

Fourth Annual  
ICC New York  
Conference

Under the auspices of the  
International Court of Arbitration®



## *ICC Arbitral Awards: Defining Features*

**New York – Monday, September 14, 2009**

**Date: September 14, 2009**

**Venue: Shearman & Sterling LLP**

599 Lexington Avenue  
New York, NY 10022

### **International Court of Arbitration®**

The International Court of Arbitration® has a distinguished and long-standing history of international dispute resolution. In 2008 alone, it received 663 requests for arbitration from all over the world. Of the 1,758 parties in the cases filed with the International Court of Arbitration® in 2008, North America captured the fourth most number of parties involved.

### **ICC Dispute Resolution Services**

ICC Dispute Resolution Services (ICC DRS) provides international business with alternatives to court litigation. ICC DRS has developed a wide range of alternatives to court litigation including arbitration and runs one of the most respected and widely used courts of international commercial dispute resolution.

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This conference will provide a thorough overview of ICC Arbitral awards, starting with the importance of drafting an award and concluding with the recognition and enforcement of the award. Furthermore, the conference will feature a Mock Court Plenary Session, where the ICC Court is called upon to scrutinize an ICC arbitral award.

## Morning

### 8:00 a.m. – 9:00 a.m. Registration and continental breakfast

9:00 – 9:15

#### Welcome and Introduction

- **John Beechey**, Chairman, International Court of Arbitration®, Paris
- **Josefa Sicard-Mirabal**, Director, Arbitration & ADR, North America, International Court of Arbitration®, New York

9:15 – 10:15

#### ICC Arbitral Awards

Integrity and flexibility are hallmarks of arbitration and are especially important in the issuance of arbitral awards. This panel will provide an overview of ICC Awards, including Final Awards, Partial Awards, Interim and Conservatory Measures, Majority Decisions, Dissenting Opinions, Awards by Consent and Correction and Interpretation of Awards.

- **Michael W. Bühler**, Partner, Jones Day, Paris
- **Dana Freyer**, Partner, Skadden, Arps, Slate, Meagher & Flom LLP, New York
- **Jason Fry**, Secretary General, International Court of Arbitration®, Paris
- **Laurent Lévy**, Vice Chairman, International Court of Arbitration® and Partner, Lévy Kaufmann-Kohler, Geneva

**Moderator: John Beechey**

10:15 – 10:40

#### Questions from Participants

10:00 – 10:20 Break

11:00 – 12:00

#### Terms of Reference and its Importance in Drafting ICC Arbitral Awards

The objective for any arbitration panel is to draft a quality award that will be accepted and enforceable by the parties to the arbitration. One distinct feature of ICC arbitration is the Terms of Reference, which is a valuable tool not only for the parties to use in clarifying their positions to the arbitral tribunal, but for the arbitrators themselves to use in drafting a high quality award. The panelists will discuss their experience in drafting ICC awards, and the role the Terms of Reference plays, as well as explain why it is key in achieving their objectives.

- **Guillermo Aguilar-Alvarez**, Partner, Weil, Gotshal & Manges, LLP, New York
- **John Fellas**, Partner, Hughes Hubbard & Reed LLP, New York
- **Brian King**, Partner, Freshfields Bruckhaus Deringer LLP, Washington DC
- **Anne Marie Whitesell**, Of Counsel, Dechert, LLP, Washington DC

**Moderator: Alexis Mourre**

12:00p.m. – 12:30 p.m.

#### Questions from Participants



## Afternoon

### 12:30 – 2:00 Lunch

### 2:00 – 3:30

#### Scrutiny of the Award by the International Court of Arbitration® and Mock ICC Court Plenary Session

No matter how much attention to detail arbitrators pay to drafting an award, mistakes are invariably made. The ICC Court provides an invaluable safety net when scrutinizing awards. During this session, participants will observe a mock ICC Court plenary session where the ICC Court is called upon to scrutinize an ICC arbitral award. Invited to participate in this mock session are current ICC Court members from around the world including, the Dominican Republic, France, Germany, Switzerland, and the United States. This session will be chaired by ICC Court Chairman John Beechey and Jason Fry will act as Secretary General of the ICC Court.

