

Dublin International Arbitration Day 2014

Friday 7th November



Dublin International Arbitration Centre
145 - 151 Church Street
Dublin 7

Dublin International Arbitration Day 2014

Michael Carrigan

Michael Carrigan is a Consultant in the Property & Construction Department of Eugene F Collins Solicitors in Dublin where he was a Partner for many years. He specialises in commercial property but has wide experience in all areas of property development. He has been frequently called upon by colleagues in other firms to act as an expert witness in property disputes and professional negligence claims. Michael is also an experienced arbitrator having acted as sole arbitrator in over 100 domestic arbitrations and in two international arbitrations under appointment by the ICC International Court of Arbitration. He is currently President of Arbitration Ireland.

David Williams QC

David is a member of Bankside Chambers, Auckland, New Zealand and Maxwell Chambers, Singapore, as well as being an Associate Member of Essex Court Chambers, London. He is an Honorary Professor of Law at the University of Auckland and is the co-author of Williams and Kawharu on Arbitration (LexisNexis, 2011). He is a former Justice of the High Court of New Zealand and the DIFC Court, Dubai UAE. He sits part-time as the President of the Cook Islands Court of Appeal. He has been involved in over 120 international arbitrations. At various times he has been a member of the ICC International Court of Arbitration, the London Court of International Arbitration, and of the board of the American Arbitration Association. He currently serves as a member of the International Council for Commercial Arbitration" (ICCA).

Mr. Justice Brian McGovern

Mr Justice McGovern was called to the Irish Bar in 1972 and took Silk in 1991. At the Bar, he had a general practice which included admiralty and commercial matters. In 2006, he was appointed to the High Court where he currently sits as the judge in charge of the Commercial List. He has also been recently nominated as the Arbitration Judge. Prior to his appointment to the bench he had experience both as arbitrator and as advocate in arbitration and was a Fellow of the Chartered Institute of Arbitrators. He holds a Diploma in International Arbitration from University College Dublin and has been appointed to an ICC arbitration. For a number of years he sat as Legal Assessor with the Fitness to Practice Committee of An Bord Altranais (the Nursing Board) and the Irish Medical Council. He is a former President of the Irish Maritime Law Association and is a titular member of the Comité Maritime International (CMI).

Lord Hoffman

Lord Hoffmann is a retired Law Lord, he was an advocate of the Supreme Court of South Africa 1958-60, and was called to the English Bar by Gray's Inn in 1964 and appointed Queen's Counsel in 1977. He was appointed a judge of the High Court (Chancery Division) 1985-1992, elevated to the Court of Appeal 1992-1995 and appointed a Lord of Appeal in Ordinary 1995-2009. From 1980 to 1985 he was a part time member of the Courts of Appeal in Jersey and Guernsey. Since 1998 he has been a non-permanent judge of the Court of Final Appeal of Hong Kong.

Jeremy Gauntlett SC

Mr. Gauntlett QC is a member of the Cape, Johannesburg and London Bars, and Bencher of the Middle Temple. A senior counsel since 1989, he has also served as chairman of the General Council of the Bar of South Africa and Council Member of the IBA. Jeremy was appointed to the Commercial Appeals Panel of the Arbitration Federation of South Africa in 1999 and served (sessionally) as Judge of Appeal of Kingdom of Lesotho from 1996 to 2010. He was appointed to the Financial Markets Tribunal of Dubai in 2014, was nominated by IATA for appointment to the Shanghai International Court of Arbitration in October 2014, and has been practising at Brick Court Chambers, London and throughout SADC countries in both commercial and public law matters. He has also been involved in international law disputes before the SADC Tribunal and African Commission/African Court. Jeremy frequently sat as arbitrator and appeal arbitrator in domestic and international arbitrations (including the ICC and IATA), including aviation arbitration. A Beit Scholar, University of Stellenbosch and Rhodes Scholar, Jeremy was awarded a Harvard Graduate Fellowship, was elected to Visiting Fellowship, New College, Oxford possesses an honorary professorship at University of Stellenbosch and is a Distinguished Fellow of the Bingham Centre, London and Visitor at the University of Cambridge.

