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American Arbitration Association  
*Dispute Resolution Services Worldwide*



International Centre  
for Dispute Resolution

UP TO 5.75 CPD  
HOURS AVAILABLE\*

A conference co-presented by the IBA Arbitration Committee, the American Arbitration Association® and the International Centre for Dispute Resolution® with the support of the IBA North American Regional Forum

# Four Roundtables in Times Square – Putting the Spotlight on International Arbitration on Broadway

**13 June 2011**

**New York Marriott Marquis, New York, USA**

**Topics include:**

- The legal architecture underpinning international arbitration
- Procedural flash points
- Saving time and lowering costs – What are the options that can really be accomplished?
- What really makes a tribunal work?

**Who should attend?**

Arbitrators, litigators, judges, government officials and all those involved in dispute resolution.

\*As per the Solicitors Regulation Authority of England and Wales. The number of CPD points/hours available may vary for other bar associations and law societies depending on their criteria.

**Headline sponsors**



# Programme

## Conference Co-Chairs

**Mark Friedman** *Debevoise & Plimpton LLP, New York; Co-Chair IBA Arbitration Committee*

**Judith Gill QC** *Allen & Overy, London; Co-Chair IBA Arbitration Committee*

**Luis Manuel Martinez** *Vice-President, International Centre for Dispute Resolution and President of the Inter-American Commercial Arbitration Commission, New York*

## Monday 13 June

0800 – 1755 **Registration**

0830 – 0900 **Welcome coffee/tea**

0900 – 0915 **Welcome remarks**

**Judith Gill QC**

**William K Slate II** *President of the International Centre for Dispute Resolution; President and Chief Executive Officer of the American Arbitration Association, New York*

0915 – 1045

### **The legal architecture underpinning international arbitration**

The allocation of responsibility between international arbitration and national courts is part of the foundation on which arbitration law is constructed. Yet various countries strike the balance in different ways. Is one approach better than the others? In which ways are these approaches evolving in the US and in Europe? Is international arbitration under threat? This panel will explore these and other relevant topics and include time for audience Q & A.

*Moderator*

**Judith Gill QC**

*Speakers*

**Stephen Bond** *Covington & Burling LLP, London*

**Michael Collins QC** *Crandall Hanscom & Collins PA, Maine; Essex Court Chambers, London*

**Laurent Lévy** *Lévy Kaufmann-Kohler, Geneva*

**Honorable Shira A Scheindlin** *United States District Judge Southern District of New York, New York*

**Eric Tuchmann** *General Counsel, American Arbitration Association, New York*

1045 – 1115 **Coffee/tea break**

1115 – 1245

### **Procedural flash points**

Procedural flexibility is one of international arbitration's great virtues. Or is it? Some might say it leads to frustration and misunderstanding when parties differ over how to address key procedural issues. This session will address a range of issues including:

- How tribunals should be constituted, and whether it is now time for party nomination to be eliminated.
- Disclosures and conflicts and the current trend.
- Is there an internationally accepted practice of document disclosure and privilege?
- Have witness statements become ineffective as a way of presenting testimonial evidence?

This panel will explore these and other relevant topics and include time for audience Q & A.

*Moderator*

**Paul Friedland** *White & Case LLP, New York; Vice-Chair, IBA Arbitration Committee*

*Speakers*

**Arif Hyder Ali** *Crowell & Moring LLP, Washington DC*

**Oliver J Armas** *Chadbourne & Parke LLP, New York*

**Grant Hanessian** *Baker & McKenzie LLP, New York*

**Toby Landau QC** *Essex Court Chambers, London*

**Claudia T Salomon** *DLA Piper LLP, New York*

1245 – 1430 **Lunch**

### Associate social event sponsors

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### Reception sponsors

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ADVOGADOS

1430 – 1545

**Saving time and lowering costs – What are the options that can really be accomplished?**

Needs and expectations of the user community: criticism has mounted recently that international arbitration has become too slow and expensive, and offers too few advantages over national courts.

- Is this criticism valid?
- Can efficiency be improved without sacrificing arbitration's essential attributes?
- How important is the quality of the decision-making?
- Are national court judgments an effective alternative to arbitration awards?
- Should more use be made of mediation in conjunction with the arbitration process?

*Moderator*

**William K Slate II**

*Speakers*

**John Fellas** *Hughes Hubbard & Reed LLP, New York*

**Tim Martin** *International Arbitrator, Calgary*

**David W Rivkin** *Debevoise & Plimpton LLP, New York; IBA Secretary-General*

**Stephen E Smith** *Vice-President and General Counsel, Lockheed Martin Space Systems, Colorado (retired)*

**Edna Sussman** *Independent Arbitrator & Mediator, New York*

1545 – 1615 **Coffee/tea break**

1615 – 1745

**What really makes a tribunal work?**

The leading international arbitrators believe they know what works and what doesn't. In their view:

- What are the hallmarks of effective advocacy?
- How do they manage to tiptoe through procedural minefields?
- How do they manage an international arbitration efficiently?
- What are their most memorable experiences in international arbitration?
- What is the best approach to render a reasoned and enforceable award?
- How do you encourage positive panel dynamics?
- How do you deal with problem co-arbitrators?

