

5th ICC Annual Conference

International Commercial Arbitration in Latin America : *The ICC perspective*

Under the auspices of the **International Court of Arbitration®**

EARN

14 CLE Credits
12 MCLE Credits
12 CPD Hours
12 CNB Hours

Dates: **4 – 6 November 2007**

Venue: **Miami, Florida**
The Ritz-Carlton, South Beach

Objective

As approaches to key issues may differ from one region to another, the success of an arbitration depends greatly on an understanding of local legal cultures and attitudes. The purpose of this 5th Annual ICC Conference on International Commercial Arbitration in Latin America will be to shed light on aspects of international commercial arbitration that are particularly relevant to Latin American cases.

International Court of Arbitration

The ICC International Court of Arbitration has a distinguished and long-standing history of international dispute resolution. In 2006 alone it received almost 600 requests for arbitration from all over the world. Of the 1,613 parties involved in the cases filed with the ICC Court in 2006, 12.7% came from Latin America and the Caribbean.

Who should attend?

The topics covered will be of interest to practicing lawyers, corporate counsel, arbitrators, mediators, academics and business persons who come from Latin America or do business there, or simply wish to increase their understanding of international commercial arbitration in that region.

With the support of

**The United States Council
for International Business**
The US affiliate of ICC

 **SERVICES**

An affiliate of the International Chamber of Commerce

Events Department

Sunday 4 November 2007

6:00

Welcome reception

Monday 5 November 2007

08:00 – 09:00

Registration

09:00 – 12:45

Welcoming remarks and conference overview

- Aims of the conference
- New views on ICC dispute resolution services in Latin America
- The status of international arbitration in Latin America from a North American viewpoint

International arbitration in Latin America: current trends

Comprising regional experts and representatives of the ICC International Court of Arbitration, this panel will discuss tendencies emerging from recent cases involving Latin American parties, evaluate the latest judgments from Latin American courts, and analyze legal developments in the region, particularly in Central America and the Caribbean.

Discussion

Evidence in international arbitration

The presence of diverse legal traditions in international arbitration involving Latin American parties becomes particularly clear at the evidence stage. This panel will analyze practices currently followed by counsel and arbitrators when dealing with evidence. Particular consideration will be given to differences in the production of oral and documentary evidence and ways of achieving greater efficiency in such production.

Discussion

12:45 – 2:30 *Lunch*

2:30 – 5:30

Multi-contract arbitration in Latin America: a mock case

An increasing number of requests involving Latin American parties seek to bring claims arising out of different contracts within one and the same arbitration. Through the study of a mock case, this session will examine the main issues raised by arbitrations relating to multi-contract situations, and current thinking in favour of a single arbitration covering several contracts.

Discussion

Recent developments in ethical considerations relating to international arbitration

In recent years, U.S. courts rendered groundbreaking decisions that affect an arbitrator's duty of impartiality, independence and disclosure, as well as a party's right to challenge arbitration awards on these grounds.

This panel of arbitration practitioners will examine a few of these cases and engage in an interactive exchange with the participants to discuss the significance of these decisions vis-a-vis the future development of international arbitration.

Discussion

7:30 *Dinner*

Tuesday 6 November 2007

09:00 – 12:30

Arbitrating construction disputes in Latin America

Arbitration is widely used in Latin America as a dispute resolution mechanism in construction contracts. This session will focus in particular on characteristic features of construction contract arbitration, the preparation of construction claims, and the evaluation and calculation of damages.

Discussion

Influence of public international law in international commercial arbitration

Public international law is increasingly permeating international commercial arbitration. Experts in the field will assess the influence and application of public international law principles in commercial disputes, particularly those involving States and/or parastatal entities. Attention will also be given to conflicts of jurisdiction and law arising in treaty- and contract-based arbitration.

Discussion

12:30 – 2:30 *Lunch*

2:30 – 5:15

Understanding ICC arbitration

This session will give participants the chance to increase their knowledge and understanding the workings of the ICC International Court of Arbitration and the application of the ICC Rules. Current and former ICC officers will draw on their first-hand experience to answer questions presented in advance by participants on issues facing ICC arbitration practitioners today.

Corporate perspective on international arbitration

Company managers, corporate counsel and in-house lawyers play key roles in international arbitration. This panel will bring together these players to examine the role they play at various stages, such as when drafting the arbitration clause, negotiating prior to or during the arbitration, selecting counsel and arbitrators, and assessing the financial impact of the arbitration.

