6th Biennial Symposium on International Arbitration and Dispute Resolution

10 – 13 June 2010
Schloss Leopoldskron, Salzburg, Austria

Professor Dennis Campbell, Director
Center for International Legal Studies, Salzburg, Austria

Laurent Hirsch, Partner, Hirsch Kobel
Geneva, Switzerland

Lawrence S. Schaner, Partner, Jenner & Block LLP
Chicago, Illinois, United States
WELCOME

Thursday Cocktails and Palace Tour
Cocktails will be served in the Great Hall (ground floor) of Leopoldskron Palace on Thursday starting at 6:30 PM.
An exclusive tour of the Palace will commence at 7:30 PM in the Great Hall.

Friday Afternoon and Free Evening
Weather dependant you will enjoy a two-hour walking tour of Salzburg.
Friday is a free evening. Restaurants nearby the Palace are Strasserwirt, Riedenburg, Da Giacomo, DuMichAuch and various Chinese Restaurants. Restaurants in town that come to mind are Goldene Ente or Peterskeller.
If you want to watch the Soccer World Cup (and you do not want to watch it in your room) you can do so in the Meierhof Café:
   South Africa – Mexico at 4:00 PM
   Uruguay – France at 8:30 PM

Lunches & Dinners
Lunches and dinners will be served in the Marble Hall (first floor) of Leopoldskron Palace.
Buffet lunches are scheduled Thursday, Friday, and Saturday; opening and closing dinners Thursday and Saturday for delegates and guests according to schedule.
House wine, beer and soft drinks at lunches and dinners - as listed on the menus - are included in the symposium’s fee. Special requests have to be paid by the individual.

Breakfasts
For delegates and guests staying in the Palace and the Meierhof, breakfast is served in the Marble Hall starting as early as 7:30 AM.
For delegates and guests staying in the Altstadt Radisson Hotel, breakfast is served according to the hotel’s breakfast hours information.

After-Dinner Drinks / Bar Service
Thursday and Friday evenings bar service will be hosted at the Meierhof Café, Saturday evening a serviced bar will be set up in the Great Hall. Consumption at the bar is on the individual’s tab.

Professional Program
Business sessions convene Thursday, 10 June, at 1:00 PM in the Parker Hall in the Meierhof.

PowerPoint Presentations
Please see a member of the CILS staff for set-up and coordination of your PowerPoint presentation at least one session before you are scheduled to speak. Otherwise, we cannot guarantee flawless use of PowerPoint facilities, as we then do not have enough time to eliminate technical or other problems should they arise.

Time consumed for late technical setup will be at the expense of the speaker’s presentation time.

Check Out and Rooms
Check out time at the Leopoldskron Palace and the Altstadt Radisson Hotel is at 11 AM. If you wish to check out later, please let the front desk know as soon as possible.
Accommodation, meals and meeting arrangements will be charged to the CILS hotel account.
You will be asked to pay your incidentals (bar, mini bar, telephone, copies…)

Salzburg Sightseeing
Please find an overview of Salzburg sightseeing possibilities in your packet.

Optional Adventure Program Sunday
Given that glacier skiing on the Kitzsteinhorn is not possible, other possibilities are:
• Canyoning
• Rafting
• High Wire Adventure Park
• Raft Building and Tour

We hope you enjoy your stay in Salzburg.

Manuela Ines Wedam
CILS Event Coordinator
The Center for International Legal Studies is an Accredited Provider by

- The Solicitor’s Regulation Authority (SRA)
- The Faculty of Advocates of the Scottish Bar
- The Netherlands Bar

for Continued Professional Development (CPD) and by the States of
- Texas
- California (approved jurisdictions rule)
- New York (approved jurisdictions rule)

for Continued Legal Education (CLE).

**CPD:** The symposium has a total value of 17.4 CPD credits. (Credits based on 60-minute hours).

**SRA:** The SRA is the independent regulatory body of the Law Society of England and Wales.

The reference code for the Center for International Legal Studies and its programs is **CHQ/CEIN**.

Solicitors will have to attend and register for all sessions in order to qualify for CPD credits.

**Faculty of Advocates:** Scottish barristers are required to complete the attendance sheet of the Faculty of Advocates, which can be obtained from the CILS staff.

**CLE:** CILS will certify up to 20.9 hours of accredited attendance (based on 50-minute hours) or 17.4 hours of accredited attendance (based on 60-minute hours).

Due to CILS’ recognized sponsorship with the above jurisdictions, the bars of several other US states and Hong Kong have granted CLE/CPD credits on the basis of individual attorney application.

The number of hours actually awarded will vary from state to state. The amount of hours awarded is dependent on a participant’s attendance.

All CLE/CPD registrants will receive a letter of certified attendance approximately one week after the retreat.

**CLE/CPD registration sheets** will be available for each session. You will have to sign each time in order to get all Credits!

The Center for International Legal Studies will only certify those hours for which you sign.