*Moderator*

**Mark Friedman**

*Speakers*

**Gerald Aksen** *Independent Arbitrator, New York*

**Henri C Alvarez QC** *Fasken Martineau DuMoulin LLP, Vancouver; Advisory Board Member, IBA North American Regional Forum*

**Dominique Brown-Berset** *Brown & Page, Geneva*

**Mark Kantor** *Independent Arbitrator, Washington DC*

**Jan Paulsson** *Freshfields Bruckhaus Deringer LLP, Paris*

1745 – 1755 **Concluding remarks**

**Luis Manuel Martinez**

1755 – 1930 **Closing reception**

*Manhattan Ballroom, New York Marriott Marquis*

All registered delegates and guests may attend. Please indicate on the registration form if you wish to attend.

**Continuing Professional Development/Continuing Legal Education**

For delegates from countries where CPD/CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD/CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction.

This conference has been accredited for CPD/CLE by the Solicitors Regulation Authority of England and Wales. Delegates should ask staff at the registration desk for information as to how to obtain the hours.

**US CLE**

This conference has been approved by New York State for a total of 7 hours of transitional/non-transitional CLE credit (5 Skills and 2 Professional Practice). NY State scholarship will be available upon request. The American Arbitration Association is a Registered Provider with the State Bar of California and therefore this program is eligible for a total of 5.75 general hours of CLE credit. The AAA has not applied for CLE credit in any other jurisdiction.

IBA certificates of attendance will be available for lawyers from self-reporting US states.

**Luncheon and refreshment break sponsor**

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# International Bar Association

## the global voice of the legal profession

The **International Bar Association (IBA)**, established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 40,000 individual lawyers and almost 200 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community.

Grouped into two divisions – the **Legal Practice Division** and the **Public and Professional Interest Division** – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe.

### **Arbitration Committee overview**

The IBA Arbitration Committee focuses on laws, practice and procedures relating to the arbitration of transnational disputes. Through its publications and conferences, the committee seeks to share information about international arbitration and promote its use and improve its effectiveness.

### **Subcommittees and task forces**

The committee has four subcommittees, namely Recognition and Enforcement of Arbitral Awards, Investment Treaty Arbitration, Conflicts of Interest, and Rules of Evidence. The committee also has established two task forces: the Task Force on Attorney Ethics in Arbitration; and the Task Force on Arbitration Agreements.

### **Publications Committee overview**

The committee publishes a newsletter twice a year which is packed with articles from practitioners worldwide. The Committee's other publications include the IBA Guidelines on Conflicts of Interest in International Arbitration and the IBA Rules on the Taking of Evidence in International Commercial Arbitration. Committee members also receive the IBA's journal *Dispute Resolution International* journal which is issued twice a year.

The Arbitration Committee works with the following committees to form the Dispute Resolution Section: Consumer Litigation, Litigation, Mediation, Negligence and Damages

### **North American Regional Forum overview**

The IBA North American Regional Forum covers Canada, Mexico, Puerto Rico, the United States, and English-speaking areas of the Caribbean. Launched at the Chicago Annual Conference in 2006, the NAF is the focus for all activities in the region, and organises sessions and a luncheon event at each IBA Annual Conference for education and networking. Future plans include organising conferences in partnership with other IBA committees and fora, as well as other bar associations and legal organisations in the region. The Forum is closely affiliated with the Latin American Regional Forum as the regions are geographically proximate and share many issues.

The aims of the North American Regional Forum are to expand:

- knowledge about legal practice within North America; and
- the international perspective of lawyers practicing in North America.

As an opportunity to participate in a network between lawyers practicing in the region and lawyers outside the region with an interest therein, the North American Regional Forum provides an unrivalled point of contact.

Contact information:

### **International Bar Association**

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[www.ibanet.org](http://www.ibanet.org)





International Centre  
for Dispute Resolution

## About the International Centre for Dispute Resolution

The **International Centre for Dispute Resolution®** (ICDR), the international division of the AAA, was established in 1996 to provide the same high-quality alternative dispute resolution (arbitration and mediation) services available in the U.S. to individuals and organizations around the globe. Like the AAA, the ICDR administers cases impartially and efficiently while successfully tackling the additional challenges of resolving international conflicts.

The ICDR's expertise in the administration of international arbitrations is well recognized. The ICDR has established cooperative agreements with arbitral institutions worldwide. These agreements enable arbitration cases to be filed and heard virtually anywhere in the world. Once a case is filed utilizing the ICDR's international rules, case managers who are fluent in at least 14 languages and experienced in the complexities of overseas arbitration and mediation matters work to keep clients up-to-date on the progress of their case and assist in resolving these cases expeditiously. The ICDR maintains a worldwide panel of more than 650 independent arbitrators and mediators to hear and resolve cases.

The ICDR, which handles several hundred multinational cases each year, also maintains offices in Bahrain, Mexico and Singapore.