

4TH GLOBAL ICC YAF CONFERENCE

EARN
19 CLE credits

New York City, 27 – 29 June 2013

“ The ICC YAF Global Conference is a must-attend event. It is ICC’s young arbitration event of the year! ”

What is ICC YAF?

The ICC Young Arbitrators’ Forum (“ICC YAF”) provides young arbitration practitioners from around the globe with opportunities to meet and discuss current issues facing the international arbitration practice as well as networking opportunities.

In addition to numerous local and regional events, the ICC YAF hosts a global conference every two years which is an occasion for young arbitration practitioners to come together and get involved in the kind of top level debates that are often reserved for the most experienced practitioners.

What to expect?

The conference will kick off with a welcome cocktail on 27 June, followed on 28-29 June, by a two day program which will include two keynote addresses, one “world café” style session, the choice of two workshops and two dynamic multi-regional panels.

All sessions will be highly interactive. Topics will be deliberately controversial to foster active debate.

The programme also provides time for networking and social activities such as the visit of a museum, or enjoying the new High Line Park, taking a stroll through the market and relaxing at a beer garden.

In an informal and fun social atmosphere, participants will strengthen links within the young arbitration community and interact with some of the “stars” and “rising stars” of international arbitration while enjoying the sights of New York.

Who should attend

The conference is aimed at arbitration and dispute resolution practitioners in particular those of 40 years and under: counsel, arbitrators, corporate counsel or academics from all corners of the Globe, YAF members and non-YAF members alike.

Hosted by



New York University School of Law



International Chamber of Commerce

The world business organization

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New York City, 27 - 29 June 2013

Programme

27 June 2013

7pm *Welcome Cocktail*

28 June 2013

8:30am - 9am *Welcome coffee & Registration*

9am - 9:15am

Welcome address

José Ricardo Feris, Co-Chair, ICC YAF Global Coordinating Committee; Deputy Secretary General, ICC International Court of Arbitration, Paris

Stephanie Goubelle, Events Manager, ICC YAF, ICC International Court of Arbitration, Paris

Hannah Tümpel, Co-Chair, ICC YAF Global Coordinating Committee; Manager, ICC International Centre for ADR

9:15am - 10:15am

Opening Keynote Address: Fostering Legitimacy in International Arbitration

Salim Moollan, Essex Court Chambers, London; Chairman, United Nations Commission on International Trade Law (UNCITRAL); Vice-President, ICC International Court of Arbitration

10:15am - 10:45am *Coffee Break*

10:45am - 12:45pm

Debate - Defying Investment Arbitration: Moral Hazards, Perceived Injustices and the Coming of a New Age

State representatives, investors, arbitration practitioners and academics will debate some of the criticisms and controversial topics concerning the state of affairs in the investment arbitration system. The discussion will touch upon upon states' increasing criticism of the existing system, the "Moral Hazards" as developed by Jan Paulsson, the critical views formulated for example in the report "Profiting from Injustice" published by Corporate Europe Observatory, the ideas raised by Sundaresh Menon in the "Coming of a New Age" speech, as well as new developments towards reforming the efficiency of the system, for example through the new IBA State-Investor Mediation Rules.

Suzana M. Blades, Senior Counsel, ConocoPhillips, Houston

Leidylin Contreras, Lawyer, Office of the legal Advisor to the President, Presidency of the Dominican Republic, Santo Domingo (invited)

John Crook, Professor, George Washington University Law School, Washington

Anna Joubin-Bret, Partner, Foley Hoag LLP, Paris; Former Senior Legal Advisor on Investment, Technology and Enterprise Development of the U.N. Conference on Trade and Development (UNCTAD)

Sophie Nappert, Arbitrator, Three Verulam Buildings (3VB) Chambers, London

Moderators:

James Morrison, Senior Associate, Allens Linklaters, Sydney

Maxi Scherer, Special Counsel, Wilmerhale; Senior Lecturer, Queen Mary University of London, School of International Arbitration London

12:45pm - 2pm *Lunch*



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Programme of Events

2pm - 4pm

World Café Session - International Arbitration: Realities and Challenges

World Café is an interactive format which allows all delegates to participate actively in a series of simultaneous debates. Delegates will be invited to join different groups animated by ICC YAF Regional Representatives to discuss a variety of hot topics including:

- How would you define a good arbitrator? And how can you test it?
- Should there be a Code of Ethics for counsel in international arbitration? If so: why? If not, why not? And what should such code include?
- Should gender diversity in international arbitration be actively fostered and if so, how?
- Who offers the better services: arbitration boutiques or full service law firms?
- The more, the merrier? How many arbitration institutions does the world need? How can we ensure their quality?
- Behind closed doors? How much of the institutions' work needs to be made public?
- Young Practitioners Groups: are they working? Can they do better?
- What are the greatest hurdles that newcomers face to become arbitration practitioners and how can they be overcome?
- Arbitration-life balance: is it possible?