Should you forget to do so, please see a member of the CILS staff.
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<thead>
<tr>
<th>Time</th>
<th>Session</th>
<th>Details</th>
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<tr>
<td>11:45 AM</td>
<td>Luncheon</td>
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<tr>
<td>01:15 PM</td>
<td>1 - Developments Relating to Arbitration Rules</td>
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<tr>
<td>02:55 PM</td>
<td>Panel Chair Christof Siefarth, Germany</td>
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<tr>
<td>03:00 PM</td>
<td>Remy Gerbay, England</td>
<td>Recent Developments from the LCIA</td>
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<td></td>
<td>John B. Pinney, United States</td>
<td>Should Companies Opt for Expedited International Arbitration - What are the Benefits/Risks?</td>
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<td></td>
<td>Marianne Roth, Austria</td>
<td>Proposed Changes in UNCITAL Rules</td>
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<tr>
<td>02:55 PM</td>
<td>Panel Change</td>
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<tr>
<td>03:00 PM</td>
<td>2a - Enforcement of Arbitration Agreements and Questions of Arbitrability</td>
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<tr>
<td>03:00 PM</td>
<td>Panel Chair Laurent Hirsch, Switzerland</td>
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<td></td>
<td>Luc Demeyere, Belgium</td>
<td>Update on Heidelberg Report and EU Regulation 44/2001 in Respect of Arbitration</td>
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<td>Michael B. Devine, United States</td>
<td>The Arbitrability of US Antitrust and EU Competition Law Matters</td>
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<td>Christopher Koch, Switzerland</td>
<td>Arbitrability of Trust Disputes</td>
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<tr>
<td>04:15 PM</td>
<td>2b - Enforcement of Arbitration Agreements and Questions of Arbitrability</td>
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<tr>
<td>04:15 PM</td>
<td>Panel Chair Lawrence S. Schaner, United States</td>
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<td></td>
<td>Vinodh Coomaraswamy, Singapore</td>
<td>Remedies for Breach of an Arbitration Agreement (including Anti-Suit Injunctions): The Common Law Perspective</td>
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<td>Joseph N. Mbadugha, Nigeria</td>
<td>Arbitration Agreements and Jurisdiction of State Courts</td>
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<td>C. Ryan Reetz, United States</td>
<td>The Limits of the Competence-Competence Doctrine in US Courts</td>
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<td>Koji Takahashi, Japan</td>
<td>Damages for Breach of an Arbitration Agreement</td>
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<td>06:30 PM</td>
<td>Cocktail Reception</td>
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<tr>
<td>07:30 PM</td>
<td>Palace Tour</td>
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<tr>
<td>08:00 PM</td>
<td>Opening Dinner</td>
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**Friday, 11 June 2010**

*All sessions are held in the "Parker Hall"*

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<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tr>
<td>07:30 AM</td>
<td>Breakfast</td>
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**Marbel Hall, Palace**

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<th>Time</th>
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<tr>
<td>08:30 AM</td>
<td><strong>3a - Controversial Issues Concerning the Enforcement of Arbitration Awards</strong></td>
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**Panel Chair** Stanislav Mysliv, Czech Republic

- David P. Roney, Switzerland  

- Riccardo G. Cajola, Italy  
  *Enforcement of Arbitration Awards in Italy*

- J. Edgar Sexton, Canada  
  *Controversial Issues Regarding Enforcement of Arbitration Awards in Canada*

- Michael Kotrly, Canada  
  *Controversial Issues Regarding Enforcement of Arbitration Awards in Canada*

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<th>Time</th>
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<tr>
<td>10:15 AM</td>
<td><strong>Panel Change</strong></td>
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<th>Time</th>
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<tr>
<td>10:20 AM</td>
<td><strong>3b - Controversial Issues Concerning the Enforcement of Arbitration Awards</strong></td>
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</table>

**Panel Chair** Christof Siefarth, Germany

- Bennar Balkaya, Turkey  
  *Enforcement of Annulled Awards in Various Jurisdictions*

- Renate Dendorfer, Germany  
  *Arbitrability of Company Law Disputes in Light of the Latest German Supreme Court Decision*

- James Freeman, England  
  *Enforcement Issues Arising from Dallah v Government of Pakistan*

- Thomas Kendra, France  
  *A French Update on the Enforcement of Annulled Awards*

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<th>Time</th>
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<tr>
<td>10:20 AM</td>
<td><strong>3b - Panel Change</strong></td>
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<tr>
<td>11:30 AM</td>
<td><strong>3c - Controversial Issues Concerning the Enforcement of Arbitration Awards</strong></td>
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</table>

**Panel Chair** Christof Siefarth, Germany

- Austin I. Pullé, Singapore  
  *Comparative Developments of Enforcement in Asia*

- Clarisse von Wunschheim, China  
  *Recent Developments Regarding Enforcement of Arbitration Awards in China*

- Christina Cathey Schuetz, England  
  *Patterns of Non-Enforcement and How to Avoid Them*

