

Generations in Arbitration II

including a celebration of 50 years of the New York Convention

Hong Kong, 3 March 2008



Generations in Arbitration II – Hong Kong

On 3 March 2008 the Alumni Association of the Willem C. Vis International Commercial Arbitration Moot (MAA) will host its *Generations in Arbitration* conference (GIA) for the second time in Hong Kong. GIA is a non-profit event with the dual aim of promoting international arbitration and bridging the gap between students and experienced practitioners. It is a unique combination of a (I) Student Seminar; (II) a simultaneously held Practitioners' Workshop; and (III) a final Joint Session for students and practitioners.

This year's program features the New York Convention celebrating its 50th anniversary. GIA will be held at the premises of the Hong Kong International Arbitration Centre in Hong Kong (HKIAC) and is supported by Baker & McKenzie • Diwok Hermann Petsche, Pace University, White Plains, New York and HKIAC.

(I) Student Seminar

The seminar is designed to improve the students' advocacy skills when pleading in front of an international moot panel. It will focus on "Rapport Building", "The Art of Persuasion", "Avoiding Mistakes" and "The Art of Advocacy", and will address various aspects of oral pleadings using the trainers' mooting experiences and video presentations. Based on the GIA case study, participants will be given the opportunity to test their oral advocacy skills in group work sessions and full plenum. In order to guarantee a maximum learning effect, the number of participants will be limited to 18 students. Lorraine de Germiny, Christopher Kee, Lisa Spagnolo, and Prof. Jeffrey Waincymer will conduct the seminar.

(II) Practitioners' Workshop

The Practitioners' Workshop will concentrate on the 1958 Convention on the Recognition and Enforcement of Foreign Arbitral Awards - the New York Convention. Andrew J.L. Aglionby, Elisabeth Opie, Christopher To, and Philip Yang will provide invaluable insights into current international arbitration issues from the perspectives of practitioners, arbitrators, institutions, and government entities. The distinguished panel will first reflect upon the "Dos and Don'ts in Drafting an Arbitration Agreement". A second discussion joined by Christian P. Alberti will discuss the enforcement of arbitral awards in Asia and such questions as grounds for *vacatur*, appeals, and jurisdictional challenges. These panels will be moderated by Lorraine de Germiny and Elisabeth Opie. The workshop's afternoon session will shift to witness examination techniques and will be run by the Hon. Neil Brown QC, Christopher Kee, Alexander Lütgendorf and Mathias Wittinghofer. Christopher Kee will also present "Learning to Question: Advocacy Training Tips". In order to maximise participation and discussion, the number of participants in the workshop will be limited to 40 practitioners.

(III) Joint Session

After the Seminar and Workshop sessions, students and practitioners are invited to attend the joint session. This session will consist of a brief mock arbitration hearing in front of a panel consisting of the Hon. Neil Brown QC, Prof. Jeffrey Waincymer, and Mathias Wittinghofer. Four students - selected during the course of the seminar - will present their arguments based on the GIA Hong Kong case study applying their newly-obtained advocacy skills. Practitioners will be asked to actively participate in the moot, by providing constructive feedback to the students on advocacy technique. This moot also aims to be a forum for practitioners to reflect on their own advocacy style.

