

SECOND ANNUAL
INVESTMENT TREATY
ARBITRATION:
A DEBATE AND DISCUSSION

25 APRIL 2008

RENAISSANCE MAYFLOWER HOTEL
Washington, D.C.

25 APRIL 2008

With the number of international investment arbitration cases filed each year showing no sign of decreasing, it is time for a dialogue between some of the brightest new stars in the field and some of its most seasoned practitioners.

On April 25th our young authors will pair up to face a panel of arbitrators and arbitration specialists to discuss their findings. The discussion and debate that will follow is sure to be of tremendous value to the international business lawyer and litigation specialist alike.

Co-Chairs

IAN A. LAIRD is a Special Legal Consultant in the Washington, D.C. office of Fulbright & Jaworski L.L.P.. His practice is focused in the field of international investment law and arbitration. He is the co-founder and Editor-in-Chief of Investmentclaims.com.

TODD J. GRIERSON WEILER is an Adjunct Professor at the Washington College of Law, the University of Western Ontario and the University of Calgary Faculty of Law. He is the co-founder of Investmentclaims.com and the publisher of NAFTAClaims.com.

Authors

ADDY PAOLA VELAZQUEZ is a fellow student of the International Legal Studies Program of the Washington College of Law. Recently, she worked for a Mexican NAFTA arbitration analyzing international disputes under NAFTA and other international investment treaties.

MARTHA HARRISON is a member of the International Trade and Competition Group of Heenan Blaikie LLP's Toronto office. She has been involved in a number of ICSID and UNCITRAL arbitrations, particularly under the provisions of NAFTA Chapter 11.

VICTORINO J. TEJERA PÉREZ is an Attorney in the Caracas office of Macleod Dixon LLP. He concentrates his practice in commercial law, conflict law and corporate matters. He focuses his practice in national and international litigation and arbitration and in Alternative Dispute Resolution in general.

IGNACIO SUAREZ ANZORENA is a Latin America Specialist Adviser in the Washington, D.C. office of Clifford Chance. He has been involved in ad hoc and institutional arbitration proceedings conducted under the auspices of most of the leading arbitration organizations.

FRÉDÉRIC GILLES SOURGENS is an Attorney in Milbank, Tweed, Hadley & McCloy's Litigation Group located in the Washington, D.C. office. He works primarily on international arbitration matters.

DMITRI EVSEEV is an Attorney in the international arbitration practice group in the litigation practice group of Arnold & Porter LLP in its Washington, D.C. office. He concentrates his practice in the representation of governments and private clients in international arbitration proceedings.

ISABEL FERNÁNDEZ DE LA CUESTA is a Special Legal Consultant in the International Arbitration Group of King & Spalding's Houston office. Ms. Fernández de la Cuesta's practice focuses on international arbitration with an emphasis on international public law.

CHRISTOPHE BONDY, Department of Foreign Affairs and International Trade, Government of Canada.

Luncheon Speaker

JUDGE STEPHEN M. SCHWEBEL was first elected to the International Court of Justice in January 1981. He was subsequently re-elected twice, and served as the President of the Court in the triennium 1997-2000. Judge Schwebel is at present an independent arbitrator and counsel in Washington, DC, and a door tenant of Essex Court Chambers in London.

Faculty

STANIMIR A. ALEXANDROV is a Partner in the Washington, D.C. office of Sidley Austin LLP. He focuses his practice in the areas of international dispute resolution, including investor-state arbitration and international commercial arbitration, and resolution of trade disputes before the World Trade Organization (WTO).

C. MARK BAKER is a Partner at Fulbright & Jaworski's Houston office and he is a Co-Head of the firm's International Department and of the firm's Arbitration and ADR Practice Group. He is a member of the board of the London Court of International Arbitration (LCIA) and Vice-Chair of the Arbitration Committee of the International Bar Association (IBA).

NIGEL BLACKABY is a Partner in international arbitration group of Freshfields Bruckhaus Deringer and is Head of the firm's Latin America dispute resolution group, based in Paris. He acts as counsel and arbitrator in ad hoc and institutional arbitrations with a particular focus on Latin American commercial arbitration and arbitrations under investment treaties.

