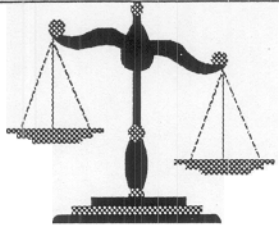

Center for International Legal Studies

In Cooperation with Franklin Pierce Law Center

INTERNATIONAL LITIGATION

Salzburg Conference
22 - 25 October 1998
Renaissance Salzburg Hotel
Salzburg, Austria

Schedule

THURSDAY, 22 OCTOBER:

6:30 p.m. – Reception

7:30 p.m. – Opening Dinner, Hotel Renaissance, Greetings – Dennis Campbell, Director, Center for International Legal Studies, Salzburg, Austria. **Introduction** – Peter Rees, Norton Rose, London, England.

FRIDAY, 23 OCTOBER:

Session I – 8:30 – 10:00 a.m.
FORUM SHOPPING

Moderator: Peter Rees, Norton Rose, London, England.

Speakers: Joseph Dellapenna, Villanova University, Pennsylvania, United States. *United States Long Arm Jurisdiction.* Marc Russenberger, Pestalozzi Haegi & Partners, Zurich, Switzerland. *Brussels/Lugano Conventions.*

10:00 – 10:30 a.m. Break

Session II – 10:30 a.m. – 12:00 noon
FORUM SHOPPING

Moderator: Michael Cranston, Warner Cranston, London, England.

Speakers: Markus Koehnen, McMillan Binch, Toronto, Canada. *A Principled Approach to Forum Shopping.* Willem van Baren, Loeff Clays Verbeke, Amsterdam, Netherlands. *Pre-Emptive Litigation.*

NOON – BUFFET LUNCHEON

Session III – 1:30 – 3:30 p.m.
PROTECTIVE AND CONSERVATIVE MEASURES

Moderator: Bert Oosting, Ekelmans Den Hollander, Amsterdam, Netherlands.

Speakers: Raymond Werbicki, Masons, London, England. *Available Remedies in England.* Nathalie Voser, Schellenberg & Haissly, Zurich, Switzerland. *Civil Law Approach and Enforceability.*

3:30 – 3:45 p.m. Break

Session IV – 3:45 – 5:00 p.m.
OBTAINING DOCUMENTARY EVIDENCE

Moderator: Richard Michel, Crills, Jersey, Channel Islands.

Speakers: Karol K. Denniston, Biddle & Co, London, England. *United States Discovery Compared and Contrasted.* Massimo Audisio, Studio Legale Cavasola Scamoni e Associati, Milan, Italy. *Civil Law Procedures.* Nicola Mumford, Wragge & Co, Birmingham, England. *Compelling Production of Documents, Anton Piller Orders and all that.*

6:00 p.m. – BUFFET DINNER AT HOTEL

7:00 p.m. – DEPARTURE BY BUS FOR PALACE CONCERT FOR ALL WHO HAVE BOOKED CONCERT TICKETS

SATURDAY, 24 OCTOBER:

Session V – 8:30 – 10:00 a.m.
EXPERT EVIDENCE

Moderator: Luc Demeyere, Loeff Claeys Verbeke, Antwerp, Belgium.

Speakers: Graeme Menzies, Mills & Reeve, Cambridge, England. *The Case for the Common Law Approach.* Bo G.H. Nilsson, Rydin & Carlsten Advokatbyrå AB, Stockholm, Sweden. *The Case for the Civil Law Approach.* Michael Lee, Norton Rose, Paris, France. *Moving the Common Law Approach Towards the Civil Law.*

10:00 – 10:30 a.m. Break

Session VI – 10:30 a.m. – 12:00 noon
SUPPORT FOR FOREIGN PROCEEDINGS

Moderator: Orit Keren-Polak, Rosenberg Levinson Yanay Keren-Polak, Tel Aviv, Israel.

Speakers: Guilherme Santas Silva, Avillez Pereira & Associados, Lisbon, Portugal. *Availability of Interim or Protective Measures in Support of Foreign Proceedings – a Portugese View.* Eric Lewis, Baach Robinson & Lewis, Washington D.C., United States. *Availability of United States Discovery in Foreign Litigation.* Gerry Maher and Barry J. Rodger, University of Strathclyde, Scotland. *Article 24: A Suitable Model for Protective Measures in Support of Foreign Litigation.*

NOON – BUFFET LUNCHEON

Session VII – 1:30 – 3:30 p.m.
DAMAGES

Moderator: Nedim Peter Vogt, Bär & Karrer, Zurich, Switzerland.

Speakers: Michael J. Fay, Harney Westwood & Riegels, British Virgin Islands. *Litigation in the British Virgin Islands.* Patrick Farrell, Norton Rose, London, England. *Damage Awards in England.* Thomas C. Mahlich, Jones Day Reavis & Pogue, Frankfurt, Germany. *Punitive Damages in the United States.*

3:30 – 3:45 p.m. Break

Session VIII – 3:45 – 5:00 p.m.
CROSS BORDER LITIGATION IN INTELLECTUAL PROPERTY

Moderator: Daniel Hochstrasser, Bär & Karrer, Zurich, Switzerland.

Speakers: Vincenzo Jandoll, Studio Franzosi Dal Negro, Milan, Italy. *Civil Law.* Gordon Harris, Wragge & Co, Birmingham, England. *Common Law.* Antonio Murta Filho, Castro Barros Sobral, Rio de Janeiro, Brazil. *Intellectual Property Litigation in Brazil.*

5:30 p.m. - DEPARTURE FOR CITY TOUR
DINNER AT THE LATSCHENWIRT (CASUAL DRESS)

SUNDAY, 25 OCTOBER:

Session IX – 9:00 – 10:30 a.m.
RECOGNITION AND ENFORCEMENT OF JUDGMENTS

Moderator: Enrique J. Batalla, Batalla Larrauri & Lopez Ante, Madrid, Spain.

Speakers: Peter Straub, Pestalozzi Gmuer & Patry, Zurich, Switzerland. *Brussels/Lugano Regime – A Swiss View.* Tiziana Tampieri, Studio Bernini & Associati, Bologna, Italy. *Italian Procedures Outside Brussels/Lugano.* Thomas F. Quinn, Solomon Pearl Blum & Quinn, Denver, Colorado, United States. *Perils and Pitfalls of Enforcement of Claims in the United States.*

10:30 – 11:00 a.m. Break

Session X – 11:00 a.m. – 12:30 p.m.
RECOGNITION AND ENFORCEMENT OF JUDGMENTS

Moderator: Felix Dasser, Homburger, Zurich, Switzerland.

Speakers: Kevin R. Aalto, Gowling Strathy & Henderson, Toronto, Canada. *Recognition and Enforcement of Foreign Judgments in Canada.* Richard Gwynne, Stephenson Harwood, London, England. *Practical Procedures in England.*

Concluding Remarks – Peter Rees, Norton Rose, London, England.

12:30 p.m. – ADJOURNMENT