Discussion

Closing remarks

5:30

End of the Conference

International Commercial Arbitration in Latin America : *The ICC perspective*

- **Henri C. Alvarez**, Partner, Fasken Martineau Dumoulin LLP, Vancouver, Canada
- **Alfredo Bullard**, Partner, Bullard, Falla & Ezcurra Abogados, Lima, Peru
- **Cristián Conejero Roos**, Counsel, Secretariat of the International Court of Arbitration
- **Bernardo M. Cremades**, Senior Partner, B. Cremades y Asociados, Madrid, Spain; Council Member, ICC Institute of World Business Law
- **Yves Derains**, Partner, SCP Derains & Associés, Paris, France; Vice Chairman, ICC Institute of World Business Law; Former Secretary General, ICC International Court of Arbitration
- **Donald Francis Donovan**, Partner, Debevoise & Plimpton LLP, New York, USA
- **Alejandro A. Escobar**, Attorney, Latham & Watkins, London, United Kingdom
- **José Ricardo Feris**, Counsel, Secretariat of the International Court of Arbitration
- **Miguel Ángel Fernández-Ballesteros**, Senior Partner, F-Ballesteros y Asociados, Madrid, Spain; Professor, University of Madrid
- **Frederick R. Fucci**, Partner, Thelen Reid Brown Raysman & Steiner LLP, New York, USA
- **José Nestor García Reza**, General Counsel, PEMEX, Mexico City, Mexico
- **Alejandro M. Garro**, Adjunct Professor of Law, Columbia University, New York, USA
- **Gilberto Giusti**, Partner, Pinheiro Neto Advogados, Sao Paulo, Brazil
- **Daniel E. González**, Partner, Hogan & Hartson LLP, Miami, USA
- **Katherine González Arrocha**, Director, ICC Dispute Resolution Services, Latin America
- **Luis Enrique Graham Tapia**, Partner, Thacher Proffitt & Wood, S.C., Mexico City, Mexico
- **Hugh E. Hackney**, Shareholder, Greenberg Traurig, Dallas, USA
- **Dyalá Jimenez Figueres**, Special Counsel, Carey & Cia., Santiago, Chile
- **Louis B. Kimmelman**, Partner, Allen & Overy LLP, New York, USA; Former Chair, USCIB Arbitration Committee
- **Fernando Mantilla-Serrano**, Partner, Shearman & Sterling LLP, Paris, France; Member, ICC International Court of Arbitration
- **Fabiola Medina Garnes**, Founding Partner, Medina Garnes & Asociados, Santo Domingo, Dominican Republic; Member, ICC International Court of Arbitration
- **Eduardo Palmer**, Partner, Rivero, Palmer & Mestre LLP, Miami, USA
- **John H. Rooney**, Partner, Shutts & Bowen LLP, Miami, USA
- **Sean R. Santini**, Shareholder, Akerman Senterfitt, Miami, USA
- **Marco E. Schnabl**, Partner, Skadden, Arps, Slate, Meagher & Flom LLP, New York, USA
- **Roland Schroeder**, Senior Counsel, Litigation and Legal Policy, General Electric Company, Fairfield, USA
- **Eric A. Schwartz**, Partner, LeBoeuf, Lamb, Greene & MacRae LLP, Paris, France; Former Secretary General, ICC International Court of Arbitration
- **Josefa Sicard-Mirabal**, Director, Arbitration and ADR, North America, ICC International Court of Arbitration
- **Estuardo Sierra**, Corporate Counsel - Americas, Wartsila North America, Inc., Houston, USA
- **Abby Cohen Smutny**, Partner, White & Case LLP, Washington, USA
- **Nancy M. Thevenin**, Deputy Director, Arbitration and ADR, North America, ICC International Court of Arbitration
- **Claus Von Wobeser**, Administrative Partner, Von Wobeser & Sierra, S.C., Mexico City, Mexico; Vice-Chairman, International Court of Arbitration
- **Anne Marie Whitesell**, Former Secretary General, ICC International Court of Arbitration

Working language

English and **Spanish** with simultaneous interpretation.

How to register

Easier, faster and save 20 US\$, register online* at www.iccwbo.org/events (*Secured payment by credit card) or complete and return the registration form indicating method of payment to:

E-mail: events@iccwbo.org

Fax: +33 1 49 53 30 30

Tel.: +33 1 49 53 28 67

Post: ICC SERVICES

Events Department

38, Cours Albert 1er, 75008 Paris, France

Registration will be confirmed upon receipt of the registration form and registration fees.

