

# 9th

## Annual Miami International Arbitration Conference

### *In-house Counsel and International Arbitration*

Wednesday, September 14 - Friday, September 16, 2011 | The Biltmore Hotel, Coral Gables, Florida



The ICDR's annual international arbitration event will provide in-house counsel with thorough guidance in best practices in international arbitrations.

*See inside for the complete agenda.*

#### SPONSORS

**ASTIGARRAGA DAVIS**  
The Power of Focus

**FULBRIGHT & Jaworski LLP**  
Attorneys at Law

**Hogan Lovells**

**BAKER & MCKENZIE**  
CHADBOURNE & PARKE LLP

**Holland & Knight**

**Hughes Hubbard**  
Critical matters. Critical thinking.

**CHAFFETZ LINDSEY LLP**

**crowell & moring**

**DLA PIPER**

**JURIS**

**SQUIRE SANDERS**  
LEGAL COUNSEL WORLDWIDE

#### COOPERATING ORGANIZATIONS

**Centro de Mediación y Arbitraje CANACO**

**COMISION INTERAMERICANA DE ARBITRAJE SOBEREÑA**

**THE FLORIDA BAR INTERNATIONAL LAW SECTION**

**INTER-AMERICAN BAR ASSOCIATION 1940**

**MIAMI INTERNATIONAL ARBITRATION SOCIETY**

**TCAS** Toronto Commercial Arbitration Society

#### CONFERENCE STEERING COMMITTEE

Steven Andersen  
Mark Appel  
Michael Lee  
Luis Martinez  
Richard Naimark  
Albert Orosa  
Thomas Ventrone

# 9th

## Annual Miami International Arbitration Conference

### *In-house Counsel and International Arbitration*

Wednesday, September 14 - Friday, September 16, 2011

#### Be there for

- First-hand results of the ICDR's *groundbreaking Dispute-Wise Business Management study* on how European in-house counsel use arbitration effectively.
- A virtual "tour of the Americas" to update you on international ADR trends and developments in Latin America.
- The nuances of cost management particular to arbitration.

Keep up to date on agenda and program by following Twitter:

#ICDR and @ICDRorg

#### Program Agenda: September 14, 2011

10:00        **Golf Activity at Biltmore Club House**

16:30-17:00 **Registration**

17:00-19:00 **ICDR Young & International Program**

Effectiveness and Implications of Mediation and Settlement Negotiation after Commencement of Arbitral Proceeding

##### **The following topics will be discussed:**

- Settlement negotiations during the arbitral proceeding: the arbitrator's role
- Mediation and negotiation strategies at the different stages of an arbitration proceeding
- Implications of document production disputes in settlement negotiations
- Cost effectiveness of mediation vs. arbitration
- Mediation proceedings with the government: common difficulties and concerns with respect to administrative liability of public officials
- Legal ethics in mediation and negotiation proceedings

19:00-20:00 **Reception**

# Program Agenda: September 15, 2011 (continued)

Keep up to date on agenda and program by following Twitter: #ICDR and @ICDRorg

**7:30-8:45 Registration & Continental Breakfast**

**8:45-9:00 Opening Remarks**

**9:00-10:00 The Dispute-Wise Study:  
A Detailed Report and Discussion**

**Dispute-Wise** is a multiple-phase study commissioned by the American Arbitration Association and the International Centre for Dispute Resolution, its international division, to gather empirical data on the use of alternative dispute resolution in business. The results support what many have claimed are benefits of using dispute resolution to resolve commercial disputes.

This session sets the stage for the entire conference with a detailed report and findings from the various phases of this inaugural study.

**Moderator: Richard Naimark, ICDR, New York**

**Karl Hennessee, Airbus, Paris**

**Mark W. Friedman, Debevoise & Plimpton, New York**

**Ann Ryan Robertson, Locke Lord Bissell and Liddell, Houston**

**10:00-10:30 Break**

**10:30-12:00 The Dispute-Wise Study:  
A New Paradigm in Partnering of Corporate and Outside Counsel  
in Resolving International Commercial Disputes**

The Dispute-Wise study revealed an interesting observation: the relationship or partnership between corporate counsel and their outside counsel has changed significantly over the past few years.

This session covers models and roles for effective partnerships in an international dispute resolution proceeding—augmented by the perspective of the two actual counsel partnerships on this session's faculty.

**Moderator: C. Mark Baker, Fulbright & Jaworski, Houston**

**Richard Lorenzo, Hogan Lovells, Miami**

**Oscar Arroyo, CabCorp, Guatemala**

**J. Brian Casey, Baker & McKenzie, Toronto**

**Tammy Evans, Boeing, Seal Beach**

**12:00-13:30 Lunch**

**13:30-14:45 Corporate Counsel Strategy:  
Top 10 Tips for Cost- and Time-Effective Outcomes in  
International Dispute Resolution**

The cost of a well-managed arbitral process typically is lower than litigation. The key is learning the nuances of cost management particular to arbitration so that costs do not escalate. These experts illustrate their best practices to manage and even reduce the cost of the various stages of arbitration. Topics include fees related to outside counsel, arbitrator and case administration, as well as the internal cost within the client's organization.

