



International Chamber of Commerce

The world business organization

International Court of Arbitration®

ICC International Commercial Dispute Resolution *Maximizing the benefits of the ICC system*

Date Sunday 5 – Tuesday 7 June 2005

Venue Boar's Head Inn
Charlottesville, Virginia, USA

International Court of Arbitration®

Since its creation in 1923, the ICC International Court of Arbitration has handled over 13,000 cases. The worldwide scope of its activity was again evidenced in 2004 with 561 new cases filed involving 1,682 parties from 116 countries and independent territories. The ICC Court itself is characterized by its broad representation, comprising members from more than 80 countries with diverse legal backgrounds. Over the years, ICC has developed a range of other dispute resolution rules, in addition to arbitration, and now offers a comprehensive package of dispute resolution services to meet the needs and challenges of international commerce today.

Objective

For the last seven years, US parties have been the most numerous of all nationalities in ICC arbitration. This conference aims to give participants a greater understanding of the workings of the ICC International Court of Arbitration and to provide insight into current trends in the field of international dispute resolution. Leading experts in the field will share their knowledge and first-hand experience.

Participants

The topics covered will be of interest to practicing lawyers, corporate counsel, arbitrators, mediators, academics, ADR experts and users, and business persons who wish to learn more about the international dispute resolution mechanisms offered by ICC.

In partnership with



**The United States Council
for International Business**
the US affiliate of ICC

With the support of

- Baker & McKenzie
- Foley Hoag LLP
- Kilpatrick Stockton LLP
- Milbank, Tweed, Hadley & McCloy LLP
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International Chamber of Commerce

38, Cours Albert 1er, 75008 Paris, France
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Web site www.iccconferences.com E-mail conf@iccwbo.org

Program

Sunday 5 June 2005

6:00 **Welcome Cocktail Reception**

Monday 6 June 2005

8:00–9:00 **Registration**

9:00–9:15 **Welcome and Introduction**

- **Anne Marie Whitesell**, ICC International Court of Arbitration
- **Lorraine M. Brennan**, ICC International Court of Arbitration

9:15–10:15 **ICC Arbitration in Practice**

Getting the best result for your client in ICC arbitration presupposes an understanding of this system and how it works. From this panel you will learn about the main features of ICC arbitration and ways to use those features to your advantage.

Speakers

- **Anne Marie Whitesell**, ICC International Court of Arbitration
- **Stephen R. Bond**, White & Case LLP, Paris
- **Horacio A. Grigera Naón**, Washington, D.C.

Moderator

- **Nancy M. Thevenin**, ICC International Court of Arbitration

10:15–10:45 *Morning break*

10:45–12:00 **Selecting the Arbitral Tribunal: Practical and Ethical Considerations for Parties and Arbitrators**

The selection of the arbitral tribunal is vital to the effectiveness of international arbitration. What are the ICC procedures for appointing and confirming arbitrators? How does the ICC Court deal with objections to arbitrators and subsequent challenges once the arbitral tribunal is in place? In this session, panelists will address the appointment, confirmation and challenge of arbitrators in ICC arbitrations.

Speakers

- **Robert H. Smit**, Simpson, Thacher & Bartlett LLP, New York
- **Michael Hwang**, S.C., Singapore
- **Michael Collins**, Q.C., Fulbright & Jaworski LLP, Washington, D.C.

Moderator

- **Lorraine M. Brennan**, ICC International Court of Arbitration

12:00–2:00 *Lunch*

2:00–3:30 **Arbitration with Sovereigns**

In recent years, at least 10% of ICC arbitrations have involved States or State entities as parties. ICC also has been called upon to handle bilateral investment treaty disputes. What are the advantages or disadvantages in ICC handling disputes by or against sovereign States? How can you use the ICC arbitration system to maximize these benefits?

Speakers

- **Rodman Bundy**, Eversheds, Paris
- **Janis H. Brennan**, Foley Hoag LLP, Washington, D.C.
- **W. Lawrence Craig**, Coudert Frères, Paris

Moderator

- **Jean E. Kalicki**, Arnold & Porter LLP, Washington, D.C.

