# SCHEDULE

## THURSDAY, 20 JUNE 2002

**6.30 p.m.** Hotel Crowne Plaza-Pitter, Foyer Schlosssaal, Welcome Reception

**Sponsored by Bodman, Longley & Dahling LLP (Detroit, Michigan)**

**7.30 p.m.** Hotel Crowne Plaza-Pitter, Schlosssaal, Opening Dinner.
**Greeting:** Dennis Campbell, Director, Center for International Legal Studies, Salzburg, Austria.
**Introduction:** James J. Myers, Gadsby & Hannah LLP, Boston, Massachusetts, United States.

## FRIDAY, 21 JUNE 2002

**Subchair:** Friedrich Blase, Norton Rose Vieregge, Frankfurt am Main, Germany.

### SESSION 1
### SELECTING A METHOD OF RESOLUTION FOR INTERNATIONAL DISPUTES

**8.00 – 9.45 a.m. (Schlossaal)**

**Moderator:** Georgios Ververiotis, G. Ververiotis & Partners, Athens, Greece.

**Speakers:**

- Claudia Kaelin-Nauer, Froriep Renggli, Zurich, Switzerland.
  ***What are the "Alternatives" to International Arbitration?***
- Philippe de Coulon, Lenz & Staehelin, Geneva, Switzerland.
  ***Should the Arbitration be Administered Ad Hoc?***
- Christian Camboulive, Gide Loyrette Nouel, Paris, France.
  ***What the International Arbitration Clause Should Include or Omit***
- Jens Bredow, German Institution of Arbitration, Bonn, Germany.
  ***Pathological Arbitration Clauses - Typical Problems Encountered in Practice***
- John B Tieder, Jr., Watt, Tieder, Hoffar & Fitzgerald, McLean, Virginia, United States.
  ***Factors to Consider in Choosing the Applicable Substantive and Procedural Law***

**9.45 – 10.00 a.m. Coffee Break Foyer Schlossaal**

### SESSION 2
### CULTURAL CONSIDERATIONS IN INTERNATIONAL ARBITRATION

**10.00 – 11.15 a.m. (Schlossaal)**

**Moderator:** Cynthia Lichtenstein, The George Washington University Law School, Washington DC, United States.

**Speakers:**

- Peter L. Murray, Harvard Law School, Cambridge, Massachusetts, United States.
  ***Common Law vs. Civil Law Regimes***
- Stephen Borneman, CMC Industrial Consultant, Vienna, Austria.
  ***Cultural Backgrounds and Dispute Resolution***
- David A. Livdahl, Squire, Sanders & Dempsey, Tokyo, Japan.
  ***International Arbitration in Japan***

## SESSION 3
## THE AGREEMENT TO ARBITRATE

**11.15 a.m.– 12.45 p.m. (Schlossaal)**

**Moderator:** Stanislav Myslil, Cermák Horejs Myslil, Prague, Czech Republic.

**Speakers:**

- Christoph Liebscher, Wolf Theiss & Partner, Vienna, Austria.
  ***The Essential Elements of an Enforceable Agreement to Arbitrate***
- Nora Wouters, Simmons & Simmons, Brussels, Belgium.
  ***On what Basis will Courts Refuse to Enforce a Written Agreement to Arbitrate?***
- Stewart McInnes, McInnes Cooper, Halifax, Nova Scotia, Canada.
  ***An "International" Arbitration Between Two Canadian Provinces***
- Friedrich Blase, Norton Rose Vieregge, Frankfurt am Main, Germany.
  ***Determining the Applicable Law of a Dispute***

**12.45 – 1.45 p.m. Buffet Lunch Restaurant Auersperg**

## SESSION 4
## SELECTING AN ARBITRATION ADMINISTERING ASSOCIATION AND LOCALE

**1.45 – 3.00 p.m. (Schlossaal)**

**Moderator:** David Sandborg, City University of Hong Kong, Hong Kong, China.

**Speakers:**

- Larissa Easson, Clifford Chance, London, England, United Kingdom.
  ***What the User of Arbitration Administering Services Expects***
- Alan Uzelac, Permanent Arbitration Court, Croatian Chamber of Commerce, Zagreb, Croatia.
  ***Factors that Should be Considered in Selecting an Arbitration Administering***
- Sally Harpole, Sally Harpole & Co., Hong Kong, China.
  ***Factors to Consider in Selecting Locale***

## SESSION 5
## APPOINTMENT OF ARBITRATORS

**3.00 – 4.15 p.m. (Schlossaal)**

**Moderator:** Robert M. Fitzgerald, Watt, Tieder, Hoffar & Fitzgerald, McLean, Virginia, United States.

**Speakers:**

- Nazmi Orkun Akseli, University of Manchester, Manchester, England, United Kingdom.
  ***As Specified in the Agreement to Arbitrate***
- Douglas Earl McLaren, Bechtel Saic Company LLC, Washington, D.C., United States.
  ***Party Appointed vs. List Appointed Arbitrators***
- Wendy Miles, Wilmer, Cutler & Pickering, London, England, United Kingdom.
  ***Lawyer vs. Non-Lawyer Arbitrators / One vs. Three Arbitrators***