**Moderator: William K. Slate II, President & CEO, AAA and ICDR, New York**

# Program Agenda: September 15, 2011 (continued)

Keep up to date on agenda and program by following Twitter: #ICDR and @ICDRorg

## 13:30-14:45 Corporate Counsel Strategy: (continued)

**Alan R. Crain**, *Baker Hughes, Houston*

**Martim Della Valle**, *AmBev, São Paulo*

**Tammy Evans**, *Boeing, Seal Beach*

**Thales Miranda**, *Petrobras, Rio de Janeiro*

## 14:45-15:15 Ice Cream Break

## 15:15-16:30 Ethics Discussion:

### Analyzing Relationship Variations within International Dispute Resolution

There are a variety of ethical standards and practices already promulgated from various international organizations and arbitral institutions. Ethical practices and definitions can change based upon someone's language, legal tradition and cultural schemas. The faculty in this session will evaluate a variety of ethical scenarios and the underlying responsibility for each participating entity within an international dispute resolution proceeding. The faculty will also debate the appropriate levels of regulation needed in relation to these ethical situations.

**Moderator:** **George M. von Mehren**, *Squire Sanders, Cleveland*

**Adolfo Jimenez**, *Holland & Knight, Miami*

**Mauricio Gomm Santos**, *Smith International Legal Consultants, Miami*

**Pedro J. Martinez-Fraga**, *DLA Piper, Miami*

**ICDR Representative:** **Luis Martinez**, *New York*

## 16:30-17:45 The Art of Arbitrator Selection in an ICDR

### International Commercial Arbitration

This panel will provide a comprehensive review and discussion of the "best practices" trends and tactics that are employed by the top practitioners in selecting the arbitrator—the decision maker in their cases.

- How to pick your arbitrator: factors to consider
- Drafting the clause
- Party-appointed vs. list method
- Gaining an insight into your potential arbitrator and the scope of due diligence
- Tactical issues when dealing with disclosures and challenges
- The ICDR's role during the appointment phase

**Moderator:** **Jan Paulsson**, *Freshfields, Miami*

**John Townsend**, *Hughes Hubbard & Reed LLP, Washington, DC*

**Jennifer Price**, *King & Spalding, Houston*

**Arif Hyder Ali**, *Crowell Moring, New York*

**ICDR Representative:** **Steve Andersen**, *Salt Lake City*

## 18:30 Reception & Dinner

# Program Agenda: September 16, 2011

Keep up to date on agenda and program by following Twitter: #ICDR and @ICDRorg

## 8:00 -9:00 Continental Breakfast

## 9:00-12:00 Rapid-Fire Discussion: Dispute Resolution Tour of the Americas

NEW THIS YEAR: an exciting and quick-moving session covering key legal and practice developments pertaining to each country listed herein. In rapid succession, experts will answer questions and provide country updates on relevant topics—all under tight time frames managed by the moderator. Conference attendees will have the rare opportunity to listen, compare and analyze the international dispute resolution landscape as presented by highly respected expert representatives from each listed country.

*This session includes a 30-minute break.*

**Moderator:** Jose I. Astigarraga, Astigarraga Davis, Miami

**Argentina:** Luis A. Erize, Abeledo Gottheil Abogados, Buenos Aires

**Brazil:** Eduardo Damião Gonçalves, Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados, São Paulo

**Canada:** Stephen L. Drymer, Ogilvy Renault, Montreal

**Chile:** Dyalá Jiménez Figueres, DJ Arbitraje Internacional, Santiago

**Colombia:** Eduardo Zuleta, Gómez-Pinzón Zuleta Abogados, Bogotá

**Mexico:** Luis Enrique Graham, Chadbourne & Parke, Mexico City

**Peru:** Carlos A. Soto, Estudio Muñiz, Ramirez, Perez-Taiman & Olaya, Lima

**United States:** David Lindsey, Chaffetz Lindsey, New York

**Venezuela:** Diana C. Droulers, Arbitration Centre of the Caracas Chamber of Commerce, Caracas

**ICDR Representative:** Thomas Ventrone, New York

## 12:00 Concluding Remarks

## CLE CREDIT INFORMATION

This conference has been approved in NYS for 10.5 transitional/non-transitional CLE credit hours (4.5 Professional Practice, 4.5 Skills and 1.5 Ethics). NYS Scholarship will be available upon request. The American Arbitration Association is a Registered Provider (#1053) with the State Bar of California, and therefore this conference is eligible for a total of 8.75 hours of CLE credit (7.5 general and 1.25 ethics) in California. It has also been approved by the Pennsylvania CLE Board for 8.5 hours of substantive law, practice and procedure CLE credit, including 1 hour of ethics credit. Application for Florida CLE is currently pending. The AAA has not applied for CLE credit in any other jurisdiction.