- **Michael W. Bühler**, Partner, Jones Day, *Paris*
- **Mark Beckett**, Partner, Latham & Watkins LLP, *New York*
- **Laurent Lévy**, Vice Chairman, International Court of Arbitration®, and Partner, Lévy Kaufmann-Kohler, *Geneva*
- **Fabiola Medina-Garnes**, Founding Partner, Medina Garnes Asociados, Abogados, *Santo Domingo*
- **Alexis Mourre**, Vice Chairman, International Court of Arbitration®, and Partner, Castaldi Mourre & Partners, *Paris*
- **Robert Smit**, Partner, Simpson Thacher & Bartlett LLP, *New York*

**Moderator: Josefa Sicard-Mirabal**

### 4:00 – 4:20 Break

### 4:20 – 5:00

#### Recognition and Enforcement of ICC Arbitral Awards

The goal of any arbitration proceeding is to render an award that will be enforceable in the hands of the prevailing party. The panel will review the international legal standard set by the New York Convention for the enforcement of foreign arbitral awards. Panelists will also discuss the distinct features of ICC arbitration which continue to ensure the integrity and enforceability of ICC Arbitral Awards worldwide.

- **Catherine Amirfar**, Partner, Debevoise & Plimpton, *New York*
- **Gerald Ghikas**, Partner, Borden Ladner Gervais LLP, *Vancouver*
- **Grant Hanessian**, Partner, Baker & McKenzie LLP, *New York*
- **Henry Weisburg**, Partner, Shearman & Sterling, *New York*
- **David Wilson**, Partner, Holme Roberts & Owen LLP, *Denver*

**Moderator: Gerald Ghikas**

### 5:00 – 5:20

#### Questions from Participants

### 5:20 – 5:30

#### Closing Remarks

### 5:30 - 7:00

#### Cocktail Reception

## Logistical Note

**Venue: Shearman & Sterling LLP**  
599 Lexington Avenue  
New York, NY 10022

### How to register:

Please complete and return the registration form indicating method of payment to:

**E-mail:** lfs@iccwbo.org

**Tel:** 212.703.5044

**Fax:** 212.575.0327

**Websites:** www.iccwbo.org /  
www.uscib.org

**Post: INTERNATIONAL COURT OF ARBITRATION®**

**Arbitration and ADR, North America**

1212 Avenue of the Americas, 21st Floor

New York, NY 10036-1689

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

### Registration fees:

**Early Bird Rate - Until Friday August 21, 2009**    **After Friday, August 21, 2009**

■ **US\$ 250** for ICC/USCIB members and  
non-members

■ **US\$ 350** for ICC/USCIB members

■ **US\$ 450** for non-members

The fee includes conference materials, breakfast, lunch, and reception.

### Travel and accommodation:

Travel and hotel expenses are not included. Participants are responsible for making their own travel arrangements and hotel reservations.

### Cancellation charge:

50% of the contribution to costs will be refunded if notice of cancellation is received in writing **before August 21, 2009**. Cancellations after this date are not refundable. However, registration may be transferred to another person from the same company or organization at no extra charge, provided that notice is sent to **lfs@iccwbo.org** prior to the Conference.



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# Registration form

**Complete and return the registration form to:**  
**INTERNATIONAL COURT OF ARBITRATION®**  
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Tel.: 212.703.5044 Fax: 212.575.0327 E-mail: lfs@iccwbo.org  
Websites: www.iccwbo.org / www.uscib.org

## Participant information

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

## Registration fees

*(Please check the appropriate box)*

**Early Bird Special – Until Friday, August 21, 2009**

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**US\$ 250** for ICC/USCIB members and non-members

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## Method of payment

**By credit card:**  American Express  MasterCard  Visa

Card number ..... Expiration date.....

Name of cardholder .....

**By check:** payable to “USCIB” indicating the participant’s name clearly.

Date ..... Signature .....

## Data protection information

The details you provide on this form will be used for registration purposes. They will be stored in ICC’s databases for the sole use of ICC (International Chamber of Commerce) and USCIB (United States Council for International Business). You may have access to these details and request deletions and corrections at any time by contacting **Lea Felluss** at **212-703-5044**. The details you provide may be used by ICC and USCIB to keep you informed of developments in your area of activity through publications, subscriptions, events and other commercial offers.



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