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Effective Advocacy in International Arbitration

From Commencement to Enforcement

FRIDAY, FEBRUARY 20, 2015
UC Berkeley School of Law
Berkeley, California

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PROGRAM SCHEDULE

Program Overview: The program will focus on the critical elements of effective advocacy in international arbitration, offering practical guidance and strategies for each step of the proceedings from commencement to enforcement.

REGISTRATION

8:00 a.m.

INTRODUCTION AND WELCOME

9:00 a.m. – 9:15 a.m.

Prof. Andrew Guzman
Associate Dean For International And Advanced Degree Program, UC Berkeley School of Law
Conference Co-Chair Maria Chedid
Executive Committee Member, The State Bar of California International Law Section
President, Northern California International Arbitration Club
Conference Co-Chair Jeffery Daar
Former Chair, The State Bar of California International Law Section

PANEL 1: INITIATION OF ARBITRATION, EMERGENCY RELIEF AND INTERIM MEASURES

9:15 a.m. – 10:30 a.m.

The initial stages in an international arbitration can have a profound impact on the ultimate resolution of a dispute. This panel will address key considerations that advocates should take into account when they commence arbitration proceedings, including: whether a dispute can or should be submitted to arbitration; how to initiate and respond to a demand for arbitration; selection of arbitrators; recent innovations that provide for emergency arbitrators; and interim measures.

Moderator: Neil A.F. Popović, Sheppard Mullin Richter & Hampton LLP, San Francisco
Speaker(s): Cedric Chao, DLA Piper, San Francisco
Christian Alberti, International Centre for Disupute Resolution, New York
Prof. Jarrod Wong, Universtiy of Pacific, McGeorge School of Law, Sacramento

BREAK

10:30 a.m. – 10:45 a.m.

PANEL 2: INITIAL PROCEDURAL HEARING AND DISCLOSURE

10:45 a.m. – 12:00 p.m.

Once the arbitral tribunal has been selected, the parties and the tribunal work together (although not always in complete harmony) to establish the framework for the arbitration, including the initial procedural hearing, terms of reference and procedural orders, disclosures, gathering and presentation of evidence, and issues of privilege. This panel will discuss strategy and tactics to gain the maximum benefit from procedural aspects of international arbitration, while acting within the parameters of appropriate advocacy.

Moderator: Prof. Richard Buxbaum, UC Berkeley School of Law, Berkeley
Speaker(s): Annet van Hooft, Bird & Bird, Paris
Nathan O'Malley, Gibbs Giden Locher Turner Senet & Wittbodt LLP, Los Angeles
Lisa Tomas, Arnold & Porter LLP, London

LUNCH AND KEYNOTE INTERVIEW

12:00 p.m. – 1:15 p.m.

Henri Alvarez, Fasken Martineau DuMoulin LLP, Vancouver
Henri Alvarez has served as arbitrator or counsel in over 100 international arbitration proceedings. Among his many awards and accolades, Mr. Alvarez has been

recognized by Chambers Global as one of the world's "most in demand arbitrators," and by Global Arbitration Review as the "best prepared/most responsive arbitrator" of 2014. In the keynote interview, Mr. Alvarez will share his views on effective advocacy in international arbitration.

Interviewer: Maria Chedid, Arnold & Porter LLP, San Francisco

PANEL 3: PREPARATION OF WRITTEN SUBMISSIONS

1:30 p.m. – 2:45 p.m.

The arbitral tribunal forms its preliminary views on the merits based on the memorials of the parties, and the documentary and testimonial evidence submitted. The focus, clarity and persuasiveness of the advocate's written argument will largely determine the orientation and permanence of these views. This panel will address effective written presentation in international arbitration, including witness statements and expert reports.

Moderator: Benjamin Hughes, Independent Arbitrator, Seoul and Hong Kong

Speaker(s): Abimbola Atitebi II, Nigeria (*currently* UC Berkeley School of Law LL.M Candidate)
Prof. Jan Dalhuisen, King's College, London (*currently* Visiting Prof. of Law, UC Berkeley School of Law)
Kenneth Weissberg, Weissberg & Weissberg, Paris

BREAK

2:45 p.m. – 3:00 p.m.

PANEL 4: MERITS HEARING

3:00 p.m. – 4:15 p.m.

How does the merits hearing in an international arbitration differ from a trial in U.S. litigation? What are key factors to keep in mind when examining lay and expert witnesses, presenting evidence, and making opening and closing arguments? This panel will provide practical tips on these important issues, drawing on the speakers' many years of experience serving as arbitrators and advocates.

Moderator: Grant Kim, Morrison & Foerster, San Francisco

Speaker(s): Richard Chernick, JAMS, Los Angeles
Tina Cicchetti, Fasken Martineau DuMoulin LLP, Vancouver
Scott Donahey, Independent Arbitrator, Palo Alto

BREAK

4:15 p.m. – 4:30 p.m.

PANEL 5: POST-AWARD

4:30 p.m. – 5:30 p.m.

What happens after an international arbitration award is issued? This panel will provide insight into post-award proceedings, including the possibility of seeking correction of an award by the arbitrators, petitioning a court for modification or vacatur of the award, and obtaining judicial recognition and enforcement of the award.

Moderator: Jeffery Daar, Daar & Newman, Los Angeles

Speaker(s): Prof. Jeffrey Dasteel, UCLA School of Law
Syed Mujtaba Hussain, Emirates Legal, United Arab Emirates
Dan Tan, Dan Tan Law, San Francisco

NETWORKING RECEPTION

5:30 p.m.

REGISTRATION INFORMATION

CANCELLATIONS/REFUND POLICY:
Cancellations and requests for refunds must be received in writing no later than Friday, February 13, 2015 and are subject to a $25 service charge. Refunds will not be available after Friday, February 13, 2015.

QUESTIONS:
For registration information call (415) 538-2508. Telephone registrations will not be accepted. For program content and/or Section information call (415) 538-2380.

SPECIAL ASSISTANCE:
For special assistance, please call (415) 538-2380.

ON-SITE:
On-site registration will be on a space available basis. Call to confirm space availability.

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Effective Advocacy in International Arbitration from Commencement to Enforcement
Friday, February 20, 2015 • Berkeley, California

REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: _____

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(Required for email confirmation)

Program package includes 6 hours of MCLE credits, program materials, continental breakfast, lunch and networking reception refreshments.

Your name and address may be disclosed.
___ Check here if you do not want your information released.

PRE-REGISTRATION FEES (check the appropriate circle)

- O **$175** International Law Section Members and Members of Cooperating Entities
- O **$250** Non-Section Members (includes enrollment in the International Law Section for 2015)
- O **$175** Northern California International Arbitration Club Members
- O **No Charge** Students and Berkeley School of Law Faculty

**Onsite registration fees are $225 for Section Members and $300 for Non-Section Members

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180 Howard Street, San Francisco, CA 94105

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INTERNATIONAL LAW SECTION
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San Francisco, California 94105

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UC BERKELEY LAW SCHOOL
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