3:30–4:00 *Afternoon break*

4:00–5:30 **Challenging and Enforcing Arbitral Awards under the FAA**

How do the provisions of the Federal Arbitration Act (FAA) impact the enforcement of international arbitral awards either rendered or sought to be enforced in the United States? From drafting the arbitration clause to conducting the arbitration and litigating recognition and enforcement of an award, what you need to know about the FAA and US judicial decisions applying it.

Speakers

- **Elliot E. Polebaum**, Fried, Frank, Harris, Shriver & Jacobson LLP, Washington, D.C.
- **Thomas E. Carbonneau**, The Penn State Dickinson School of Law, Carlisle, Orlando

Moderator

- **Dietmar W. Prager**, Debevoise & Plimpton LLP, New York

7:00 *Dinner*

Program *(continued)*

Tuesday 7 June 2005

9:00–10:00 Capitalizing on ICC's Different Dispute Resolution Services

ICC is known worldwide for providing the international business community with dispute resolution services adapted to its various needs. This panel will introduce participants to the ICC ADR, Expertise, Appointing Authority, Pre-Arbitral Referee and Dispute Board Rules and provide guidance for maximizing the benefits of these different tools for resolving international commercial disputes.

Speakers

- **Ben H. Sheppard, Jr.**, Vinson & Elkins LLP, Houston
- **Christopher P. Koch**, Georgana & Koch, Counselors at Law, Geneva
- **Louis B. Kimmelman**, O'Melveny & Myers LLP, New York

Moderator

- **Dana C. MacGrath**, O'Melveny & Myers LLP, New York

10:00–10:30 Morning break

10:30–12:00 Ask the Experts

This session will take the form of an interactive exchange, for which participants may previously submit questions on topical issues, such as multiparty arbitrations, joinder of claims and parties, and obtaining interim and conservatory measures, to a panel of experienced arbitration practitioners.

Speakers

- **Anne Marie Whitesell**, ICC International Court of Arbitration
- **Stephen R. Bond**, White & Case LLP, Paris
- **Julian Lew**, Q.C., 20 Essex Street Chambers, London

Moderator

- **Michael D. Nolan**, Milbank, Tweed, Hadley & McCloy LLP, Washington, D.C.

12:00–2:00 Lunch

2:00–3:15 Obtaining Evidence in International Commercial Arbitration

How do the parties go about obtaining evidence in international commercial arbitration? Is there "discovery" in ICC arbitration? What are the different means of obtaining evidence from a third party in the arbitral context and what are the limitations? What is the scope of an arbitrator's power with respect to evidentiary issues (including applications for production of evidence, motions *in limine* and sanctions)?

Speakers

- **David Lindsey**, Clifford Chance LLP, New York
- **David Zaslowsky**, Baker & McKenzie, New York
- **Herbert Kronke**, UNIDROIT, Rome

Moderator

- **John V.H. Pierce**, Wilmer Cutler Pickering Hale & Dorr LLP, New York

3:15–4:15 Enhancing your Practice: New Trends and Developments

Recently, many arbitration practitioners have applied new theories and tactics – both in the arbitration itself and in a judicial setting – to maximize the benefits of an international commercial arbitration. This panel of experts will discuss some of these strategies, including in the context of anti-suit injunctions, interim measures, discovery, and enforcement and setting-aside proceedings.

Speakers

- **A. Stephens Clay**, Kilpatrick Stockton LLP, Atlanta
- **John Fellas**, Hughes Hubbard & Reed LLP, New York
- **Brian King**, Freshfields Bruckhaus Deringer LLP, Amsterdam

Moderator

- **Marsha A. Echols**, Howard University School of Law, Washington, D.C.

