

## YES

I wish to attend the following programme:

### Tools and Tactics in International Commercial Arbitration

21-22 April 2005, Paris

REF 506

## FEE

€1399 + TVA = €1673.20 **OR**

£949 + TVA = £1135.00

## LOCATION

Hotel Le Parc Paris Sofitel  
55-57 Avenue Raymond  
Poincare  
75016 Paris  
France



## IT IS IMPORTANT TO FILL OUT ALL THE INFORMATION BELOW

### First delegate details

Mr/Mrs/Ms (surname) \_\_\_\_\_ First names \_\_\_\_\_  
\_\_\_\_\_  
Job title \_\_\_\_\_  
Tel \_\_\_\_\_  
Email \_\_\_\_\_

### Second delegate details – 10% SAVING

(FOR MORE THAN TWO DELEGATE'S PLEASE PHOTOCOPY THIS FORM AS NEEDED)

Mr/Mrs/Ms (surname) \_\_\_\_\_ First names \_\_\_\_\_  
\_\_\_\_\_  
Job title \_\_\_\_\_  
Tel \_\_\_\_\_  
Email \_\_\_\_\_

### Contact details (ALL INVOICES WILL BE ADDRESSED TO THIS CONTACT)\*

Mr/Mrs/Ms (surname) \_\_\_\_\_  
First names \_\_\_\_\_  
Job title \_\_\_\_\_  
Tel \_\_\_\_\_  
Email \_\_\_\_\_

### Organisation details

Company \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Postcode \_\_\_\_\_ Country \_\_\_\_\_  
Tel \_\_\_\_\_ Fax \_\_\_\_\_  
Training manager \_\_\_\_\_

### Payment details

**NB** Please note that payment must be made in advance of the event, Falconbury reserve the right to refuse admission if payment has not been received.

- I enclose a cheque made payable to Falconbury Ltd  
 I would like to pay by bank transfer (BACS) payment:  
 In Euros (€) – to Nat West Sort Code 60-04-16 • Account No. 90618831  
IBAN No. GB78NWBK60721190618831  
 In GBP Sterling (£) to Nat West Sort Code 60-04-16 • Account no. 30212820  
 Please charge my credit card  Mastercard  Visa

Card no. \_\_\_\_\_ Expires \_\_\_\_\_

Cardholder name \_\_\_\_\_

Signature \_\_\_\_\_

\* Contact details above must be those of the cardholder

## 5 Ways to book

**Call** +44 (0)20 7729 6677

**Fax** +44 (0)20 7729 6110

**Email** [bookings@falconbury.co.uk](mailto:bookings@falconbury.co.uk)

**Online** [www.falconbury.co.uk](http://www.falconbury.co.uk)

**Post** Falconbury Ltd., 10-12 Rivington Street  
London EC2A 3DU, UK

## Fees

The fee includes all written materials, lunch and refreshments.

## How to register and pay

A VAT invoice and booking confirmation will be sent within 7 days, please contact us if you have not heard anything after that time.

Payment can be made by credit card, by bank transfer (for bank account details please see payment details section of booking form) or by cheque made payable to Falconbury Ltd and posted to the address above. VAT no. 770008751. Any questions please contact **Kate Jackson** on **+44 (0)20 7729 6677**.

**ALL PAYMENTS MUST BE RECEIVED IN ADVANCE OF THE EVENT**

## Multiple booking discounts

A multiple booking discount of 10% is available on the 2nd and subsequent delegates booked at the same time from the same organisation. This discount may not be used in conjunction with any other offer unless otherwise stated.

## Accommodation

Accommodation is not included in the course fee but we are able to help you find accommodation in the area. For more information please call +44 (0) 20 7729 6677.

## ALWAYS READ THE SMALL PRINT

### Cancellations and transfers

Once we have received the booking form the places are confirmed. Any cancellations received 10 working days or more before the date of the course will be charged a 10% administration fee. After that date the full course fee will be charged.

Transfers can be made free of charge up to 14 days before the event. Between 13-7 days before the event a 10% administration fee will be charged. 7 days or less before the event no transfers can be accepted.

Substitute delegates may be named or transfers made to another course (on payment of the difference on higher value courses).

**ALL CANCELLATIONS MUST BE RECEIVED IN WRITTEN FORM**

### Please note

Falconbury Ltd reserve the right to change the content and timing of the programme, the speakers and the date and venue due to reasons beyond their control. If in the unlikely event that the course is cancelled Falconbury will refund the full amount and disclaim any further liability.

### Have we addressed you correctly?

If you are receiving multiple brochures or you would like us to change any details or remove your name from the database please contact our database department.