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<tr>
<th>Time</th>
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<tr>
<td>12:30 PM</td>
<td><strong>Networking Lunch</strong></td>
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<td>12:30 PM</td>
<td><strong>4 - Interim Measures</strong></td>
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**Panel Chair** George M. Von Mehren, United States

- Philipp Bärtsch, Switzerland  
  *Standards for Considering Applications for Provisional Measures*

- Rostislav Pekar, Czech Republic  
  *Proceedings Against States (eg, Mongolia, Ecuador and others)*

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<tr>
<th>Time</th>
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<td>02:15 PM</td>
<td><strong>4 - Panel Change</strong></td>
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<td>02:30 PM</td>
<td><strong>5 - North American News: Legislation, Court Rulings, Trends</strong></td>
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**Panel Chair** John B. Tieder, Jr., United States

- Howard Rosenfield, United States  
  *Securities Arbitration in the Post Credit-Crisis Environment*

- S. I. Strong, United States  
  *International Enforceability of Class Awards*

- William G. Whitehill, United States  
  *Class Actions and Arbitration*

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<tr>
<th>Time</th>
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<tr>
<td>04:30 PM</td>
<td><strong>Salzburg City Tour On Foot</strong></td>
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<th>Time</th>
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<tbody>
<tr>
<td>07:00 PM</td>
<td><strong>Free Evening</strong></td>
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</table>
Saturday, 12 June 2010
All sessions are held in the "Parker Hall"

Breakfast
Marble Hall, Palace 07:30 AM 08:30 AM

6a - Practical Experience
08:30 AM 10:00 AM
Panel Chair Mauro Rubino-Sammartano, Italy
Louis B. Buchman, France
Time Control in International Arbitrations
Gerry Lagerberg, England
Corporate Attitudes in International Arbitration
Hansjörg Stutzer, Switzerland
Selection of Arbitrators

Panel Change 10:00 AM 10:10 AM

6b - Practical Experience
10:10 AM 10:50 AM
Panel Chair Mauro Rubino-Sammartano, Italy
Bernard Ballansat, Switzerland
Disclosure from the Parties to the Arbitration
Bernd Ehle, Switzerland
Use of Experts in International Arbitration

Panel Change 10:50 AM 10:55 AM

6c - Practical Experience
10:55 AM 12:00 PM
Panel Chair Mauro Rubino-Sammartano, Italy
Caroline Berube, China
Asian Place of Arbitration: China or Singapore?
Alexander N. Lamme, United States
The Use and Abuse of Multi-Level Dispute Resolution Procedures in International Construction Arbitration - A Faster Road to Resolution or Delaying Tactic?
John B. Tieder, Jr., United States
The Use and Abuse of Multi-Level Dispute Resolution Procedures in International Construction Arbitration - A Faster Road to Resolution or Delaying Tactic?
Rodrigo Garcia da Fonseca, Brazil
A Practitioners' Checklist to Arbitrating in Brazil

Networking Lunch
Marble Hall, Palace 12:00 PM 01:15 PM

7 - Arbitration and Bankruptcy
01:15 PM 02:20 PM
Panel Chair Joachim Kuckenburg, France
Philipp K. Wagner, Germany
Various Effects of Insolvency Proceedings on Arbitration
Georg Naegeli, Switzerland
Impact of Bankruptcy on a Pending Arbitration (Vivendi Elektrim Case in Switzerland and the UK)

Panel Change 02:20 PM 02:25 PM

8 - Independence of Arbitrators
02:25 PM 04:10 PM
Panel Chair A. Nicholas Simon, Austria
Stephen D. Mau, China
Independence of Arbitrators in an International Setting
Sheryl L. Mintz Goski, United States
Arbitrator Disclosures and Requirements in the United States
Patrick Schindler, Canada
Arbitrator's Ethics
Richard E. Walck, United States
Ethics for Experts
Michael H. White, United States
Independence of Arbitrators, in Particular in Connection with the Mandatory Consumer Credit Card Arbitration Process

Panel Change 04:10 PM 04:15 PM

9 - Alternative Dispute Resolution
04:15 PM 05:30 PM
Panel Chair Nikolaus Pitkowitz, Austria
Federico Antich, Italy
Use of Mandatory Mediation Clauses
Paul Anthony Smith, Australia
Commercial Mediation Cases is Australia
Ivan K. Stevenson, United States
Arbitration - Mediation Two Ships Passing in the Night or Collision Course

Piano Concert
Great Hall, Palace 06:00 PM 07:00 PM

Concluding Dinner
Marble Hall, Palace 07:00 PM 09:30 PM

Digestifs & Cigars
Great Hall, Palace 09:30 PM 10:30 PM
Participants List

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- Ms. Clarisse von Wunschheim, Swiss Attorney at Law, Moma 12-3003, Xiangheyuan Road 1, Dongzhimenwai, Dongcheng District, 100028 Beijing, China, Tel: +86 139 10518776, Fax: +86 13¢, Email: wunschheim@gmail.com.

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