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Eleventh Annual Leading Arbitrators' Symposium – March 30, 2015

Register Now! The Eleventh Annual Leading Arbitrators' Symposium on the Conduct of International Arbitration to be held at the Grand Hotel Wien, Vienna – March 30, 2015

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Conference Downloads

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Program Information

Juris Conferences LLC is pleased to present its Eleventh 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.

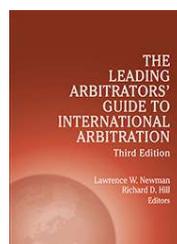
Refer to the schedule and faculty list for complete conference agenda.

Registration

- [Conference Registration Form](#)

Conference Fee includes:

Written course materials, a copy of *The Leading Arbitrators' Guide to International Arbitration*, Third Edition (Lawrence W. Newman & Richard D. Hill, editors, a US\$195.00 value), refreshments at breaks, luncheon and a drinks reception following the program. The fee does not include accommodations.



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The Leading Arbitrators' Guide to International Arbitration offers thoughtful advice and insights into the world of international arbitration from some of the most prominent and experienced international arbitrators in the world. The contributors are arbitrators from Australia, Belgium, Canada, Chile, Denmark, England, France, Germany, Italy, The Netherlands, Italy, Spain, Sweden, Switzerland and the USA.

Chairman

Grant Hanessian is a Partner at Baker & McKenzie in New York, and Global Co-Chair of the firm's International Arbitration Group. He is Vice Chairman of the Arbitration Committee of the USCIB, the US national committee of the ICC, and a member of the ICC's Commission on Arbitration and its Task Force on Arbitration Involving States or State Entities, the AAA – ICDR's International Advisory Committee and Advisory Committee on Brazil, the New York State Bar Association Task Force on International Arbitration, the International Arbitration Club of New York, the Arbitration Committee of the International Institute for Conflict Prevention and Resolution, the New York City Bar Association's International Law Committee and Club Español del Arbitraje, and a founding board member of the New York International Arbitration Center..

Teresa Giovannini is a founding Partner of LALIVE, in Geneva. Her practice focuses in international arbitration and litigation, as well as art law. She has acted in more than 160 international arbitrations (among which 108 as arbitrator, including 76 as presiding or sole arbitrator), either ad hoc or administered by various institutions (AAA/ICDR, ICC, ICHEIC, ICSID, LCIA, etc.). She is a member of several panels of arbitrators (ICC Swiss National Committee, ICDR, LCIA, etc.) as well as of arbitration committees (IBA Sub-Committee on Conflicts of Interest, Board of Directors of the American Arbitration Association, ICC Institute Council, Global advisory board of the New York International Arbitration Centre, LCIA Company, etc.). Mrs. Giovannini is also a frequent speaker at international conferences on international arbitration as well as the author of many publications in the field. She has been ranked by Chambers, Legal Experts Europe, the International Who's Who of Commercial Arbitration and the Global Arbitration Review for many years.

Faculty

Alexander J. Bělohávek is Founder and Senior partner of The Bělohávek Law Office in Prague. He has acted as arbitrator or counsel in more than 170 international arbitrations and is a Member of the International Court of Arbitration at the ICC in Paris as well as a member of the ICC Commission on international arbitration and Member of the National Committee of the ICC in the Czech Republic.

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.

Adriana Braghetta coordinates the arbitration team of L.O. Baptista-SWMFA. She has 20 years of experience in judicial disputes and in national and international arbitration, acting both as lawyer and arbitrator. Her practice comprises civil, commercial and corporate matters, in a wide range of sectors, i.e., energy, construction, real estate, software, franchising, pharmaceutical and banking. She has been the Vice-president of ICCA since 2014.

William Laurence Craig is Senior Counsel in the Paris office of Orrick as well as a Chartered Arbitrator with Essex Court Chambers in London. With more than 40 years experience in international arbitration, he frequently acts as arbitrator, both party-appointed and as Chairman, and has served as such in numerous ICC, AAA, LCIA, ICSID, CIETAC and ad hoc arbitrations. A former Member of the ICC Court of Arbitration, he was Co-Chair of the Drafting Committee for 2011 Revision of the ICC Rules and is Co-Author (with Park and Paulsson) of *International Chamber of Commerce Arbitration*, a leading work on the subject.

Robert Davidson is the Executive Director of JAMS Arbitration Practice and is one of the country's foremost commercial arbitrators and mediators. In over 30 years of practice, Mr. Davidson has litigated or arbitrated almost every type of commercial dispute, before courts and juries in the United States, and abroad before international tribunals. He is the former Chair of the Committee on Arbitration of the New York City Bar Association and was a member of the ICC's Task Force on Reducing Time and Cost in International Arbitration. Mr. Davidson is a retired partner of Baker & McKenzie.

Wulf Gordian Hauser is the Managing Partner of Hauser Partners Rechtsanwälte GmbH. He has served as chairman of the arbitral tribunal, sole arbitrator, party appointed arbitrator or counsel for a party in approximately 80 arbitrations at the ICC, the VIAC, LCIA, the WIPO Arbitration and Mediation Center, the UNCITRAL-rules and in other ad hoc arbitrations. He is an arbitrator with International Arbitral Centre of the Austrian Federal Economic Chamber and the Permanent Arbitration Court of the Chamber of Commerce, Vienna.