Moderators

John Adam, Associate, Shearman & Sterling LLP, Paris

Timur Aitkulov, Partner, Clifford Chance CIS Limited, Moscow

Andrew Battisson, Member, International Arbitration Group, Allen & Overy, Singapore

Rodrigo Bordachar, Partner, Bordachar, Alvear, Meneses, Montes & CIA, Santiago de Chile

Tina Cicchetti, Counsel, Fasken Martineau DuMoulin LLP, Vancouver

Ania Farren, Special Counsel, K&L Gates LLP, London

Octavio Fragata M. de Barros, Attorney at Law, Barbosa, Müssnich & Aragão, Rio de Janeiro

Katherine Gonzalez Arrocha, Regional Director, ICC International Court of Arbitration, ICC Dispute Resolution, Latin America, Panama City

Diego Brian Gosis, Of Counsel, Gomm & Smith P.A., Miami

Lara Hammoud, Associate, Shearman & Sterling LLP, Abu Dhabi

Sami Houerbi, Regional Director, ICC International Court of Arbitration, ICC Dispute Resolution, Africa & Middle-East, Tunis

Alina Leoveanu, Deputy Counsel, Head of ICC YAF Europe & Russia Chapter, ICC International Court of Arbitration, Paris

Kolawole Mayomi, Senior Associate, Aluko & Oyebode LLP, Lagos

Christa Mueller Garcia, Associate, Noriega & Escobedo, A.C., México City

Chris Parker, Partner, Herbert Smith Freehills LLP, New York

Eridania Perez, Partner, Patton Boggs LLP, New York

Ryham Ragab, New York

Humberto Saenz-Marinero, Partner, Saenz & Asociados, San Salvador

Eva Storskrubb, Senior Associate, Roschier, Stockholm

Stamatios Tsetos, Partner, Leboulanger & Associés, Athens and Paris

Greig Taylor, Managing Director, FTI Consulting, New York

Suzanne Ulicny, Deputy Director, Arbitration & ADR North America, ICC International Court of Arbitration, New York

Nicolas Wiegand, Partner, CMS Hasche Sigle, Munich

4pm - 4:30pm

Coffee Break

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4:30pm - 6:30pm

Roundtable - Applying the Law: A global approach

A truly diverse group of young arbitration practitioners featuring moderators and speakers from North America, Latin America, Western Europe, Eastern Europe, Africa, Middle East, South-East Asia, Central Asia and the Pacific, will conduct a dynamic roundtable where each speaker will give his or her own regional perspective on the following topics:

- Determining the applicable law: la voie directe, the parties' intentions and the arbitrator's discretion
- Good faith, and general principles of law: their role in dispute settlement
- Deciding on equity: how?
- Lex Mercatoria: is it relevant?
- Fusion of legal systems: civil law, common law and sharia law
- Juggling with mandatory provisions potentially applicable to the dispute: the seat, the contract and the place of enforcement
- Tensions between model contracts and the law applicable to them

Milena Djordjevic, Assistant Professor, University of Belgrade Faculty of Law, Belgrade

Franco Ferrari, Director, Center for Transnational Litigation and Commercial Law, New York University School of Law, New York; Professor, Verona University School of Law, Verona

Renato Grion, Partner, Pinheiro Neto, Sao Paulo

Lubnah Katbeh, Partner, Equity Legal Group, Ramallah

Tunde Ogowewo, Professor Kings College London; Counsel/Arbitrator, TOALAWGROUP, Abuja

Vanina Sucharitkul, Senior Associate Herbert Smith, Bangkok; Member, ICC International Court of Arbitration

Nancy Thevenin, Special Counsel, Baker & McKenzie LLP, New York

Moderators

Neeti Sachdeva, Senior Associate, Economic Laws Practice, Mumbai

Simon Greenberg, Partner, International Arbitration Group, Clifford Chance Europe LLP, Paris

8pm

Dinner & Party



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29 June 2013

9am - 9:30am *Coffee*

9:30am - 11:30am

Choice of Two Interactive Workshops

1) Communicating effectively in cross-cultural settings: Applying 10 neuro-principles to successful arbitration

Conducted by:

François Bogacz, CEO, Neuroawareness Consulting Services Inc., La Jolla, California

This workshop will focus on the impacts of neurobiology on arbitrators and counsel in arbitration: what should arbitrators and counsel know about the way the brain works to maximize their effectiveness and well-being?

This workshop is intended to help participants develop an awareness of their behaviors when acting in arbitrations and other dispute resolution proceedings. The workshop will present in an interactive way 10 key neuro-principles derived from the latest research in neuroscience and behavioral psychology. This workshop is intended to help all arbitration practitioners to reflect upon their practice, develop new skills and improve their cross-cultural communication and self-awareness.

2) Calculating damages in international arbitration

Conducted by:

Andrea Cardani, Ettore Comi and **Daniel Flores**, Econ One Research, Inc., Washington D.C.

