators: Alexei Dudko, Hogan Lovells, Moscow, Russia  
Elena Mokhova, Russian State University of Justice, Moscow, Russia  
Alessandro Volcic, Kroll, Moscow, Russia |
| When are hybrid (or optional) arbitration clauses appropriate? Are unilateral hybrid clauses ever appropriate? | Co-Moderators:  
Alexandr Berezin, Most Law Offices, Moscow, Russia  
C. William Phillips, Covington & Burling LLP, New York, USA |
| International Judicial Assistance | Aid rendered by one nation or its courts to another nation or its courts in support of judicial proceedings in the nation or court requesting assistance - is critical in litigating cross-border business disputes. While Russia is party to an extensive network of bilateral treaties providing for judicial cooperation with Cyprus, Italy, Poland, and countries in the CIS, among others, judicial assistance in matters involving certain other jurisdictions is more problematic. For instance, Russia declared in 2003 that "legal assistance between Russia and the U.S. in this field has to all intents and purposes been put on ice" as a result of a dispute regarding fees charged by the U.S. for service pursuant to the Hague Service Convention. Controversies regarding service of process in Russia have also arisen in English courts, as in the recent case of Sloutsker v Romanova. And although Russia has acceded to the Hague Evidence Convention, it has not yet designated a central authority to process incoming requests. This session will address practical workarounds for navigating the many potential traps that can arise in connection with both inbound and outbound requests for international judicial assistance in matters involving Russian parties. | Co-Moderators:  
Maxim Kulikov, Kulikov, Kolotilov & Partners, Moscow, Russia  
Thomas Sullivan, Marks & Sokolov, Philadelphia, PA, USA |

### 4:40 PM - 4:50 PM
**Networking Break**
CLOSING PLENARY
Fresh Off the Press! An Open Mike Debate About Hot Topics in Litigation and Arbitration

The moderators will engage the audience in an interactive discussion about some of the most recent developments in Russian and CIS-related litigation and arbitration, with a focus on the most critical questions that emerge during the course of the day’s panels and other topical issues. This is your chance to share your views on, and experiences of, current “hot topics”.

Co-Moderators:
Rupert D’Cruz, Littleton Chambers, London, United Kingdom
Maria Hauser-Morel, International Chamber of Commerce (ICC) International Court of Arbitration, Paris, France
Lyana Nikiforov, Egorov Puginsky Afanasiev & Partners, St. Petersburg, Russia

CLOSING RECEPTION & MOSCOW RIVER CRUISE

The closing reception will be held on one of the Radisson Hotel river boats while cruising the Moskva River. Mingle with old friends and new colleagues while also taking in the many iconic Moscow landmarks that have been built along the banks of the river!

NOTE: Simultaneous translation in Russian and English will be provided for all sessions except the following:

Legislative Developments in Russian Arbitration
Uncovering Fraud! Asset Tracing and Recovery Across Borders
Foreign Sovereign Immunity: Testing the Strength of the Protective Shield

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 6.0 CLE credit hours in 60-minute states, and 6.5 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, http://www.ambar.org/ilmoscow16 or contact Thomas Happell at thomas.happell@americanbar.org or 202-662-1671.

Scholarships are available for this program. For more information please contact intlawmeetings@americanbar.org.
It's not if, but how we work together

In a world of geopolitical conflict, Arnall Golden Gregory LLP celebrates a shared commitment with our fellow lawyers of all nationalities to serve as ambassadors for the rule of law.

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Attorneys at Law
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ABA ID # (if applicable): ____________________________  
Name: ____________________________  
(TYPE or PRINT your name CLEARLY as you wish it to appear on badge.)  
Firm/Organization: ____________________________  
Address: ____________________________  
City: ____________________________  
State/Province/Region: ____________________________  
Postal Code: ____________________________  
Country: ____________________________  
Telephone: ____________________________  
Fax: ____________________________  
E-mail: ____________________________  

### II. Conference Registration Fees

Fees include admission to the Closing Reception, the luncheon, and to all CLE program sessions. All prices are denoted in USD.

<table>
<thead>
<tr>
<th>Category</th>
<th>Early Bird by 9/2</th>
<th>9/3 to 9/9</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABA Member</td>
<td>$625</td>
<td>$725</td>
</tr>
<tr>
<td>Young Lawyer (35 years and under)</td>
<td>$425</td>
<td>$525</td>
</tr>
<tr>
<td>Full-time Law Student</td>
<td>$ 75</td>
<td>$ 85</td>
</tr>
<tr>
<td>Full-time Government / Academics / NGOs</td>
<td>$150</td>
<td>$195</td>
</tr>
<tr>
<td>Corporate Counsel</td>
<td>$250</td>
<td>$325</td>
</tr>
<tr>
<td>CIS-only Practitioners **</td>
<td>$525</td>
<td>$625</td>
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<tr>
<td>Non-Member **</td>
<td>$725</td>
<td>$825</td>
</tr>
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* Practitioners practicing only in the Commonwealth of Independent States (CIS) and not licensed as a member of the Bar of any non-CIS country.  
** Non-members of the ABA who are licensed to practice law in a jurisdiction outside the CIS.