RENÉ CADIEUX is a Partner in the Montreal office of Fasken Martineau DuMoulin. He specializes in business law as well as in administrative, constitutional and international law. He was counsel for the claimants in the ICSID arbitration ADF v. United States, and ADC v. Hungary. cont. >

SECOND ANNUAL INVESTMENT TREATY ARBITRATION:

8:30 – 9:00 Registration

Coffee and Tea upon arrival

9:00 – 9:15 Opening Remarks by Conference Co-Chairs

Prof. Todd J. Grierson Weiler, *U. Calgary Faculty of Law & publisher of NAFTAClaims.com*

Ian A. Laird, *Special Legal Consultant in the Washington, D.C. office of Fulbright & Jaworski, L.L.P.*

9:15 – 10:45 Arbitrators and Issue Conflict - Treading a Tightrope of Legitimacy?

Authors:

- Addy Paola Velazquez, *Fellow Student of the International Legal Studies of the Washington College of Law*
- Martha Harrison, *Heenan Blaikie LLP, Toronto*

Moderator:

- Alexandre de Gramont, *Partner, Crowell & Moring, Washington, D.C.*

Panelists:

- C. Mark Baker, *Partner, Fulbright & Jaworski, L.L.P. Houston*
- Jean Kalicki, *Partner, Arnold & Porter LLP, Washington, D.C.*
- James Lloyd Loftis, *Chair, Vinson & Elkins LLP International Dispute Resolution practice, London*

10:45 – 11:00 Coffee/Tea Break

11:00 – 12:30 - Do Municipal Investment Laws Always Constitute a Unilateral Offer to Arbitrate?

Authors:

- Victorino J. Tejera Pérez, *Attorney, Macleod Dixon LLP, Caracas*
- Ignacio Suarez Anzorena, *Latin America Specialist Adviser, Clifford Chance, Washington, D.C.*

Moderator:

- Marco E. Schnabl, *Partner, Skadden, Arps, Slate, Meagher & Flom LLP, New York*

Panelists:

- Michael D. Nolan, *Partner, Milbank, Tweed, Hadley & McCloy LLP, Washington, D.C.*
- Margrete Stevens, *Consultant, King & Spalding, Washington D.C.*
- Mark Kantor, *Independent Arbitrator*

Reserve your place today.
Space in the meeting room is limited.

A DEBATE AND DISCUSSION

25 APRIL 2008

12:30 – 13:45 Lunch

Luncheon Speaker:

– Judge Stephen Schwebel, *Independent Arbitrator and Counsel, Washington D.C.*

13:45 – 15:15 – Annulment and Judicial Review - How “Final” Is an Award?

Authors:

- Frédéric Gilles Sourgens, *Attorney, Milbank, Tweed, Hadley & McCloy, Washington, D.C.*
- Dmitri Evseev, *Attorney, Arnold & Porter LLP, Washington, D.C.*

Moderator:

- Christopher F. Dugan, *Chair of the litigation department, Paul Hastings, Washington, D.C.*

Panelists:

- Oscar M. Garibaldi, *Partner, Covington & Burling LLP, Washington, D.C.*
- Stanimir Alexandrov, *Partner, Sidley Austin LLP, Washington, D.C.*
- Dr. Ronald Goodman, *Partner, Foley Hoag LLP, Washington, D.C.*
- Stephen Jagusch, *Partner, Allen & Overy, London*

15:15 – 15:30 Coffee/Tea Break

15:30 – 17:00 Fair and Equitable Treatment - Evolution or Revolution?