This interactive workshop will focus on quantum and damages analyses in international arbitration. The hypothetical case of ClubHotel v. San Theodoros Resort Development Corporation will be studied. Workshop participants will learn the basic facts of the case and then have the opportunity to examine the analyses presented by two mock expert witnesses.

The goal of the workshop is to “demystify” quantum and damages analyses, with an emphasis on practice rather than theory. The seminar is targeted to lawyers with little or no training in economics or finance, and can also be enjoyed by lawyers with prior exposure to valuation issues.

The workshop will be facilitated by three economists, who have extensive experience in providing expert reports and oral testimony in arbitrations under ICC, ICSID, UNCITRAL, and IACAC rules.

11:30am - 12:00pm *Coffee Break*

12:00pm - 1pm

Closing Keynote Address: Appointing a young(er) arbitrator: why and why not?

Lucy Reed, Co-head International Arbitration Group, Freshfields Bruckhaus Deringer, Hong Kong

1pm - 1:15pm *Closing Remarks*

1:15pm - 2:30pm *Lunch*

3pm *Choice of cultural activities*

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Logistical and registration information

Welcome Cocktail on 27 June 2013:

Venue: Baker & McKenzie
452 Fifth Avenue
New York, New York 10018

Conference and lunches 28-29 June 2013:

Venue: New York University School
of Law - Greenberg Lounge
Center for Transnational
Litigation and Commercial Law
40 Washington Square South
New York, NY 10012

Working language:

English

Dress code:

Casual

Travel and Accommodation:

Participants are responsible for making their own travel arrangements and hotel reservations. A list of suggested hotels will be sent to participants upon confirmation of registration.

Cancellation:

50% of the registration fee will be refunded if notice of cancellation is received in writing before 15 May 2013. Cancellations after this date are not refundable. Subject to agreement of the ICC YAF Global Coordinating Committee (GCC) prior to the event, the registration may be transferred to another person from the same company or organization at no extra charge. Updated registration material will be required.

Please note that the ICC YAF GCC reserves the right to cancel this event or to make minor alterations to the content and timing of the programme or to the identity of the speakers. In the unlikely event of cancellation, delegates will be offered a full refund. ICC YAF GCC will not, however, be held responsible for any related expense incurred by the participant.

Sponsorship opportunities:

ICC YAF welcomes sponsorship offers from law firms for this event that will provide maximum exposure and visibility.

If your law firm or your company is interested in sponsoring this event, please contact: stephanie.goubelle@iccwbo.org

CLE Accreditation:

Approval for 19 CLE credits has been requested. Attendees of this event will be eligible for CLE credit hours for the state of New York.

Dinner & Party 28 June 2012

Venue: The Heartland Brewery
The Empire State Building
350 Fifth Avenue
New York, NY 10118

Cultural Activities 29 June 2012:

Option 1: Guggenheim Museum
1071 5th Ave
New York, NY 10128
Visit with a guided tour

Option 2: The Standard Beer Garden
High Line Park
Built on an historic freight rail
line, elevated above the streets
of Manhattan's west side
848 Washington at 13th Street
New York 10014



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Registration form - Please complete and return to: arbevents@iccwbo.org

Participant information *(Please print or type)*

Title (Mr/Dr/Mrs/etc.): _____

Family name: _____

First/given name: _____

Position: _____

Company: _____

Address: _____

Zip/postal code: _____

City/state: _____

Country: _____

Email: _____

Phone: _____

Fax: _____

Registration fee: *(Please tick the appropriate box.)*

Until 22 May 2013: Early bird Rate

After 22 May 2013

€150 (approx. \$200)

€230 (approx. \$300)

The registration fee includes all seminar activities() including documentation, Friday and Saturday lunches, coffee breaks, cocktails on Thursday, Friday night dinner at a typical NY style Brewery, and social activities on Saturday. Travel and hotel expenses are not included.*

() Subject to last minute changes and modification by the organizers.*

Method of payment:

By credit card:

American Express

Euro/MasterCard

Visa

Card number: _____

Expiry date: / /

Name of cardholder: _____

Choice of activity for 29 June 2013, 3pm - 6pm

Please tick the appropriate box according to your preference:

Option 1: Guggenheim Museum - Visit with a guided tour

Option 2: The Standard Biergarten, Highline Park

Date: / /

Signature: _____

Are you a YAF Member?

If you are not yet a member and you would like to become one, you can register directly on the ICC website by clicking on the link below - it is free and easy!

<http://w.iccwbo.org/training-and-events/young-arbitratom/join-the-icc-yaf/>

Data protection information: The details you provide on this form will be used for registration purposes. They will be stored in ICC's databases for the sole use of ICC (the International Chamber of Commerce and its wholly-owned affiliate ICC Services). Under the French law "informatique et libertés" of 6 January 1978, you may have access to these details and request deletions and corrections at any time by contacting ICC at arbevents@iccwbo.org. The details you provide may be used by ICC to keep you informed of developments in your area of activity through publications, subscriptions, events and other commercial offers.

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