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Hong Kong International Arbitration Summit

21st May 2014, Harbour Grand Hong Kong

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SPEAKERS



Benjamin F. Hughes
Independent Arbitrator
and Mediator
Chairman of the 4th Annual
International Arbitration
Summit



David Joseph Q.C.
Essex Court
Chambers
UK
Keynote Speaker



Richard Wilmot-Smith QC
39 Essex St Chambers
London
**Moderator Inhouse
Counsel Grand Panel**



David Bateson
Partner
King & Wood Mallesons



Ruth Stackpool-Moore
Managing Counsel
HKIAC



Howard Rosen
Senior Managing Director
Global Practice Leader –
International Arbitration, FTI
Consulting



Christopher To
Executive Director
Hong Kong
Construction Industry
Council



Dr Colin Ong
President AABD
Managing Partner,
Dr Colin Ong Legal
Services



Elliott Geisinger
Partner
Schellenberg Wittmer's,
International Arbitration
Group Geneva



Lim Seok Hui
Chief Executive Officer
SIAC



Timothy B. Yoo
Senior Counsel & Head of
International Disputes,
CJ Entertainment & Media



Susan Macnaughton
Practise Leader of
the Firm's Mediation
Practice, Gall HK



Dr. Wang Wenying
Secretary General,
China International
Economic and Trade
Arbitration Commission
(CIETAC)



Vyapak Desai
Partner
Nishith Desai Associates



Moazzam Khan
Senior Member
International Litigation
and Dispute Resolution
Practice, Nishith Desai
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SCHEDULE

8:45am - 9:00am	Opening Address –HK Commercial Arbitration Board HKIAC – Ruth Stackpool-Moore, Senior Counsel
9:00am - 9:25am	1st Keynote Recent Developments Affecting Global International Arbitration Keynote – David Joseph Q.C, Essex Court, Chambers, UK
9:25am - 9:45am	In-house Counsel – Dispute Management and Workflow: The In-House Counsel Perspective International Inhouse Counsel – Shell Petroleum TBC
9:45am - 10:15am	Enforcement of Awards in HK and Asia Section 1 – David Bateson, Partner in Charge, King & Wood Mallesons
10:15am - 10:45am	Confidential Information and Restricted-Access in International Commercial Arbitration Section 2 – Elliot Geisinger, Partner, Schellenberg Wittmer
10:45am - 11:10am	Networking & Morning Refreshment
11:10am - 11:40am	Expert Witness in Disputes Section 3 – Howard Rosen, Senior Managing Director, Global Practice Leader – International Arbitration, FTI Consulting
11:40am - 12:10pm	International Construction and Infrastructure Disputes Section 4 –

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12:10pm - 12:40pm	International Arbitration Recent Developments in India Section 5 – Vyapak Desai, Partner, Nishith Desai Associates Moazzam Khan, Senior Member, International Litigation and Dispute Resolution Practice, Nishith Desai Associates
12:40pm - 2:00pm	Networking Lunch
2:00pm - 2:30p	Inhouse Counsel Grand Panel x 5 (construction, IP + Energy sectors) Moderator: Richard Wilmot-Smith QC 39 Essex St Chambers London Panelist: Timothy B. Yoo, Senior Counsel & Head of International Disputes, CJ Entertainment & Media
2:30pm - 3:00pm	Mediation in HK and Asia as Form of Disputes Section 6 – Susan Macnaughton, Gall HK Law
3:00pm - 3:30pm	Energy Disputes in Asia Section 7 –
3:30pm - 4:00pm	Hong Kong Construction Industry Counsel – Disputes and Remedies in 2013 and 2014 for HK and Asia Region Section 8 –
4:00pm - 4:20pm	Short Break & Afternoon Refreshment
4:20pm - 5:00pm	Panel Discussion – HKIAC, KCAB, VIAC, SIAC, CIETAC, SCC, QICDRC Panelist: Ruth Stackpool-Moore, HKIAC Dr. Wang Wenying, CIETAC Lim Seok Hui, SIAC Annette Magnusson, SCC

Networking Lunch and refreshments included through-out the day



SPEAKER PROFILES

Richard Wilmot-Smith Q.C., 39 Essex St Chambers, London

Richard Wilmot-Smith Q.C. has been practicing as a barrister in the field of construction and engineering and arbitration for thirty four years and has been a QC for nineteen years. He has acted as counsel in many domestic and international arbitrations both ad hoc and under rules. He has also served as joint arbitrator, sole arbitrator and chairman in international arbitrations under rules, particularly ICC, LCIA and DIAC. As arbitrator his arbitrations have involved involve food franchises, energy projects, telecommunications, intellectual property disputes, agency agreements, PFI projects and construction and engineering. He was author and now editor of the OUP publication Construction Contracts, Law and Practice; first edition 2006, third edition due March 2014. He was joint head and then head of 39 Essex Street Chambers 2003-2011.