**4.15 – 4.30 p.m. Coffee Break Foyer Schlossaal**

## SESSION 6
## DISCLOSURES AND DISQUALIFICATION OF ARBITRATORS

**4.30 – 5.30 p.m. (Schlossaal)**

**Moderator:** Richard L. Voelbel, Zelle, Hofmann, Voelbel, Mason & Gette, Minneapolis, Minnesota, United States.

**Speakers:**

- Christopher Koch, Georgana & Koch, Athens, Greece.
  ***Procedures and Standards for Disqualification***
- Wahé Balekjian, School of Law, The University, Glasgow, Scotland, United Kingdom.
  ***Disclosure and Disqualification of Arbitrators (With Particular Reference to Rules in Scotland)***

## SESSION 7
## COMPLEMENTARY ALTERNATIVE DISPUTE RESOLUTION METHODS

**5.30 – 6.00 p.m. (Schlossaal)**

**Moderator:** Robert A Rubin, Postner & Rubin, New York, New York, United States.

**Speakers:**

- C. Mark Baker, Fulbright & Jaworski, Houston, Texas, United States.
  ***Mediation: A Valuable Partner to International Arbitration***
- Rita L. Gitchell, O'Hagan, Smith & Amundsen, Wheaton, Illinois, United States.
  ***Preparing a Case for Mediation (As Opposed to Arbitration)***

**6.15 p.m.** Meeting in the lobby for departure to Residenz Dinner
**7.15 – 9.45 p.m.** Residenz Tour and Dinner

# SATURDAY, 22 JUNE 2002

## SESSION 7 (CONTINUED)
## COMPLEMENTARY ALTERNATIVE DISPUTE RESOLUTION METHODS

**8.00 – 9.00 a.m. (Schlossaal)**

**Moderator:** Robert A Rubin, Postner & Rubin, New York, New York, United States.

**Speakers:**

- Louise Barrington, Aculex Transnational Inc, Hong Kong, China.
  ***Alternative Dispute Resolution in Asia***
- James Groton, Sutherland, Asbill & Brennan LLP, Atlanta, Georgia, United States.
  ***Dispute Management, Control and Early Resolution Techniques for International Transactions***
- Bettina V. Quintas, New York City Transit Authority, Brooklyn, New York, United States.
  ***Public Agency Alternative Dispute Resolution: Perception, Prejudice, and Practice***

## FORUM I
## LAW APPLICABLE TO ARBITRATIONS, ENFORCING INTERNATIONAL AGREEMENTS TO ARBITRATE AND ALTERNATIVE DISPUTE RESOLUTION

**9.00 – 10.30 a.m. (Schlossaal)**

**Forum Chair:** Pierre A Karrer, Pestalozzi Lachenal Patry, Zürich, Switzerland.

**Forum Members:**

- George Anthony Smith, Sutherland, Asbill & Brennan LLP, Atlanta, Georgia, United States.
- Donald L. Marston, Osler, Hoskin & Harcourt LLP, Toronto, Ontario, Canada.
- Martin Bashall, Intergen Ltd., London, England, United Kingdom.
- Thomas P. Schweiger, Meyndt Ransmayr Schweiger & Partners, Linz, Austria.

**10.30 – 10.45 a.m. Coffee Break Foyer Schlossaal**

## SESSION 8
## PRE-HEARING EXCHANGE OF INFORMATION

**10.45 – 11.45 a.m. (Schlossaal)**

**Moderator:** Andrew Foyle, Lovells, London, England, United Kingdom.

**Speakers:**

- David Scott, McGrigor Donald, Edinburgh, Scotland, United Kingdom.
  ***Voluntary Exchange of Documents***
- Jonathan Hofstetter, Reed Smith Warner Cranston, Coventry, England, United Kingdom.
  ***Should Arbitrators Order Exchange of Documents, and if so, Which Documents?***

**11.45 a.m. – 1.00 p.m. Buffet Lunch Restaurant Auersperg**

**Guest Program: Boat departs from Makartsteg at 12.45 p.m. and returns from Hellbrunn at 5.15 p.m.**

## SESSION 9
## INTERIM RELIEF

**1.00 – 2.15 p.m. (Schlossaal)**

**Moderator:** Eric E. Bergsten, Pace University School of Law, Vienna, Austria.

**Speakers:**

- Neil Kearney, Law Office Derek Elliott, Paris, France.
  ***What Interim Relief is Authorized by Administering Organizations?***
- Friedrich Niggemann, Simmons & Simmons, Paris, France.
  ***What Interim Measures are Authorized, are They Enforceable, and What are the Sanctions for Vindication?***
- Rolf Trittmann, Freshfields Bruckhaus Deringer, Frankfurt am Main, Germany.
  ***Should Arbitrators Issue Interim or Partial Awards or Orders?***