4:15–4:30 Closing Remarks

- **Anne Marie Whitesell**, ICC International Court of Arbitration
- **Lorraine M. Brennan**, ICC International Court of Arbitration

Logistical Note

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Event ICC International Commercial Dispute Resolution
Maximizing the benefits of the ICC system

Working language

English

CLE credits

Application has been made for CLE credits

Contribution to costs

- US\$ 970 for ICC/USCIB members
- US\$ 1,020 for non-members
- US\$ 220 for accompanying person

Registration before 29 April 2005
 US\$ 870 "early-bird" special

The contribution to costs covers all conference activities, including documentation, networking lunches and contact breaks, Sunday reception and dinner on Monday. All fees are exclusive of travel and accommodation.

The accompanying person fee provides for Sunday cocktail reception and dinner on Monday. Sessions and networking lunches are restricted to participants only.

How to register

Easier and faster: registration and payment on-line at www.iccconferences.com

or complete and return the registration form, indicating method of payment, and:

Fax to: ICC Conferences
+1 33 1 49 53 29 42

Mail to: ICC Conferences
International Chamber of Commerce
38 Cours Albert 1^{er}, 75008 Paris, France

Phone: +1 33 1 49 53 28 69

Registration will be confirmed upon receipt of the registration form and contribution to costs.

Conference information

- For any questions **concerning the programme** please contact **Lorraine M. Brennan**, Director or **Nancy M. Thevenin**, Deputy Director, Arbitration and ADR, North America, ICC International Court of Arbitration; Phone +1 212 703 5060; Email: lbrennan@uscib.org ; nthevenin@uscib.org
- For any question **concerning registration** please contact **Dorothy Cross**, Marketing Coordinator, ICC Conferences; Phone + 33 1 49 53 28 69; Email: dcc@iccwbo.org

Travel, visas and accommodation

Participants are responsible for making their own travel and hotel arrangements. A hotel reservation form for the "Boar's Head Inn", with which ICC has negotiated preferential rates, will be sent upon receipt of the registration form, together with the contribution to costs. All room reservations must be guaranteed for the full length of stay and a one-night deposit is requested upon booking of rooms. The pre-reservation cut-off date is Monday 2 May 2005.

Dress code

Business casual for both Sunday cocktail reception & Monday dinner.

Cancellations

50% of the conference fee will be refunded for any cancellation received in writing by ICC Conferences prior to **Friday 6 May 2005**. No refund can be made for cancellations received after this date. You are welcome to send a substitute at any time. Please notify us if you plan to send a substitute since updated registration materials will be required.

Sponsorship opportunities

Companies that choose to become Conference Sponsors are given many opportunities to profile their business. They will receive maximum exposure during the event. If your organization is interested in sponsoring this conference, please contact Dorothy Cross at ICC, **dcc@iccwbo.org**; Phone +33 1 49 53 28 69.

Registration Form

S 0505

Register online
www.iccconferences.com
or complete and return to:
conf@iccwbo.org
Fax: +33 1 49 53 29 42

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Participant information

Title (Mr/Dr/Mrs/etc.)
Family name First/given name
Position
Company
Address
City/state Zip/postal code
Country E-mail
Phone (.....) Fax (.....)
Family name First/given name

Accompanying person

(Please check the appropriate box)

- US\$ 970 for ICC/USCIB members
 US\$ 1,020 for non-members
 US\$ 220 for accompanying person

Registration before 29 April 2005
 US\$ 870 "early-bird" special

Contribution to costs

Should you need an invoice please check box

Please note that all charges will be reflected in Euros.

Method of payment

By credit card: American Express Euro/MasterCard Visa
Card number Expiry date
Name of cardholder

By cheque:
payable to "Passport to Travel Ltd" bearing the reference "ICC S0505" and indicating clearly the participant's name.

Registration will be confirmed upon receipt of this completed registration form and contribution to costs

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Date Signature

The information you provide on this form will be used to compile the participants list for this event. By providing this information, you consent to ICC storing it in its database for the sole use of the ICC International Secretariat. You may have access to this information and request to have it deleted or corrected at any time by contacting ICC Conferences.