

**8:30 - 9:00 Registration**

Coffee and tea upon arrival

**9:00 - 10:30 Working Session 1: Pre-hearing activities**

**Moderator – Hilary Heilbron QC**

**Panelist –** Stephen Bond, Sigvard Jarvin, Doug Jones, Pierre Karrer, Christopher Lau

- Procedural conferences and terms of reference
- Controlling the exchange of pleadings and memorials
- Production of documents
- Witness statements
- Expert reports
- Tribunal-ordered interim measures

**10:30 - 11:00 Coffee/Tea Break**

**11:00 - 12:30 Working Session 2: Hearing and post-hearing activities**

**Moderator – David Rivkin**

**Panelist –** Vladimir Khvalei, Michael Lee, Karyl Nairn, Alexander Petsch, Lucy Reed

- Whether to have a hearing, for how long, and how to control and divide time
- Advocacy and cross-examination, and dealing with advocates from different cultures
- Witness conferencing
- Post -hearing briefs
- The Tribunal's deliberations
- Awarding costs
- Ensuring enforceability of the award

**12:30 - 14:00 Networking Luncheon**

**14:00 - 15:30 Working Session 3: Ethics**

**Moderator – Carl Heinz Böckstiegel**

**Panelist –** Alexander Belohlavek, George Bermann, Barry Leon, Sophie Nappert, Lawrence Newman

- Applicable ethical codes
- Independence and impartiality of arbitrators, and standards of impartiality
- Duties of disclosure and investigation of conflicts
- The role of the party-appointed arbitrator
- Preparation of witnesses
- Discovery and document retention obligations
- Competency of counsel
- Ethics issues vs. cultural issues
- Remedies
- The arbitrator's role in proposing settlement (or not)

**15:30 - 16:00 Coffee / Tea Break**

**16:00 - 17:30 Working Session 4: Expectations and disappointments in arbitration**

**Moderator – Kaj Hobér**

**Panelist –** Dominique Brown-Berset, W. Laurence Craig, Wulf Gordan Hauser, Nikolaus Pitkowitz, Jingzhou Tao

- Whose arbitration is it anyway: the extent of control the parties can expect to have over the way in which arbitrations are conducted
- The extent to which the parties are disappointed by arbitrators with surprising ideas on matters such as the extent of discovery and time allowed for cross-examination
- Attempts to harmonize expectations concerning documentary disclosure and witness testimony, including the IBA Rules and the various recent protocols (including those by the CPR and the Chartered Institute of Arbitrators) concerning disclosure and e-disclosure
- Disconnects between the approaches parties and their lawyers may assume will be taken to the management of proceedings, whether arising from cultural differences or from idiosyncratic approaches taken by some arbitrators
- Expectations and realities as to time and cost

**17:30 - 19:00 Drinks Reception**