Authors:

- Isabel Fernández de la Cuesta, *Special Legal Consultant, King & Spalding, Houston*
- Christophe Bondy, *Department of Foreign Affairs and International Trade, Government of Canada*

Moderator:

- Professor Susan D. Franck, *Assistant Prof., University of Nebraska – Lincoln College of Law, Lincoln*

Panelists:

- Alejandro A. Escobar, *Latham & Watkins, LLP, London*
- Abby Cohen Smutny, *Partner, White & Case LLP, Washington, D.C.*
- Nigel Blackaby, *Partner, Freshfields Bruckhaus Deringer, Paris*
- René Cadieux, *Partner, Fasken Martineau DuMoulin, Montreal*

17:00 Cocktail Reception

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ALEXANDRE DE GRAMONT is a Partner in the International Dispute Resolution practice of Crowell & Moring in its Washington, D.C. office where he specializes in both international arbitration and litigation. He has represented clients in a wide variety of international commercial arbitration and investor-state arbitration matters.

CHRISTOPHER F. DUGAN is the Chair of the litigation department in the Washington, D.C. office of Paul Hastings and Co-Chair of the firm's International Arbitration Practice. He focuses his practice on international arbitrations, international litigation, and complex fraud litigation.

ALEJANDRO A. ESCOBAR practices in public international law and international arbitration in the London office of Baker Botts, LLP. Mr. Escobar was formerly Senior Counsel at the International Centre for Settlement of Investment Disputes (ICSID) in Washington, D.C.

MARK E. FELDMAN is Chief of NAFTA Arbitration at the U.S. State Department's Office of the Legal Adviser, International Claims and Investment Disputes.

PROFESSOR SUSAN D. FRANCK is an Assistant Professor at the University of Nebraska-Lincoln College of Law. Professor Franck's scholarship relates to the resolution of international disputes and investment treaty claims.

OSCAR M. GARIBALDI is a Partner in the Washington, D.C. office of Covington & Burling LLP. He has, for over 30 years, drawn on his triple training as a common-law, civil-law and public-international-law lawyer in representing clients in a broad range of international matters involving complex issues of national and international law

DR. RONALD GOODMAN is a Partner in the Washington office of Foley Hoag LLP. He concentrates his practice in international arbitration and alternative dispute resolution, with a focus on commercial, investor-state, project, energy, and construction matters. He also advises governments with respect to law reform, restructuring, treaties, privatization and project finance matters.

STEPHEN JAGUSCH is a Partner in the London office of Allen & Overy. He specialises in international commercial and investment treaty arbitration, having acted as adviser and advocate in ad hoc and institutional international arbitrations, conducted in many countries over the world,

JEAN KALICKI, a Partner in Arnold & Porter LLP's litigation practice group, is responsible for wide variety of international arbitration and litigation matters. She has particular expertise in investment treaty arbitration and has represented both sovereigns and investors in disputes before the International Centre for Settlement of Investment Disputes (ICSID).

MARK KANTOR is an independent arbitrator. He teaches both international arbitration and international business transactions as an Adjunct Professor at Georgetown University Law Center. He is also a Fellow at the Columbia Program on International Investment.

JAMES LLOYD LOFTIS is Partner and Chair of the Vinson & Elkins LLP International Dispute Resolution practice, and focuses on international commercial arbitration and investor-state disputes, particularly disputes involving state contracts and investment agreements.

MICHAEL D. NOLAN is a Partner in the Washington, D.C. office of Milbank, Tweed, Hadley and McCloy LLP. Mr. Nolan is experienced in all phases of commercial litigation and arbitration.

MARCO E. SCHNABL is a Partner in the international arbitration and litigation groups of Skadden, Arps, Slate, Meagher & Flom LLP, based in the New York City office. He has appeared for claimants and respondents in proceedings before the leading international arbitral institutions including several involving investment treaty arbitrations.

ABBY COHEN SMUTNY is a Partner in the Washington, D.C. office of White & Case LLP. Her practice focuses on international dispute resolution through arbitration or litigation. She has particular experience in matters involving public international law and treaty based claims.

MARGRETE STEVENS is a Consultant in King & Spalding's Washington, D.C. office working in the International Investment Arbitration Practice Group From 2005-2007 Ms. Stevens served as Acting Lead Counsel, supervising the ICSID Secretariat's administration of more than 100 investor-State arbitration proceedings including cases brought under bilateral investment treaties; NAFTA; and the Energy Charter Treaty.

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