### Enquiries

If you have any queries about registration or payment please do not hesitate to contact our customer services department on **+44 (0)20 7729 6677**.



Tools and Tactics is a propriety trademark/name of  
Cornerstone Seminars Ltd.

PLEASE QUOTE YOUR REFERENCE NUMBER

5369/

Falconbury registered address: Acre House, 11-15 Williams Road  
London NW1 3ER, UK. Company No. 3937398

*Applied Practical Training for  
Legal Professionals*

# TOOLS AND TACTICS IN INTERNATIONAL COMMERCIAL ARBITRATION

**21-22 April 2005 • Paris**

**An in-depth review of the best tools and tactics available to practitioners involved in international disputes presented by experts from across the profession including:**

- International Centre for Dispute Resolution, Ireland
- ICC International Court of Arbitration, Paris
- Russian Academy of Foreign Trade, Moscow

ARBITRATION  
LAW

**12**  
Hours CPD

*Law Society Accredited  
General Council of the  
Bar Accredited*

 **falconbury**  
BUSINESS LAW SEMINARS

in association with

**informa**



## What is this seminar about?

*Tactics, as a topic*, is one of the more mysterious yet vital elements of winning international disputes. Sometimes it is purely a question of experience and knowledge – for instance you may not know all the ‘tools’ available to you as a practitioner. In some cases, the tactics apply either to national legal systems, particular sets of arbitration rules, or particular contracts.

The aim of this seminar programme is to reveal the key tools and tactics available to all involved in international commercial arbitration and litigation in a wide variety of disputes. The programme combines real life experience ‘war stories’ with fresh views with an aim to widen and deepen knowledge of international arbitration, to get behind the doctrine and learn from the experienced practitioners, and, perhaps, to improve the chances of winning

Over two intensive days, the team of leading expert speakers will examine tools and tactics in a methodical way which will help lawyers, in-house lawyers and arbitrators to master many of the wide-ranging aspects of international arbitration practice.

### What are the objectives of this seminar?

By attending this seminar, you will:

- Become acquainted with procedures of the major arbitration institutions
- Learn about the difficult early choices which have to be made when commencing the arbitration
- Familiarise yourself with international arbitration through real-life experiences – ‘war stories’
- Find out more about the laws governing international arbitration and their implications for the parties
- Understand the implications of forum shopping, the choice of governing law and place of arbitration
- Hear from the experts about the UNCITRAL initiatives and the IBA disclosure rules
- Learn about the issues in the flavour of the moment – bilateral investment treaty arbitration

### Who should attend?

- Lawyers in industry
- Lawyers in private practice
- Anyone involved in international commercial arbitration
- And all those whose work brings them into contact with international contracts that have the potential for giving rise to disputes that need to be resolved.

## Programme

### DAY ONE: 21 APRIL 2005

0830 Registration and coffee

0900 Welcome and overview

#### SESSION 1 – TOOLS AND TACTICS IN COMMENCING THE ARBITRATION AND THE APPOINTMENT OF ARBITRATORS

0910 Introduction

- Time limits for commencing arbitration and beating them
- The use of a pre-judgment attachment and liens
- Administered or Ad Hoc/UNCITRAL
- The request for arbitration
- Relevant principles of appointment and the widely differing practices and views

*Robert Knutson, Chartered Arbitrator, Registered Adjudicator, Court Member, ICC Court of International Arbitration, Consultant, Corbett & Co, London*

0930 Commencing the arbitration – knowing your institution

##### 1. LCIA procedures

- Taking your case to the London Court of International Arbitration
- Procedures and tactical issues

1000 2. ICDR procedures

- Taking your case to the International Centre for Dispute Resolution (ICDR)
- Procedures and tactical issues

*Mark Appel, Senior Vice President, International Centre for Dispute Resolution, Ireland*

1030 3. ICC procedures

- Taking your case to the International Chamber of Commerce (ICC)
- Procedures and tactical issues

*Jennifer Kirby, Counsel, ICC International Court of Arbitration, Paris*

1100 Coffee

1115 Commencing the arbitration – the difficult early choices

- Finding the right arbitrators
- Venue considerations – obtaining home advantage
- Legal and non-legal (tactical) considerations

*Mark Levy, Partner, Allen & Overy, London*

1145 The receipt of the demand for arbitration – tactics for respondents

- Acknowledge receipt or pretend you are not there?
- Choosing the right arbitrator
- Setting goals for the Defence and achieving them

*Christian Camboulive, Partner, Gide Loyrette Nouel, Paris*

1215 Panel discussion session – morning speakers

1245 Lunch

1400 Jurisdictional challenges and challenges to arbitrators

- Are not always a good idea, even if the chance exists
- Jurisdictional points gain time but lose sympathy
- Challenges to members of the Tribunal – you win or you die?
- The changing tests for successful challenges

*Michael Ostrove, International Counsel, Debevoise & Plimpton, Paris*

#### 1430 The IBA Disclosure Rules 2004

- When do you stop and when do you go?
- The Red, Orange and Green Codes – recipe for disaster or the roadmap for the future?
- Will they affect institutional practice?