Susan Macnaughton, Practise Leader of the Firm's Mediation Practice, Gall HK

Susan is the practice leader of the firm's mediation practice. She is an accredited mediator and solicitor. She has had nearly 20 years experience resolving legal disputes in Hong Kong, having been a litigation partner in City firms. Susan is qualified in England & Wales as well as Hong Kong and has been working in Hong Kong for much of her career. As well as being a solicitor, Susan now primarily focuses on her role as a mediator in a broad range of commercial disputes. Susan has had experience in most commercial litigation fields but her particular area of expertise concentrates on matters of international trade, representing banks, shipping and aviation companies, manufacturers and commodity producers, and insurers. This has included everything from dealing with trade finance disputes (letters of credit, bills of exchange etc), bills of lading and charter party disputes, sale and purchase of goods and commodities, ships and aircraft, and enforcement work including asset tracing and investigation of fraud.

David Bateson, Partner, King & Wood Mallesons

David Bateson is a partner in the Hong Kong office of King & Wood Mallesons where for over 30 years he has specialised in dispute resolution. He is listed in 2013 Best Of Best in Commercial Arbitration as one of the 28 leading experts in the world. His work involves all forms of dispute resolution including arbitration, litigation and alternative dispute resolution throughout Asia and the Middle East. David is a well-known international arbitrator on many panels, including HKIAC, SIAC, CIETAC and KLRCA. David is the author of the book Commercial Arbitration in Hong Kong, and contributed chapters to Arbitration in Hong Kong: A Practical Guide, Arbitration World (chapter "alternative dispute resolution"), and Chitty on Contracts - Hong Kong Volume".

Howard Rosen, Senior Managing Director, Global Practice Leader – International Arbitration, FTI Consulting

Howard Rosen is a senior managing director at FTI Consulting and has been involved exclusively in business valuations, damages quantification, and corporate finance related matters since 1981. He has acted as an advisor to private and public companies, regulatory bodies, and all levels of government on a wide variety of industries. His work experience covers assignments across North and South America, Europe, the Middle East, Africa, and Asia. Howard has provided expert witness testimony in over 200 damages quantification and valuation matters in courts in Canada and the United States and also in International Arbitration hearings in North and South America, Asia, Africa, Europe and the Middle East. Howard currently sits on the board of directors and audit committee of one public company (Agriculture), and on the advisory committee of an institutional investor. Howard's past board positions have included a Junior resource company (Gas and Mining), as well as a specialty manufacturer. Howard leads the global international arbitration practice for FTI Consulting.

Ruth Stackpool-Moore, Managing Counsel, HKIAC

Ruth is an Australian and UK qualified lawyer working as Managing Counsel of the Hong Kong International Arbitration Centre (HKIAC). She oversees the administration of arbitrations and other forms of dispute resolution proceedings at the HKIAC and works to promote the use of Hong Kong arbitration and other forms of dispute resolution worldwide. Prior to joining the HKIAC, Ruth worked with several international law firms in London, Sydney and Paris advising on a wide range of proceedings including international commercial arbitrations conducted under the ICC, LCIA, UNCITRAL, ICDR, VIAC and WIPO rules of arbitration as well as associated national court proceedings in civil and common law jurisdictions. She also provided advice regarding the formulation and drafting of arbitration and dispute resolution clauses in commercial contracts, including multi-party and multi-contract situations. Ruth graduated from the University of Sydney with a Bachelor of Economics (Social Science) in 2001 and a Bachelor of Laws (First Class Hons) in 2005. She was admitted as solicitor of the Supreme Court of New South of Wales and High Court of Australia in 2006 and in England and Wales in 2010.

Christopher To, Executive Director, Hong Kong Construction Industry Council

Christopher To is the Executive Director Construction Industry Council, a statutory body in Hong Kong tasked among other functions to advise and make recommendations to the Government on strategic matters, major policies and legislative proposals, that may affect or are connected with the construction industry, and on matters of concern to the construction industry. As former Secretary-General of the Hong Kong International Arbitration Centre, he managed to elevate Hong Kong's status as the regional dispute resolution hub of Asia by increasing the number of international dispute cases being referred to Hong Kong for amiable resolution as well as creating the Asian Domain Name Dispute Resolution Centre, a body that has gain international prominence within the dot.com community as a reliable, trustworthy, independent and reputable entity that manages domain name disputes. In recognition of his outstanding leadership and his contribution to the community, in 2001 he was honored as the youngest Director of the Year in Hong Kong and in 2007 he was honored as a Young Global Leader by the World Economic Forum. Christopher holds qualifications in computing, engineering and law. He is a recognized authority on alternative dispute resolution techniques and is a sought-after speaker/moderator at international forums. He holds Adjunct Professorships from leading Universities and is on the board of various organisations ranging from education to research and development.