## SESSION 10
## SUBMITTING AND PRESENTING EVIDENCE

**2.15 – 3.30 p.m. (Schlossaal)**

**Moderator:** Stefan-M. Tiessen, Smith, Gambrell & Russell, LLP, Atlanta, Georgia, United States.

**Speakers:**

- Luc Demeyere, Allen & Overy, Antwerp, Belgium.
  ***The Search for the "Truth": Rendering Evidence Under Common Law and Civil***
- Claudia Salomon, Squire, Sanders and Dempsey, Prague, Czech Republic and
  George von Mehren, Squire, Sanders and Dempsey, Cleveland, Ohio, United States.
  ***Presenting Evidence in Major Arbitrations***
- Philippa Casey, Mayer Brown Rowe & Maw, London, England, United Kingdom.
  ***The Norm in Receiving Proof in International Arbitration***

**3.30 – 3.45 Coffee Break Foyer Schlossaal**

## SESSION 11
## TECHNIQUES FOR EXPEDITING ARBITRATION HEARINGS

**3.45 – 4.45 p.m. (Schlossaal)**

**Moderator:** David Wagoner, International Arbitration Chambers, Seattle, Washington, United States.

**Speakers:**

- Richard F. Greenleaf, Berg Hill Greenleaf & Ruscitti LLP, Boulder, Colorado, United States.
  ***Pre-Hearing Techniques***
- Thomas J. Tallerico, Bodman, Longley & Dahling LLP, Troy, Michigan, United States.
  ***Direct Testimony Witness Statements, Bifurcation and Other***

## SESSION 12
## MANAGING THE INTERNATIONAL ARBITRAL PANEL

**4.45 – 5.45 p.m. (Schlossaal)**

**Moderator:** Robert Briner, Lenz & Staehelin, Geneva, Switzerland.

**Speakers:**

- Laurent Jaeger, Latham & Watkins, Paris, France.
  ***Selecting the Chairperson***
- Neale Gregson, Watson Farley & Williams, Singapore.
  ***Special Responsibilities of the Chairman***

**Free Evening**

## SUNDAY, 23 JUNE 2002

**Subchair:** James Groton, Sutherland, Asbill & Brennan LLP, Atlanta, Georgia, United States.

### FORUM II
### PREPARATION FOR HEARINGS AND HEARINGS

**8.00 – 9.30 a.m. (Schlossaal)**

**Forum Chair:** Florence M. Peterson, American Arbitration Association, New York, New York, United States**.**

**Forum Members:**

- Philipp Habegger, Walder Wyss & Partner, Zurich, Switzerland.
- Stephen R. Miller, Miller Law Firm, Kansas City, Missouri, United States.
- Christophe Imhoos, Jean-Pierre and Christophe Imhoos & Partners, Geneva, Switzerland.
- Günther J. Horvath, Freshfields Bruckhaus Deringer, Vienna, Austria.

### SESSION 13
### PREPARING THE ARBITRATION AWARD

**9.30 – 10.25 a.m. (Schlossaal)**

**Moderator:** Vivian Ramsey, Keating Chambers, London, England, United Kingdom.

**Speakers:**

- Marcos Carrasco Menchaca, Chevez, Ruiz, Zamarripa & Cia, Mexico, D.F., Mexico.
  ***Initiating a Draft of the Award***
- Diederik de Groot, Shut & Grosheide, Amsterdam, The Netherlands.
  ***Arbitration Awards and Public Policy***

**10.25 – 10.40 a.m. Coffee Break Foyer Schlossaal**

### SESSION 14
### CONFORMATION OR VACATION OF ARBITRATION AWARDS

**10.40 – 11.35 a.m. (Schlossaal)**

**Moderator:** Jack J. Coe, Jr., Pepperdine University, School of Law, Malibu, California, United States.

**Speakers:**

- Margaret L. Moses, Loyola University Chicago, School of Law, Chicago, Illinois, United States.
  ***Grounds for Vacating Awards***
- Martin Platte, Mayer Brown Rowe & Maw, London, England, United Kingdom.
  ***Duty of Tribunal to Render Enforceable Award***

### FORUM III
### PREPARING AND ENFORCING INTERNATIONAL ARBITRATION AWARDS

**11.35 – 12.20 p.m. (Schlossaal)**

**Moderator:** Marcus Boeglin, Lalive & Partners, Geneva, Switzerland.

**Speakers:**

- Ercus Stewart, Ercus Stewart S.C., Dublin, Ireland.
- Stephen Vasek, University of Kentucky, College of Law, Lexington, Kentucky, United States.

**12.20– 12.30 p.m.** Closing Remarks, James J. Myers, Conference Chairperson