Michael Collins SC

Michael is a Senior Counsel specialising in commercial, competition and EU law. Mr. Collins SC started his career as an associate with Shearman & Sterling in New York in the early 1980s before commencing practice at the Irish Bar. He

has an extensive practice in commercial arbitration (domestic and international) both as counsel and as arbitrator. He has had appointments as arbitrator from the ICC Court of Arbitration and is one of Ireland's representatives on the ICC Commission on Arbitration. He is also a member of the International Centre for Dispute Resolution (ICDR) Panel of Arbitrators and is a former President of Arbitration Ireland. Michael is a CEDR accredited mediator and is Chairman of the Irish Anti-Doping Disciplinary Panel (Irish Sports Council). He is currently Adjunct Professor of Law at University College Dublin Law School.

Edward G. Kehoe

Edward G. Kehoe is co-head of the International Arbitration and Litigation Practice at King and Spalding and serves on the Firm's ten person Management Committee. Mr. Kehoe has more than 20 years of experience in arbitration and litigation, with a focus on energy, professional services liability, construction, joint venture, environmental, finance/banking, real estate and insurance. In addition to serving as counsel, Mr. Kehoe sits as an arbitrator and is listed as an arbitrator on the Panel of Neutrals for the International Centre for Dispute Resolution. He is a frequent writer and lecturer on international arbitration issues. Mr. Kehoe is a member of the Board of Editors of Global Arbitration Review and serves on the Advisory Board of the Institute for Transnational Arbitration. He holds a bachelor's degree in accounting from Lehigh University and a J.D. from St. John's Law School.

Mark Appel

Mark Appel is Senior Vice President of the International Centre for Dispute Resolution (ICDR). ICDR is the International Division of the American Arbitration Association (AAA), a leading global provider of private dispute prevention, conflict management and dispute resolution services, education and training. A member of the Association's senior management team, Mr. Appel is charged with primary responsibility for ICDR operations in Europe, the Middle East and Africa. Mr. Appel has worked with regional conflict management community stake holders to build sustainable mediation and arbitration systems and has trained legal and business professionals and government staff on four continents in negotiation, mediation and arbitration skills, both on behalf of the ICDR-AAA and on behalf of state court systems and professional associations. Mr. Appel is an experienced mediator and founding, now honorary, member of the Board of Directors of the International Mediation Institute.

Louis Flannery

Louis Flannery is a partner and the head of international arbitration with Stephenson Harwood. He has extensive experience of international commercial arbitration and investment treaty cases, as well as substantial High Court litigation in England and many foreign jurisdictions. Louis is co-author with Professor Robert Merkin of the leading text on the English Arbitration Act (5th edition, 2014), the consultant editor of Merkin's Arbitration Law (looseleaf) and a visiting lecturer on International Commercial Arbitration at Brunel and Exeter Universities. He was made a Chartered Arbitrator by the Chartered Institute of Arbitrators in 2011.

Timothy Foden

Timothy Foden is a senior associate in Quinn Emanuel's London office. His practice focuses on investor-treaty and high value commercial arbitration in the hospitality and commodities sectors. Timothy has represented dozens of investors in bringing claims against governments under the Energy Charter Treaty and various bilateral investment treaties. He also has extensive experience in the enforcement of commercial and ICSID arbitration awards in the courts of the United States, the United Kingdom and Belize. He has acted in proceedings under the ICSID, UNCITRAL, LCIA, ICC, SCAI and ICDR arbitration rules. Timothy also serves as a Co-Chair of Young ICCA, deputy editor of the European International Arbitration Review and speaks regularly on international arbitration matters around the world.