Registration fees

Conference

- **US\$ 920** for ICC/USCIB members
- **US\$ 1000** for non-members
- **US\$ 260** for accompanying person

Conference + ICC Meeting for Young Arbitrators

- **US\$ 970** for ICC/USCIB members
- **US\$ 1050** for non-members

ICC Meeting for Young Arbitrators (only)

- **US\$ 100** ICC Meeting for Young Arbitrators

The registration fees include:

- 1. Conference:** all conference activities including documentation, lunches and coffee breaks, Sunday reception and dinner on Monday.
- 2. Accompanying person's fee:** Sunday reception and dinner on Monday (sessions and networking lunches are restricted to participants only).
- 3. ICC Meeting for Young Arbitrators:** all meeting activities including documentation, coffee break and Sunday reception.

Travel and Accommodation

Participants are responsible for making their own travel arrangements and hotel reservations. A hotel reservation form for "The Ritz-Carlton, South Beach", with which ICC has negotiated **preferential rates** at 299 US\$ per night (+13% tax), will be sent upon receipt of the registration form and registration fees. All room reservations must be guaranteed by a credit card. The pre-reservation cut-off date is Friday 12 October 2007. Hotel reservations received after Friday 12 October will be accepted on a space and/or rate available basis only.

Credits and Hours

An application has been made for CLE credits under the State Bar of **Florida**. ICC Events is a State Bar of California approved MCLE provider, is eligible for CLE credits under **New York's** approved jurisdiction procedures, and is a Law Society and General Council of the Bar of **England and Wales** External CPD Course Provider. **French Bars:** this conference has been sent for CNB approval.

Dress Code

Business casual for both Sunday cocktail reception and Monday dinner.

Cancellation charge

50% of the registration fee will be refunded if notice of cancellation is received in writing **before Friday 5 October 2007**. Cancellations after this date are not refundable. Subject to agreement from ICC Events prior to the event, the registration may be transferred to another person from the same company or organization at no extra charge. Updated registration material will be required.

Until Friday 7 September 2007

Early bird special

Conference

- **US\$ 795** for ICC/USCIB members
- **US\$ 880** for non-members

Conference + ICC Meeting for Young Arbitrators

- **US\$ 845** for ICC/USCIB members
- **US\$ 930** for non-members

 **SERVICES**

An affiliate of the International Chamber of Commerce

S.A.S. au capital de 305 562 euros R.C.S. Paris B 313 975 237 N° de TVA intracommunautaire FR 45 313 975 237
38, Cours Albert 1er, 75008 Paris, France

Telephone +33 1 49 53 28 28 Fax +33 1 49 53 30 30 E-mail events@iccwbo.org Website www.iccwbo.org/events

Registration form

S 0721

Dates: 4 – 6 November 2007

Venue: Miami, Florida
The Ritz-Carlton, South Beach

Save 20 US\$
Register online*
www.iccwbo.org/events
*Secured payment by credit card

or complete and return to
events@iccwbo.org
Fax: +33 1 49 53 30 30

International Commercial Arbitration in Latin America : *The ICC perspective*

Participant
information

| | | | |
|--------------------------------|---------------------------------|--------------------------------|----------------------|
| TITLE / FIRST NAME / LAST NAME | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| POSITION | <input type="text"/> | | |
| COMPANY NAME | <input type="text"/> | | |
| ADDRESS | <input type="text"/> | | |
| CITY / STATE / ZIP CODE | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| COUNTRY | <input type="text"/> | TEL. | <input type="text"/> |
| CONTACT E-MAIL | <input type="text"/> | FAX | <input type="text"/> |
| ACCOMPANYING PERSON | First name <input type="text"/> | Last name <input type="text"/> | |

Registration
fees

- Conference**
- US\$ 920** for ICC/USCIB members
 - US\$ 1000** for non-members
 - US\$ 260** for accompanying person

- Conference + ICC Meeting for Young Arbitrators**
- US\$ 970** for ICC/USCIB members
 - US\$ 1050** for non-members

- ICC Meeting for Young Arbitrators (only)**
- US\$ 100** ICC Meeting for Young Arbitrators

Until Friday 7 September 2007

Early bird special

Conference

- US\$ 795** for ICC/USCIB members
- US\$ 880** for non-members

Conference + ICC Meeting for Young Arbitrators

- US\$ 845** for ICC/USCIB members
- US\$ 930** for non-members

Total of registration fees : Special code (NC, ...)