*Michael A. Polkinghorne, Partner, White & Case, Paris*

#### 1500 Tea

#### 1515 Tools and tactics from the tribunal's point of view – a personal view

*Robert Knutson*

#### 1530 The laws governing international arbitration – implications for the parties and the tribunal

- What are they?
- Where can they be found?

*Peter Aeberli, Barrister, Chartered Arbitrator, Registered Adjudicator and Mediator. Lecturer, Kings College Centre of Construction Law and Management*

#### 1600 Forum shopping guide to governing law and place of arbitration

*Shai Wade, Partner, Vinson & Elkins LLP, London*

#### 1630 Panel discussion session

#### 1700 Drinks reception/close of day one

### DAY TWO: 22 APRIL 2005

#### 0830 Coffee

#### SESSION 2 – TACTICS UP TO THE TERMS OF REFERENCE/PROCEDURAL DICTIONS

##### 0900 Introduction

- To pay the advance on costs or not?
- Is there really such a thing as an arbitration on questions of principle?
- Interim or conservatory measures in the Courts or in front of the tribunal
- Security for costs
- How to play the TOR – send your version first? Indeterminate issues to be determined
- Cease and desist orders – the flavour of the season
- Applications for awards of the non-paying respondent's half of the advance

*Robert Knutson*

##### 0920 The UNCITRAL initiative on the Enforcement of Interim Awards

- The story so far
- Ex Parte Orders
- The prognosis

*Jason Fry, Partner Clifford Chance, Paris*

##### 0950 Tactics in modern Russian arbitration

- The importance of the right arbitration clause
- Arbitrating in Russia
- Enforcement issues involving Russian parties

*Professor Nina Vilkoova, Russian Academy of Foreign Trade, Moscow, Russian Federation*

#### 1020 Coffee

##### 1035 Specialised tactics for special cases

*Eric Schwartz, Partner, Freshfields Bruckhaus Deringer, Paris*

#### 1110 Panel discussion session

#### 1140 Workshop: The procedural rules? IBA supplemental rules – uses and abuses

- Like it or not, the extent of document production can win or lose cases
- Do you address the other sides best arguments or ignore them

*Stephen Bond, Partner, White & Case, Paris*

#### 1230 Lunch

#### SESSION 3 – HEARING GAMES

##### 1345 Introduction

- A few witnesses or a lot of witnesses?
- Is it reasonable to discard the evidence of people who cannot make it to the hearing?
- Experts – uses and abuses
- Chess clocks?
- The IBA rules come back into play – are they a good idea at this stage?

*Robert Knutson*

##### 1415 When a government is involved – bilateral investment treaty arbitration and its relationship to commercial arbitration

*George M. von Mehren, Partner, Squire, Sanders & Dempsey LLP, USA*

#### 1500 Tea

##### 1515 Workshop session

Enforcement issues

##### 1615 Reflections on tools and tactics over the last 25 years

*William Craig, Consultant, Coudert Brothers LLP, Paris*

##### 1645 Final panel discussion

##### 1700 Close of seminar

### In-House Training

If you would like to discuss in-house training for your organisation on the topic outlined in this brochure or discuss wider training and development needs, we would be delighted to help.

Falconbury work with motivated trainers who are experts in their field and skilful at communicating practical techniques, new ideas, tips and methodologies.

For more information about this or any other programme in our portfolio call Caroline Glen on +44 (0)20 7729 6677.

### About Falconbury Business Law Seminars

Falconbury Business Law Seminars specialises in the provision of high quality training for legal professionals from both in-house and private practice. The focus of the events is to provide comprehensive and practical training on current international legal thinking and practice in a clear and informative format.

### Continuing professional development

This course is accredited for 12 CPD hours by the General Council of the Bar and also 12 CPD hours Law Society accredited (CPD reference CSC/ FALI). After you have successfully completed the course you will receive a certificate stating the amount of hours and type of training you have completed.

### MULTIPLE BOOKING DISCOUNT

# SAVE 10%

If you book more than one participant from the same organisation. See booking form for details.