John Fellas

John Fellas is a partner in the New York office of Hughes Hubbard & Reed LLP, and co-chair of the Arbitration Practice and co-chair of the International Practice of that firm. Mr. Fellas has practiced in both the U.S. and England, and as well as being a member of the New York Bar, he is also a Solicitor of the Supreme Court of England and Wales. He has served as counsel, and as chair, sole arbitrator and co-arbitrator, in arbitrations under the AAA, ICC, LCIA, UNICTRAL, SIAC and ad hoc rules. He also serves on the Mediation Panel of the District Court for the Southern District of New York. He is a member of the Board of Directors of the American Arbitration Association and of the Subcommittee on Revision of the International Centre of Dispute Resolution

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Arbitration Rules. He has been recognized for his practice in international arbitration by: Who's Who Legal – The International Who's Who Of Business Lawyers; Chambers USA - Guide to America's Leading Business Lawyers; Chambers Global; The Best Lawyers In America; Euromoney Expert Guides -- Best of the Best USA. Recent editions of Chambers Global and Chambers USA noted that he is "a wonderful lawyer with very thorough legal knowledge," and that he is "one of the best--his reputation is phenomenal and deserved." He has also been recognized for his practice in commercial litigation by: Who's Who Legal – The International Who's Who of Business Lawyers; New York Super Lawyers. He is co-editor of International Commercial Arbitration in New York (Oxford University Press 2010).

Colm Ó hOisín SC

Colm Ó hOisín has been in practice at the Irish Bar since 1988 and became a Senior Counsel in 2005. He is also a member of the Bar of England and Wales. Colm is Vice Chairman of the Bar Council of Ireland and is also Vice President of Arbitration Ireland – the Irish Arbitration Association. He is a member of the Irish National Committee of the ICC and of the ICC Commission. In July 2012 he was designated by the Irish Government to the Panel of Conciliators and Arbitrators of ICSID (the International Centre for Settlement of Investment Disputes). He is also a Chartered Arbitrator and a CEDR accredited mediator. Colm was President of the Irish Maritime Law Association from 2007 to 2010 and is a titular member of the Comité Maritime International (CMI). His practice involves commercial and public law, in particular in the areas of company and shareholder disputes, maritime law, construction, competition law, insurance law, environmental law, general contract and judicial review. He has been appointed arbitrator in both domestic and international disputes.

Audley Sheppard

Audley Sheppard is a Partner (1995) and Global Co-Head of the International Arbitration Group at Clifford Chance LLP, based in the firm's London office. Audley specialises in the resolution of major disputes arising out of infrastructure and energy projects, international trade and investment. He also sits as an arbitrator (over 25 appointments). His other professional activities include being: Vice President of the LCIA Court and a Visiting Professor at the School of International Arbitration, Queen Mary, London. He is on the editorial Boards of: IBA's Business Law International; Journal of International Arbitration; and International Arbitration Law Review. He has been: Member of the ICC Court (2008 – 2012); Co-Chair of the IBA Arbitration Committee (2006-08); and Rapporteur of the ILA Arbitration Committee (1996-2006). Audley's qualifications include LLB (Hons) and B.Commerce (Victoria Univ. of Wellington, NZ) and LLM (Cambridge, England). He has New Zealand and Ireland nationality.

Niall Meagher

Niall Meagher has been the Executive Director of the Advisory Centre on WTO Law (ACWL) since July 2012. The ACWL is an intergovernmental organization in Geneva whose mandate is to provide assistance in WTO dispute settlement proceedings, legal advice, and training on WTO law to developing and least-developed countries. Since 2001, the ACWL has been involved in over 45 dispute settlement proceedings. It provides approximately 200 legal opinions on issues of WTO law to developing and least-developed countries. Before becoming Executive Director, Mr. Meagher was Senior Counsel at the ACWL since September 2004 and, previously, was a partner in the international trade department of Sidley Austin LLP in Washington DC. He is also on the list of arbitrators of the Court of Arbitration for Sport in Lausanne. He holds a Bachelor of Laws (LL.B.) from Trinity College, Dublin, and a Master of Laws (LL.M.) from the Law School of the University of Chicago.

George Burn

George Burn is a partner in Vinson & Elkins' London office. His practice is evenly divided between Investor-State arbitration and commercial arbitration, and has involved the full range of arbitral rules and arbitral seats. The cases on which George works involve issues of public international law, private international law, English law and the law of numerous other jurisdictions. Various of George's cases have been high profile in nature, including the first case in which an Investor secured a positive ruling on jurisdiction to bring a claim under the OIC Investment Agreement (Al-Warraq v Republic of Indonesia).