For group rate, please contact svt@iccwbo.org

- By credit card:** American Express Euro/MasterCard Visa
Card number Expiry date
Name of cardholder
- By bank transfer:** name of the bank: **LCL**
Account No. 0000060021B Clé rib 64 Bank code 30002 Branch Code 04866
Swift: CRLYFRPP IBAN: FR61 3000 2048 6600 0006 0021 B64
Please indicate the reference "S 0721" and the participant's name clearly.
- By cheque:** payable to "ICC SERVICES – ICC Events" bearing the reference "S 0721" and indicating the participant's name clearly.

Date Signature

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 (the International Chamber of Commerce and its wholly-owned affiliate ICC Services). Under the French law 'informatique et libertés' of 6 January 1978, you may have access to these details and request deletions and corrections at any time by contacting ICC at registrationevents@iccwbo.org. The details you provide may be used by ICC to keep you informed of developments in your area of activity through publications, subscriptions, events and other commercial offers. Please indicate if you wish to receive such information: Yes No
Please tick below if you wish to receive commercial offers from associated organizations, including in particular
ICC National Committees: Yes

Method
of payment

Data
protection
information



5th ICC Annual Conference

International Commercial Arbitration in Latin America : *The ICC perspective*

Sponsors



ALLEN & OVERY

ARNOLD & PORTER LLP

ASTIGARRAGA DAVIS

BAKER & MCKENZIE

CAREY Y CIA.
Ltda.
ABOGADOS

CUATRECASAS

 FRESHFIELDS BRUCKHAUS DERINGER

Greenberg
Traurig

HOGAN &
HARTSON

LEBOEUF LAMB
LEBOEUF, LAMB, GREENE & MACRAE LLP



RIVERO PALMER & MESTRE LLP
ATTORNEYS

SHEARMAN & STERLING LLP



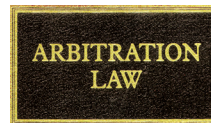
Thacher
Proffitt
Thacher Proffitt & Wood s.c.



Media partners

America
economia

Arbitration
Law Monthly



GLOBAL ARBITRATION
REVIEW
THE INTERNATIONAL JOURNAL OF PUBLIC AND PRIVATE ARBITRATION

IBERIAN LAWYER

Latin America Monitor

LATINLAWYER
MAGAZINE



OXFORD
UNIVERSITY PRESS

With the support of

UNITED STATES COUNCIL FOR
INTERNATIONAL BUSINESS



Sponsorship opportunities

Companies that choose to become ICC conference sponsors are given many opportunities to profile their business. They will receive maximum exposure ahead of and during the event. If your company is interested in sponsoring this conference, please contact:

Aisling Mullett, amt@iccwbo.org

Tel. +33 1 49 53 28 69.

“Effective Case Management in International Arbitration”

in association with the **USCIB Young Arbitrators Forum (YAF)**

Program designed for arbitration practitioners under 40

Date: **4 November 2007**

Venue: **Miami, Florida**
The Ritz-Carlton, South Beach

EARN

3 CLE Credits
2.5 MCLE Credits
2.5 CPD Hours
2.5 CNB hours

2:00 – 2:30

Registration

2:30

Welcoming remarks

- **Nancy M. Thevenin**, Deputy Director, Arbitration and ADR, North America, ICC International Court of Arbitration
- **Katherine González Arrocha**, Director, ICC Dispute Resolution Services, Latin America

An arbitrator's approach to case-management

This panel will discuss the arbitrator's role in ensuring effective case-management. Attention will be given to the recently-published report of the ICC Commission on Arbitration, Techniques for Controlling Time and Costs in Arbitration, and to issues specific to ICC arbitration such as the role played by the arbitrator during the drafting of the Terms of Reference and the procedural timetable, and the use and scope of Article 19 of the Rules.

- **Julián Treviño**, Partner, Borda y Quintana S.C., Mexico city, Mexico; Co-chair Commercial Law Committee Mexican Bar Association
- **Noah Rubins**, Counsel, Freshfields Bruckhaus Deringer, Paris, France

A counsel's approach to case-management

Young practitioners will address practical issues related to the use of procedural mechanisms for ensuring efficiency in arbitration including the effective use of written pleadings, the need for different stages of written submissions, the use of dispositive motions and the advocacy role played by counsel during the oral hearings.

- **Felipe Ossa G.**, Lawyer, Claro & Cia., Santiago, Chile
- **Claudia T. Salomon**, Partner, DLA Piper, New York, USA; Chair of the Young Arbitrators Forum (YAF)

Closing remarks

- **José Ricardo Feris**, Counsel, Secretariat of the International Court of Arbitration

5:30

End of the meeting

 **SERVICES**

An affiliate of the International Chamber of Commerce

Events Department