Schedule

8:45 - 9:00	Registration and Coffee	
9:00 - 9:15	Welcome Address by Elisabeth Opie and Christopher To	
	Practitioners' Workshop	Student Seminar
9:15 - 10:30 (coffee break)	<p style="text-align: center;">The New York Convention at 50: Current Issues</p> <p>Part 1: The New York Convention and Arbitration Agreements: Dos and Don'ts in Drafting Arbitration Agreements - Moderator: <i>Lorraine de Germiny</i> - Practitioner's Perspective: <i>Andrew J. L. Aglionby</i> - Arbitrator's Perspective: <i>Philip Yang</i> - Institutional Perspective: <i>Christopher To</i> - Governmental Perspective: <i>Elisabeth Opie</i></p>	<p style="text-align: center;">Art of Mooting I</p> <p>Topics: - Rapport Building - Theories of Communication - Art of Persuasion - GIA Case Study</p> <p>Speakers: - <i>Christopher Kee</i> - <i>Lisa Spagnolo</i> - Special Guest: <i>The Hon. Neil Brown QC</i></p>
10.45 - 12:00	<p>Part 2: Recognition and Enforcement of Awards in Asia - Moderator: <i>Elisabeth Opie</i> - Practitioner's Perspective: <i>Andrew J. L. Aglionby</i> - Arbitrator's Perspective: <i>Philip Yang</i> - Institutional Perspective: <i>Christian P. Alberti / Christopher To</i></p>	
12:00 -13:00	Lunch	
13:00 -14:30	<p style="text-align: center;">The Art of Witness Examination</p> <p>Part 1: Witnesses in and outside of the Hearing Room - Moderator: <i>Elisabeth Opie</i> - <i>The Hon. Neil Brown QC</i> - <i>Christopher Kee</i> - <i>Alexander Lütgendorf</i> - <i>Mathias Wittinghofer</i></p>	<p style="text-align: center;">Art of Mooting II</p> <p>Topics: - The Art of Advocacy: An Overview - Avoiding Mistakes - GIA Case Study - Last Minute Tips on the Art of Mooting</p> <p>Speakers: - <i>Lorraine de Germiny</i> - <i>Lisa Spagnolo</i> - <i>Prof. Jeffrey Waincymer</i></p>
14:30 - 15:00	<p>Part 2: Learning to Question: Advocacy Training Tips - <i>Christopher Kee</i></p>	
15:00 -15:15	Coffee Break	
15:15 -16:00	Joint Session with <i>The Hon. Neil Brown QC / Prof. Jeffrey Waincymer / Mathias Wittinghofer</i>	
16:00 -16:15	Closing Remarks by <i>Lorraine de Germiny / Elisabeth Opie</i>	

Panelists

Andrew J.L. Aglionby

Baker & McKenzie
Hong Kong S.A.R.

Christian P. Alberti

International Centre for Dispute Resolution (ICDR)
New York, USA

The Hon. Neil Brown QC

Victoria, Australia

Lorraine de Germiny

Dewey & LeBoeuf LLP
New York, USA

Christopher Kee

University of Basel
Basel, Switzerland

Alexander Lütgendorf

White & Case LLP
London, England

Elisabeth Opie

Commonwealth Scientific and Industrial Research Organisation (CSIRO)
Melbourne, Australia

Lisa Spagnolo

Monash University
Clayton, Australia

Christopher To

Hong Kong International Arbitration Centre (HKIAC)
Hong Kong S.A.R.

Prof. Jeffrey Waincymer

Monash University
Clayton, Australia

Mathias Wittinghofer

Baker & McKenzie
Frankfurt, Germany

Philip Yang

Asia Pacific Regional Arbitration Group (APRAG)
Hong Kong S.A.R.



Event information

▪ DATE

Monday, 3 March 2008

▪ VENUE

Hong Kong International Arbitration Centre (HKIAC)

38th Floor, Two Exchange Square

8 Connaught Place

Hong Kong S.A.R.

▪ FEES

- > Practitioners' Workshop €50 (HKD 567)
- > "Early Bird" (24 February 2008) €40 (HKD 455)
- > MAA Members €30 (HKD 340)
- > Student Seminar* €25 (HKD 284)

▪ FEES INCLUDE

- > Attendance at workshop or seminar sessions (as appropriate)
- > Workshop or seminar materials
- > CLE credits provided by Pace University School of Law to practitioners
- > Lunch, coffee and tea during breaks

▪ REGISTRATION

Please return the registration form to EVEAND by email or fax together with your payment information at your earliest convenience. Available places will be assigned in order of processing complete registrations. Your registration will only be processed when payment information is received.

▪ ALTERATIONS

The MAA retains the right to alter the program at any time.