Martin Hunter is a barrister practicing in the field of international arbitration. He has served as counsel or arbitrator in cases held under the rules of most of the world's principal arbitral institutions and arbitration centres. He was chairman of the Board of Trustees of the Dubai International Arbitration Centre, and was deputy-chairman of the UK Government's committee on arbitration law reform. He has participated in the work of the AAA, the IBA, the ICC's Court, the LCIA's Court and UNCITRAL. Professor Hunter is Professor Emeritus of International Dispute Resolution at Nottingham Trent University and visiting professor of law at Central European University Budapest.

Stephen Jagusch is Global Chair of Quinn Emanuel's International Arbitration Practice. He is located in their London office. Mr. Jagusch specializes in international commercial and investment treaty arbitration, having acted as adviser and advocate in dozens of ad hoc and institutional international arbitrations, conducted in many countries around the world, and subject to a wide variety of governing substantive and procedural laws. Many of his cases have been for or against sovereign states or substantial multinational organizations, and he has been lead counsel in many of the world's leading investment treaty cases.

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.

Pierre A. Karrer is an independent arbitrator, Honorary President of ASA and Vice President of Stockholm Arbitration Institute of the SCC. He has served as chairman and arbitrator in more than 250 commercial arbitrations. Mr. Karrer's appointments include the former Chairman of the Swiss National Committee of ICC, former Vice President of LCIA, and member of FCI Arb, DIS, Committee of French Arbitration and AAA-ICDR.

Vladimir Khvalei is a Partner in Baker & McKenzie's Moscow office. He heads the firm's CIS Dispute Resolution Practice Group in Moscow. He serves as Vice President of the ICC International Court of Arbitration, and is included in the list of arbitrators of the arbitration institutions in Austria, Russia, Belarus and Kazakhstan. Mr. Khvalei handles international arbitration cases as a party counsel and arbitrator, particularly with respect to the arbitration rules of the ICAC, UNCITRAL, ICC and SCC.

Loukas Mistelis is Director of the School of International Arbitration and the Clive M. Schmitthoff Professor of Transnational Commercial Law and Arbitration at Queen Mary, University of London. He is Chairman of Cyprus Eurasia Dispute Resolution and Arbitration Centre. He is an acknowledged authority on international dispute resolution. His arbitration experience covers ICC, ICSID, LCIA, UNCITRAL, SCC, Swiss Chambers and Moscow cases.

Sophie Nappert is a dual-qualified lawyer in the UK and Canada. She is an arbitrator in independent practice based in London. She is ranked in Global Arbitration Review's Top 30 List of Female Arbitrators Worldwide. Her areas of expertise include energy and natural resources, construction, investment treaty disputes and disputes against State parties. Ms. Nappert is a member of the UNCITRAL Working Group on International Commercial Arbitration and Conciliation.

Lawrence W. Newman is Of Counsel in Baker & McKenzie's New York office. He practices mainly in the areas of international litigation and arbitration. He represents clients in courts and before arbitration tribunals, and has served as arbitrator in cases under the rules of the AAA/ICDR and ICC.

Christopher Newmark is a Partner at Spenser Underhill Newmark LLP, London. He is Chairman of the ICC Commission on International Arbitration and ADR, previously he was a Member of the Drafting Sub-Committee of the 2012 ICC Rules of Arbitration and Chair of the task force set up to review the ICC ADR Rules, Expertise Rules and Dispute Board Rules. He also Co-Chaired the ICC task force on reducing time and cost in complex commercial arbitrations. Mr Newmark has acted as chairman, sole arbitrator or party appointed arbitrator in numerous international arbitrations under ICC, LCIA, SCC and UNCITRAL rules.

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.

Michael Polkinghorne is a Partner in White & Case's Paris office where he heads the office's arbitration group. He is a dual-qualified lawyer. Mr. Polkinghorne has a broad range of experience in arbitration and litigation in the areas of energy, telecommunications, project finance, construction and infrastructure. He has served as counsel and arbitrator in arbitrations conducted under most major institutional rules and was the Australian member of the International Court of Arbitration of the ICC, where he is a member of the ICC Task Force on arbitrations involving state entities. Mr. Polkinghorne has served in more than a dozen cases as arbitrator (sole, party-appointed or chair), predominantly in the energy sector, under the ICC, LCIA and UNCITRAL rules. He is presently a member of the Legal Advisory Taskforce of the European Energy Charter Secretariat, which prepared a new edition of their MODEL Intergovernmental and Host Government Agreements for Cross-Border Pipelines.

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.

Stefan Riegler is a Partner in Baker & McKenzie's Vienna office. He has acted as chairman, sole- and party-appointed arbitrator in arbitrations under the Vienna Rules and the ICC Rules and in *ad hoc* arbitrations. Mr. Riegler is a founding member and former chairman of the Young Austrian Arbitration Practitioners, and is a member of various arbitration organizations. Prior to joining the Firm, he served as a partner of Wolf Theiss.

