



GAR Interactive: Damages 2021

Thursday 4 February - Zoom

All sessions will be live and all times below are displayed in GMT

12:55-13:00 Log in and registration

13:00-13:10 Chairs' opening remarks

Alexander Demuth, *Alvarez & Marsal*

John Trenor, *WilmerHale*

13:10-14:10 Presentation of damages: what arbitrators want from lawyers and experts

The presentation of damages is crucial in helping arbitrators understand the complexity of the damages calculation and often permits the arbitrators to understand not only the results, but also the methodology behind the experts' conclusions. In this session our esteemed panel will offer insight into what arbitrators want – and need – when it comes to the presentation of damages. Do arbitrators all agree – or are there strong personal preferences? To what extent are those preferences driven by other factors such as legal background, common law, civil law, age, or experience and comfort with quantitative issues?

Questions the panellists are expected to discuss include:

- Which types of presentations work best?
- When things go 'wrong' with the calculation of damages – what's the usual cause?
- What could lawyers and experts do differently?

Moderators:

Alexander Demuth, *Alvarez & Marsal*

John Trenor, *WilmerHale*

Panel:

Domitille Baizeau, *LALIVE*

John Fellas, *Independent Arbitrator*

Doug Jones, *Atkin Chambers*

14:10-14:30 Networking Break

14:30-15:30 What users and their counsel and experts want from arbitrators



In a mirror image of our first session, our panel of clients and counsel will discuss what they would like to see more of, from arbitrators, when it comes to the calculation of damages.

Questions the panellists are expected to discuss include:

- What do users find frustrating about the treatment of damages?
- To what extent are such problems a function of mindset – do arbitrators simply not focus enough on the damages issues?
- Can current shortcomings be addressed through more careful arbitrator selection?
- What do parties look for when selecting an arbitrator?
- Where can you find the relevant information about an arbitrator?

Moderator:

Carolyn Lamm, *White & Case*

Panel:

Ronnie Barnes, *Cornerstone Research*

Karl Hennessee, Senior Vice President and Head, Litigation, Investigations and Regulatory Affairs, *Airbus*

Craig Miles, *King & Spalding*

Anke Sessler, *Skadden, Arps, Slate, Meagher & Flom*

15:30-16:30 GAR Interactive Question Time

In this quick-fire session, the esteemed panel will discuss topical questions submitted by the GAR audience in advance.

Topics on which we expect questions include:

- The challenges of Covid-19;
- The best technical set ups to use for virtual hearings;
- Remote cross examination – better for experts (“I can see my own side’s expressions – for once”) but significantly worse for everybody else? Is there any way counsel can level the playing field?

Moderator:

Anthony Theau Laurent, *Accuracy*

Panel:

John Fellas, *Independent Arbitrator*

Roula Harfouche, *HKA*

Karl Hennessee, Senior Vice President and Head, Litigation, Investigations and Regulatory Affairs, *Airbus*

Andrea Meier, *Walder Wyss*

16:30-16:35 Chairs’ closing remarks

Alexander Demuth, *Alvarez & Marsal*
John Trenor, *WilmerHale*

16:35-17:05 Networking