The September 14, 2011 session ICDR Young & International Program is eligible for 2 hours of transitional/non-transitional New York State CLE credit hours (1 Professional Practice, 1 Skills). NYS Scholarship will be available upon request. The American Arbitration Association is a Registered Provider (#1053) with the State Bar of California and therefore this session is eligible for a total of 2 hours of CLE credit in California. It has also been approved by the Pennsylvania CLE Board for 2 hours of substantive law, practice and procedure CLE credit.

## ACE (Arbitrator Continuing Education for AAA/ICDR Panel Arbitrators) Credit Information:

This conference has been approved for 5 hours (2 years) of ACE credit.

# 9th

## Annual Miami International Arbitration Conference

*In-house Counsel and International Arbitration*

September 14 - September 16, 2011

The Biltmore Hotel, Coral Gables, Florida

Conference dress code is business casual or smart casual.

### 4 Ways to Register

#### Fax completed form to:

+1.212.246.7274

Attn: Jason Cabrera

(Please note: no check copies will be processed.)

#### Email details to:

CabreraJ@adr.org

Attention: Jason Cabrera

#### Register online at:

[aaauonline.org/courseCalendar.aspx](http://aaauonline.org/courseCalendar.aspx)

#### Mail completed registration form to:

Jason Cabrera

American Arbitration Association

1633 Broadway, tenth floor

New York, NY 10019

### Hotel Registration

#### The Biltmore Hotel

1200 Anastasia Avenue

Coral Gables, FL 33134

Phone: 305-445-1926 or

800-727-1926 toll free

Fax: 305-913-3158

#### Email:

[reservations@biltmorehotel.com](mailto:reservations@biltmorehotel.com)

Internet: [www.biltmorehotel.com](http://www.biltmorehotel.com)

Must enter group code: 2781 and authorization code: 02362

A limited number of rooms are available at a reduced rate.

Please reference "ICDR" when making your reservation.

**Cancellation Policy:** Please note that space availability is limited.

Should you need to cancel your registration, a refund of one-half of your registration fee is available 20 calendar days prior to the conference date. We regret that no refunds can be made after that date. Substitutions can be made at any time.

**Questions?** Email Jason Cabrera at [CabreraJ@adr.org](mailto:CabreraJ@adr.org) or call +1.212.484.3207.

### Registration Form Please type or print

Mr. / Sr.  Ms. / Sra  Mrs. / Sra  Dr.

Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Province/State: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Country: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Registration Fees

*(Full payment must be received in order to process registration.)* Conference registration fees include admission to all seminars, along with the course materials, luncheon, dinner, breaks and cocktail receptions as outlined in the program agenda.

#### Check One:

- \$600 USD up to August 12, 2011  
(\$200 Savings!)
- \$800 USD after August 12, 2011

#### Special Group Rates

- \$50 USD Discount for Corporate Counsel
- \$50 USD Discount for Y&I Members

#### Special Group Rates (continued)

- \$50 USD Discount for members of Cooperating Entities
- \$125 per Dinner Guest
- \$100 Golf Event on Wednesday morning
- FREE Registration for Current Judges

### Method of Payment Visa MasterCard American Express

Name on Credit Card: \_\_\_\_\_

Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

CSV #\*: \_\_\_\_\_

*\*3-digit security code on back of VISA and MasterCard cards; 4-digit code on the front of American Express cards.*

Signature: \_\_\_\_\_ Today's Date: \_\_\_\_\_



International Centre  
for Dispute Resolution

## Host an ICDR Seminar in your Office

### Get Solutions for Your International Dispute Resolution Issues:

- Increasing Economy & Efficiency in International Dispute Resolution
- Drafting International Dispute Resolution Clauses
- International ADR for Corporate Legal Counsel
- Taking Your Case to the ICDR
- How Culture Affects Strategy in International Dispute Resolution
- Getting Value from Mediation
- Ethical Considerations in International Dispute Resolution
- 10 Myths in International Dispute Resolution

We'll supply the topic or customize a program for your organization's needs.

### ICDR Faculty Expertise

**Richard Naimark, SVP**  
*ICDR Global Operations*

**Mark Appel, SVP**  
*Africa, Europe & Middle East*

**Steve Andersen, VP**  
*Canada, Mexico & USA*

**Michael Lee, Director**  
*Asia*

**Luis Martinez, VP**  
*South & Central America & USA*

**Thomas Ventrone, VP**  
*Case Management Centre*

For further information regarding the hosting of an ICDR seminar or the ICDR's Fall Arbitration Programs below or for a copy of the ICDR's Newsletter – please visit the ICDR web site, [www.ICDR.org](http://www.ICDR.org). or contact Luis Martinez at [Martinezl@adr.org](mailto:Martinezl@adr.org) or by telephone at +1212-716-5833.

#### The ICDR Fall International Arbitration Schedule

- The ICDR's Annual International Arbitration Conference in Miami, FL. September 14-16, 2011
- Alternatives to Litigation in a Civil Society. Program with Trinity College, Dublin. October 11, 2011
- The ICDR/AAA-ICC-ICSID Joint Colloquium on International Arbitration in New York. November 18, 2011.
- The ICDR's Annual International Arbitration Conference in Brazil. November 28-29, 2011