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. Ms. 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. Beginning January 2015 she will be co-chair of the IBA Arbitration Committee.

Edna Sussman is a Principal in Sussman ADR. She is an independent arbitrator and distinguished ADR Practitioner in Residence at Fordham Law School. Ms. Sussman has conducted more than 100 arbitration of complex multi-million dollar business disputes as chair, sole and co-arbitrator under many institutional rules in administered and ad hoc proceedings. She is one of six trainers for the American Arbitration Association's new arbitrators and provides advanced training for the AAA's ICDR international arbitrators. Ms. Sussman is a former Litigation Partner at White & Case, LLP.

Franz T. Schwarz is Partner and Vice Chair of the International Arbitration Practice Group in WilmerHale's London and Frankfurt offices. He focuses on complex multi-jurisdictional disputes and has extensive experience with arbitral practice, procedure and advocacy both in civil and common law systems. Mr. Schwarz has been involved in more than 200 arbitrations as counsel and arbitrator, both ad-hoc 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, M&A, financial services, project finance, as well as commercial and corporate disputes. Mr. Schwarz frequently advises parties on the protection of foreign investments under bilateral investment treaties and similar instruments. He frequently serves as arbitrator, including as chairman of arbitral tribunals, and is included on the roster of several major arbitral institutions.

Jacomijn van Haersolte-van Hof is the Director General of the LCIA. Previously, she practiced as a counsel and arbitrator in The Hague, at her GAR 100 boutique HaersolteHof. She set up HaersolteHof in 2008 after three years as of counsel in the international arbitration group at Freshfields Bruckhaus Deringer in Amsterdam. Dr. van Haersolte-van Hof has sat as arbitrator in cases under the ICC, LCIA and UNCITRAL rules, as well as those of the Netherlands Arbitration Institute (NAI). She has also arbitrated cases at the Royal Dutch Grain and Feed Trade Association and the Institute of Transport and Maritime Arbitration, both based in the Netherlands. Dr. van Haersolte-van Hof was involved in setting up the arbitral process for the Claims

Resolution Tribunal in Zurich, which analyzed claims from Holocaust survivors over dormant accounts in Swiss banks.

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**

- 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? When is summary disposition permissible (or necessary)?
- 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?
- Is witness conferencing effective? Are there particular circumstances when it is most appropriate? Inappropriate?
- Should the tribunal-appointed expert always appear at a hearing and be subjected to questions about his or her conclusions

Moderator: *Klaus Reichert*

Panel: *Stephen Jagusch, Pierre Karrer, Adriana Braghetta, Alexander J. Bělohávek*

10:30 – 11:00 Coffee/Tea Break

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

- 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

Moderator: *Sophie Nappert*

Panel: *Franz T. Schwarz, Lawrence W. Newman, Wulf Hauser, Jacomijn (Jackie) van Haersolte-van Hof, Vladimir Khvalei*

12:30 – 14:00 Networking Luncheon

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

- 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?

- 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? Dynamics of deliberation meetings and dissenting opinions
- When should arbitrators start with the drafting of the award? Is there a way to allocate the drafting work within the tribunal?
- Decisions on costs: to what extent counsel's attitudes during the proceedings should be considered? To what extent in-house counsel costs should be considered?

Moderator: *Mark Kantor*

Panel: *Anne Véronique Schlaepfer, Michael Polkinghorne, Stefan Riegler, Stephen Bond*

15:30 – 16:00 Coffee/Tea Break

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

- 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 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?
- Is it efficient for a tribunal to appoint experts? When should the tribunal appoint an expert?
- 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 requirement 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?

Moderator: *Chris Newmark*

Panel: *W. Laurence Craig, Robert Davidson, Martin Hunter, Loukas Mistelis, Edna Sussman*

17:30 – 19:00 Drinks Reception

Accommodations

[Eleventh Annual Leading Arbitrators Symposium Hotel Registration Form](#)

Rooms have been blocked for the nights of 28 March through 30 March at two locations:

The Grand Hotel Wien
Kaerntner Ring 9
A-1010 Vienna, Austria

at a special conference rate of € 279,00 through € 319,00 per night (depending on room type) that includes all applicable taxes and fees.

AND

The Ring Hotel,
Kaerntner Ring 8
A-1010 Vienna, Austria

at a special conference rate of € 229,00 through € 249,00 per night (depending on room type) that includes all applicable taxes and fees.

Reservations must be received by 28 February, 2015 to receive the preferred conference rates. After 28 February, 2015 rooms can be booked at conference rates based upon hotel availability. All arrangements are between the registrant and the hotel.

Contact Information for both Hotels:

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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 and faculty in previous Juris Conferences' events.

Upcoming Conferences

Twelfth Annual Leading Arbitrators' Symposium – March 21, 2016
Tenth Annual Investment Treaty Arbitration Conference – May 12, 2016 – May 13, 2016

Past Conferences

Fourth Annual Damages in International Arbitration – October 2, 2015
Technology in International Arbitration – June 11, 2015
Cross-Examination in International Arbitration Conference – April 2, 2015