



Association Suisse de l'Arbitrage
Schweiz. Vereinigung für Schiedsgerichtsbarkeit
Associazione Svizzera per l'Arbitrato
Swiss Arbitration Association

ASA Conference

6 February 2009

09:00 to 17:30 h

The Search for "Truth" in Arbitration Is Finding the Truth what Dispute Resolution is About?

Marriott Hotel, Zurich

Neumühlequai 42 | 8006 Zurich

www.arbitration-ch.org

ASA Secretariat, Dr. Rainer Füg
Aeschenvorstadt 67, P.O. Box, CH-4010 Basel
www.arbitration-ch.org, info@arbitration-ch.org



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The Search for "Truth" in Arbitration – Is Finding the Truth what Dispute Resolution is About?

5 February 2009, 18:00 Cocktail reception, Marriott Hotel, Room Time Square

6 February 2009, 09:00 Conference, Marriott Hotel, Room Millenium

09:00 – 09:15	WELCOME ADDRESS AND INTRODUCTION TO THE CONFERENCE TOPIC	Dr. Markus Wirth, President ASA; Homburger, Zurich
09:15 – 10.45	THE CONCEPT AND RELEVANCE OF "TRUTH" IN DISPUTE RESOLUTION	
	The Common Law View	Prof. William W. Park, Boston University School of Law, Boston
	The Civil Law View (the German perspective)	Prof. Dr. Peter Schlosser, Ludwig-Maximilians-Universität, Munich
	The Asian View	Teresa Cheng, Des Voeux Chambers, Hong Kong
	The Arab View	Prof. Dr. Ahmed Sadek El-Kosheri, Kosheri, Rashed & Riad, Cairo
	DISCUSSION Panel and Floor	Prof. Dr. Gabrielle Kaufmann-Kohler, Etude Lévy Kaufmann-Kohler, Geneva
10.45 – 11.15	COFFEE BREAK	
11:15 – 12:30	THE PERSPECTIVE OF THE USERS: IS "TRUTH" WHAT THEY ARE LOOKING FOR?	Dr. Martin Henrich, Head Global Litigation, Novartis, Basel Daniel Desjardins, General Counsel, Bombardier, Montreal Dr. Anke Sessler, Chief Counsel Litigation, Siemens, Munich
	DISCUSSION Panel and Floor	Jean-Claude Najar, Senior Counsel and Chief Compliance Officer EMEA, GE Commercial Finance, Paris

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12:30 – 14:00	LUNCH	
14:00 – 15:30	CROSS-EXAMINATION – How helpful is it for finding the "Truth"? – How useful is it for understanding the case and for resolving the dispute?	Michael E. Schneider, Lalive, Geneva Constantine Partasides, Freshfields Bruckhaus Deringer, London
	DOCUMENT PRODUCTION – How indispensable is it for the presentation of a party's case? – How much is too much?	Prof. Dr. Pierre Tercier, Law Faculty, University of Fribourg, Fribourg Tyler B. Robinson, Simpson Thacher & Bartlett, London
	DISCUSSION Panel and Floor	Dr. Klaus Sachs, CMS Hasche Sigle, Munich
15:30 – 16:00	COFFEE BREAK	
16:00 – 16:20	THE UNCOMFORTABLE TRUTH – ONCE DISCOVERED: WHAT TO DO WITH IT?	Elliott Geisinger, Schellenberg Wittmer, Geneva
16:20 – 17:00	FORMALISM IN ARBITRAL PROCEEDINGS – GOOD OR EVIL?	Dr. Bernhard F. Meyer, MME Partners, Zurich Mr. Justice Christopher Clarke, Commercial Court, London
17:00 – 17:30	DISCUSSION Panel and Floor	Dr. Vera van Houtte, Stibbe, Brussels
17:30	CLOSING ADDRESS	Dr. Markus Wirth

On the eve of the Conference, on 5 February 2009, at 18:00 h, the participants are invited to attend the **cocktail reception** held at the Marriott Hotel, Neumühlequai 42, 8006 Zurich. The cocktail is offered by Zurich law firms.

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