Dr Colin Ong, President AABD Managing Partner, Dr Colin Ong Legal Services

Colin Ong is Managing Partner of Dr Colin Ong Legal Services, Brunei and a member of the Brunei, English and Singapore bars. He is a practicing barrister in England (Essex Court Chambers) and a Chartered Arbitrator. He has acted as arbitrator or as counsel in over 100 arbitrations under most rules. Listed by Global Arbitration Review as one of the 45 under 45. President, AABD; Advisory Councilor, BANI; National Arbitration Committee, Cambodia; Vice-President, APRAG and Advisory Committee, China-ASEAN Legal Research Center. A Master of the Bench of the Inner Temple. Visiting Professor at universities in several countries (Civil Law and Common Law). Editorial board member of legal journals including Arbitration (CIArb); Business Law International; Butterworths Journal of International Banking & Financial Law; Dispute Resolution International and Maritime Risk International.

David Joseph Q.C, Essex Court, Chambers, UK

David Joseph QC is one of a new generation of prominent names in the field of international arbitration and litigation. He has been practising at the well-known Essex Court Chambers, London for over 25 years. He was appointed Queen's Counsel in 2003. In 2013 he was voted International Arbitration Queen's Counsel of the year by both Chambers' Directory and Legal 500. His expertise in international arbitration has also been recognised by Chambers Asia Pacific Guide 2014 placing him in the top tier of recommended Queen's Counsel. He regularly appears as counsel in the leading arbitration centres of the world including London, Hong Kong, New York, Paris and Singapore. He has argued some of the most prominent recent cases in international arbitration in the courts of London, Singapore and Hong Kong including the Singapore Court of Appeal in Astro Nusantara v FM and others. He also acts as arbitrator and speaks at numerous arbitration conferences. He is the author of Jurisdiction and Arbitration Agreements and their Enforcement (2nd Ed Sweet & Maxwell) and co-author of Singapore International Arbitration, Law & Practice.

Benjamin F. Hughes, Independent Arbitrator and Mediator

Benjamin Hughes is an independent arbitrator and mediator based in Seoul and Hong Kong. Previously he was the founding co-chair of the international dispute resolution practice group at Shin & Kim, and adjunct professor of law at Korea University Law School. Mr. Hughes has extensive experience as counsel in international arbitrations in Asia, Europe and the United States, and under all major arbitral rules. He has been appointed as the sole, chair or co-arbitrator in arbitrations under the rules of the ICC, SIAC, HKIAC, CIETAC and KCAB. Mr. Hughes has been recognized as a leading practitioner in the field of international arbitration in Chambers Asia-Pacific, Legal 500, PLC Which Lawyer, Who's Who Legal, the Global Arbitration Review, Asialaw and Asia Legal Business. Fluent in Korean, Mr. Hughes has played an active role as an advisor to the KCAB and the Korean Bar Association. In October 2011, Mayor Won-Soon Park made Mr. Hughes an Honorary Citizen of Seoul in recognition of his contributions to the legal community.

Elliott Geisinger, Partner , Schellenberg Wittmer's, International Arbitration Group Geneva

Elliott Geisinger is a partner in Schellenberg Wittmer's International Arbitration Group and works at the firm's Geneva office. Since 1994, his practice has focused on international commercial arbitration. He has acted as counsel and arbitrator in many complex commercial disputes involving international construction contracts, consortia and joint venture agreements, sponsorship contracts, as well as sales and distribution contracts. In addition, Elliott Geisinger has regularly represented clients in arbitration-related court proceedings, and several of his cases are reported in the official collection of Swiss Supreme Court cases and in arbitration journals. Contract management in large-scale construction projects is a further specialization of his. Elliott Geisinger has authored and co-authored several publications in the fields of international arbitration and private international law. He sat on the Arbitration Committee of the Geneva Chamber of Commerce and Industry from 1999 to 2003. He is currently President of the Swiss Arbitration Association (ASA), one of the most prestigious international arbitration associations worldwide.