▪ PAYMENT

The workshop and seminar fees may be paid by credit card, cheque or bank draft drawn on a German bank in favour of EVEAND. The payment may also be transferred to the following account:

- > Bank: Postbank AG
- > Account Name: EVEAND
- > Account Number: 8 37 92 44 67
- > IBAN: DE 55 440100 46 08 37 92 44 67
- > Bank Sort Code: 440 100 46
- > BIC: PBNKDEFF

▪ CANCELLATION

25% of the fee will be refunded if a written request for cancellation is received by close of business 24 February 2008. No refund will be made after said date.

▪ EVEAND – VERANSTALTUNGSMANAGEMENT

Linnicher Strasse 7 – 40547 Duesseldorf – Germany

- > Phone: +49 211 55 020 458
- > Fax: +49 211 55 020 457
- > Email: eveand@maa.net

▪ CO-ORDINATORS

Lorraine de Germiny (Lorraine.de.Germiny@maa.net)
Elisabeth Opie (Elisabeth.Opie@maa.net)

▪ LANGUAGE

Workshop and seminar will be held in English.

* Only students participating at the 5th Willem C. VIS (East) Moot are entitled to attend the Seminar

Venue

Hong Kong International Arbitration Centre (HKIAC)

38th Floor, Two Exchange Square
8 Connaught Place
Hong Kong S.A.R.
China

Directions from Airport:

Take Airport Road (following signs for Kowloon). Continue on NW Tsing Yi Interchange (signs for Tsing Yi/Kowloon). Continue on Cheung Tsing Highway and Tunnel. Take West Kowloon Highway and then exit 1B for Shek Tong Tsui/Kennedy Town. Turn on to Connaught Road heading east in the direction of Central, until you reach Two Exchange Square. Head to the 38th floor.

On foot:

Once in Central, Hong Kong, follow signs for the Ferry Terminals, the International Finance Center (IFC), and Exchange Square. Head to Two Exchange Square, 38th Floor.



Registration Form GIA II – Hong Kong

Please return this form to

EVEAND – Veranstaltungsmanagement
Linnicher Strasse 7 – 40547 Duesseldorf – Germany
Fax: +49 211 55 020 457
E-mail: eveand@maa.net

I wish to participate in the

Student Seminar

Practitioners' Workshop

NAME

COMPANY / INSTITUTION / ORGANIZATION / TEAM

ADDRESS

EMAIL

TELEPHONE

FEES

▪ Practitioners' Workshop

> Regular € 50

> "Early Bird" (24 Feb. 2008) € 40

> MAA Member € 30

▪ Students' Seminar* € 25

Fees may be paid by

Cheque / bank draft (€5 additional fee)

Bank transfer

Credit card

Card Holder

Card Number

Expiration Date

DATE and SIGNATURE

* Only students participating at the 5th Willem C. Vis (East) Moot are entitled to attend the Seminar

Moot Alumni Association
Alumni Association of the Willem C. Vis
International Commercial Arbitration Moot

Generations in Arbitration has been organised and hosted by the Moot Alumni Association (MAA) since 2004. The MAA, founded in 1996, is the alumni association of the Willem C. Vis Moot. With a 800-strong membership, the MAA is comprised of students as well as distinguished academics and practitioners, and internationally-renowned arbitrators. The MAA is actively involved in reducing non-economic barriers to trade through a number of its projects, including the publication of the *Vindobona Journal of International Commercial Law and Arbitration*, facilitating internships and employment related to these areas of law, a case translation program and the CLOUT Abstract Project in collaboration with the United Nations Commission on International Trade Law and the Institute of International Commercial Law, Pace University. The MAA's activities during the Willem C. Vis Moot include sponsoring and organising social events for Vis Moot participants and - on the more serious side - specialised conferences such as "The Challenging World of Arbitration" (2001) in cooperation with ICCA and "Becoming e-legal" (2002) in cooperation with VIAC. The MAA's success is both driven by and rewarded to its members.

Generations in Arbitration II
is supported by

BAKER & MCKENZIE

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香港國際仲裁中心
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