NOTE: A VISA is necessary for entry into Russia from the United States and many other countries. Further information can be obtained from the Russian Embassy (http://www.russianembassy.org/) or through a commercial VISA service.

### III. Guest Social Events Fees

Guest Social Events include all coffee breaks, the luncheon, and the Closing Reception, but not CLE programming sessions. Only one guest is allowed per regular conference registrant.

Name of Guest: ____________________________  
Firm/Organization: ____________________________  

- Guest Social Events Registration @ $140.00 each  
  Qty _____

### IV. Make Your Payment

Refunds will not be issued for cancellations received after September 9, 2016.

**PAYING BY CREDIT CARD:**  
Please return a completed registration form by fax to (202.662.1669) or email to infolawmeetings@americanbar.org. An invoice with credit card payment instructions will be sent at that time.

**Data Protection Notice - Please sign below:** By submitting this completed 2016 Moscow Dispute Resolution Conference registration form, you are providing us with personal information. By registering and signing this form below, you consent to our use of that information to complete the registration process and to compile data which the Section may use for Section membership and programming purposes only. Your payment information, including credit card information is used only to process payment for your 2016 Moscow Dispute Resolution Conference registration fees and is not retained for any other purposes whatsoever.

Your signature: ____________________________  
Date: ____________________________  

**PAYING BY WIRE TRANSFER:**  
Please include the following information when making payment via wire transfer:

- Name of Section: Section of International Law  
- Meeting: 2016 Moscow  
- Bank Name: JPMorgan Chase Bank  
- Bank Address: 2218 Fifth Avenue, New York, NY 10037  
- Bank Routing #: 021000021  
- Account Name: American Bar Association  
- Account Number: 5003987  
- SWIFT Code: CHASUS33

**PAYING BY CHECK:**  
Please make check payments payable to the American Bar Association in USD.

**PAYING IN RUBLES:**  
The Section is working with a local partner in Russia – Russian National Committee of The International Chamber of Commerce – the World Business Organization (ICC Russia) to offer the option to make payment in Rubles. A link to additional information on paying in rubles will be posted to our website as soon as it is available. If you prefer paying in Rubles, please contact ICC Russia at phone: +7 495 7205080, fax: +7 495 7205081 or e-mail: Liarina@iccwbo.ru to make all necessary arrangements.

Please note, that if you chose this option, you will be requested to confirm your registration through acceptance of the Addendum to this Registration form provided by ICC Russia, and pay to ICC Russia (acting on our behalf) the Ruble amount equal to appropriate fees stipulated in item II, III, IV of the Registration form at the official exchange rate of the CBR as of the date of payment plus VAT 18%.
V. Refund Policy

- Cancellations must be made in writing and received by the Section office by September 9, 2016 for a full refund of fees, less a $100.00 administrative fee.
- Those who notify the Section of cancellation between September 9-15, 2016 will receive a full refund of fees less a $250 administrative fee. No refund of registration or fee for a ticketed event will be granted after that date except in the case of medical emergency or similarly extenuating circumstances approved by the Section in its sole discretion. At this point the Section has had to guarantee guest number and total fee to the caterer/event venue. Individuals are, however, afforded the opportunity to re-sell their purchased tickets/registration to other meeting attendees.
- When a completed registration form and payment have been submitted to the Section office either by mail, fax, e-mail or through our online registration system, the registration is considered to be a firm commitment and you will be expected to pay the registration and any ticketed event fees, unless a written cancellation is received as set forth above.
- Individuals may re-sell their purchased lunch & guest tickets to other meeting attendees unless the ticket is indicated to be "non-transferable”.
- Any refunds issued will be processed to the credit card on file for individuals who made the payment via credit card.

VI. Travel Information

Please note that a VISA is necessary for entry into Russia from the United States and many other countries. Further information can be obtained from the Russian Embassy (http://www.russianembassy.org/) or through a commercial VISA service.

Should you require overnight hotel accommodations, a block of rooms is being held at the The Radisson, Moscow at a special low per night group rate of 7500.00 RUB for single occupancy and 8500.00 for double occupancy. Rates are subject to VAT of 18%. Additional information is available online at http://shop.americanbar.org/PersonifyImages/ProductFiles/242046982/Hotel%20Information.pdf or by emailing intlmeetings@americanbar.org.

You are encouraged to make your airline reservations online via the American Bar Association (ABA) travel site where you automatically receive specially negotiated ABA airfare and car rental discounts from a variety of carriers. Simply visit http://www.americanbar.org/membership/benefits_of_membership/travel_services.html to make your travel arrangements. If you have not used this site before, it only takes a few moments to establish a username and password allowing you to immediately book your reservations.

VIII. MCLE/CLE Credit

MCLE/CLE CREDIT:
You will be required to fill in your State License Number on the MCLE/CLE sign in sheet at the 2016 Moscow Dispute Resolution Conference. Please come to the meeting with your license number(s) for those states you will be obtaining MCLE/CLE credit.

MCLE/CLE credit has been requested. For delegates where MCLE/CLE is mandatory, a Certificate of Attendance will be provided onsite.

For questions regarding MCLE/CLE credit hours please visit the Registration Table at the Meeting.