Lim Seok Hui, Chief Executive Officer, SIAC

As the Chief Executive Officer of SIAC, Ms Lim is responsible for the overall management and operations of SIAC. She also heads up the business development team, and oversees its marketing functions. She has previously worked in Hong Kong and Singapore as a corporate, securities and M&A lawyer in private practice with international firms, and held various General Counsel roles in multinational corporations prior to joining SIAC. She qualified as a Barrister and is also admitted as a solicitor in Singapore, Hong Kong and England & Wales.

Timothy B. Yoo, Senior Counsel & Head of International Disputes, CJ Entertainment & Media

Timothy B. Yoo is a Senior Counsel and the head of international disputes at CJ E&M, Korea's largest entertainment conglomerate, where he

manages the company's overseas litigation and arbitration matters. Prior to joining CJ E&M, Mr. Yoo was associated with the law firm of Wilmer, Cutler, Pickering, Hale & Dorr LLP as a member of the firm's IP Litigation Department. During his time as outside counsel, he represented various tech companies in state and federal court as well as before administrative and arbitral tribunals. Mr. Yoo received his J.D. from the UC Berkeley School of Law. He is a member of the State Bar of California.

Dr.Wenying, Secretary General, China International Economic and Trade Arbitration Commission (CIETAC)

Wang Wenying, the Secretary General of China International Economic and Trade Arbitration Commission (CIETAC) Hong Kong Arbitration Center. Dr. Wang began to serve in the Department of Law of the China Council for the Promotion of International Trade (CCPIT) and China Chamber of International Commerce (CCOIC) upon graduation from Beijing University in 1989. She held the position of deputy Representative and Representative of CCPIT & CCOIC Hong Kong Representative Office from 1997 to 2000. She has been a research fellow in Arbitration Research Institute of CCOIC since 2004 after she got her doctoral degree of legal science (SJD) from Hong Kong University. She was appointed the director of the Arbitration Research Institute of CCOIC in 2005. She was in charge of the drafting work of CIETAC Arbitration Rules (2005 and 2012) and CIETAC's Articles of Association. Dr. Wang is on the Panel of Arbitrators of CIETAC. She has also served as Chair, sole arbitrator, or as a member of international and domestic arbitration panels. She has also been appointed as an expert dealing with domain name dispute cases by CIETAC Domain Name Dispute Resolution Center. Dr. Wang was the chief editor of Arbitration and Law, a famous Chinese journal on arbitration with history of more than 20 years. She is the chair of the Case Edition Committee of CIETAC, which is in charge of compiling and editing the CIETAC's arbitral awards and publishing yearbooks.

Vyapak Desai, Partner, Nishith Desai Associates

Vyapak Desai is a Partner & also heads the International Litigation & Dispute Resolution Practice at the multi-skilled, research-based international law firm, Nishith Desai Associates (www.nishithdesai.com). Vyapak is also a Senior Attorney in the Corporate and Securities Practice group at the firm. Vyapak holds a Bachelor's degree in law and a Masters degree in Commercial Laws (Corporate, Labor and Tax) from Gujarat University. He is also a trained Mediator. Vyapak represents clients in a wide-range of services with a special focus on cutting edge cross-border and complex litigations and international commercial arbitrations. He is a leading attorney in the advisement and representation of clients involved in media, entertainment, franchising, oil and gas, and financial services sectors for pre-litigation strategies, arbitrations and litigation before various forums including the Supreme Court, High Courts and Tribunals of India, and Various Institutions (SIAC, LCIA, AAA and ICC). Vyapak is often on the speaker circuit for both domestic and international conferences including Marcus Events, Inhouse Congress conference and Asial Law/IFLR Conference on Cross Border Dispute Resolution, India Venture Capital Journal Conference and the Lexis-Nexis Conference on the Enforcement of Foreign Arbitral Awards in India. Vyapak is a member of Arbitration Committee of the International Bar Association and the Bar Council of Maharashtra & Goa.

Moazzam Khan, Senior Member, International Litigation and Dispute Resolution Practice, Nishith Desai Associates

Moazzam Khan is a Senior Member of the International Litigation and Dispute Resolution Practice. He also heads the HR Litigation Practice at the Firm. He is a leading attorney in the advisement and representation of clients across sectors involved in cross-border litigations and alternate dispute resolutions before various forums including LCIA, SIAC and courts across jurisdictions with special focus on investment arbitrations and international commercial arbitrations. Moazzam has extensive experience in handling disputes involving corporate, civil and constitutional law issues before the Hon'ble Supreme Court of India and various High Courts. Moazzam is qualified to practice Indian Law and has been called to the bar by the Bar Council of Delhi in the year 2007. He is a member of DHCBA, SCBA and LCIA India

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