Fedelma Claire Smith

Fedelma Claire Smith is Legal Counsel at the Permanent Court of Arbitration (PCA) since 2011. She has served as the Representative of the PCA in Mauritius (2012-2014). Fedelma has also worked at the International Court of Justice

(2008-2010), where she was law clerk to H. E. Judge Awn Al-Khasawneh and H. E. Judge Sir Kenneth Keith. Fedelma is a member of the Bar of England and Wales and completed pupillage at Field Court Chambers, London, in 2011. She holds a BA in English Law with German Law from Oxford University and an Advanced LLM in Public International Law from Leiden University.

Gavin Woods

Gavin Woods is a partner in the Litigation and Dispute Resolution Group of Arthur Cox which is a leading Irish Commercial law firm. He advises clients on a wide range of contentious matters including commercial disputes, financial services litigation, commercial fraud, professional negligence, intellectual property, defamation, privacy and data protection. He advises on matters before the Commercial Court in Ireland and has been involved in domestic and international arbitration including advising a leading Irish multi-national in a commercial dispute with its joint venture partner before the International Court of Arbitration in Paris. Gavin has a particular interest in international dispute resolution and also previously worked in the Litigation Department of a leading firm in Hong Kong.

Philippe Cavalieros

Mr. Cavalieros is a partner in Winston & Strawn's Paris office. He focuses his practice on international commercial and investment arbitration. Prior to joining Winston & Strawn, Mr. Cavalieros held the positions of General Counsel, Eurasia, and Head of the International Arbitration department of the Renault s.a.s. Group. In this position he supervised all legal matters of the Eurasian Region, and represented the Group in all issues with regard to arbitration. Prior to that, Mr. Cavalieros was also involved in numerous international arbitration proceedings as Assistant Counsel at the Secretariat of the International Court of Arbitration of the ICC. In addition, he has been regularly appointed as Arbitrator – including as Chairman – in international arbitrations conducted mostly under the Rules of the ICC. Mr. Cavalieros, a former semi-professional rugby player, is also a member of the Disciplinary Committee of the French National Rugby League (LNR – Top 14).

Louise Reilly

Louise Reilly is a barrister practicing in international arbitration and international sports law. She also acts in an advisory capacity, including as a consultant to the Cycling Independent Reform Commission, established by the International Cycling Union to investigate doping in professional cycling and make proposals for reform. Prior to returning to private practice, Louise was Managing Counsel and Head of Mediation at the Court of Arbitration for Sport in Lausanne, Switzerland. She is a guest lecturer at universities in Switzerland, Spain and the US, and is frequently invited to speak at international conferences and seminars.

Ben Rutherford

Ben Rutherford is a barrister and solicitor admitted in Australia and also holds a degree in International Studies and an MBA in Sports Administration. Ben has been Legal Counsel with the International Rugby Board and Rugby World Cup Ltd based in Dublin for five years. Ben's work encompasses all of the regulatory and governance areas of the Board's operations including anti-doping, integrity, eligibility and on and off-field discipline, in addition to a wide spectrum of contractual work. Prior to joining the IRB Ben was an Associate at an international firm in the UK and Asia and before that a Supreme Court Judge's Associate in Australia.

David Casserly

Mr. Casserly is a barrister specialising in the areas of sports law and international arbitration. He is a member of the Bars of Ireland, England & Wales and New York. Mr. Casserly regularly represents a wide variety of clubs, individuals and organisations before various international tribunals, in particular the Court of Arbitration for Sport. He has acted for some of the world's largest sporting organisations in arbitration and litigation proceedings, including FIFA, UEFA and the IRB. He previously acted as Legal Counsel and Head of Mediation for CAS in Lausanne, during which time he was the CAS Legal Counsel at the Commonwealth and Olympic Games. He has also practised in the international departments of Shearman & Sterling in Paris and Lévy Kaufmann-Köhler in Geneva, and interned at the ICDR/AAA in New York. Mr. Casserly is an accredited mediator and a Fellow of the Chartered Institute of Arbitrators. In addition to acting as counsel, he regularly sits as an arbitrator or mediator, or as chairman of anti-doping tribunals. He also lectures on sports law and arbitration in Ireland, Spain, Switzerland and the USA.

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PROGRAMME

08.30 - 09.15	Registration and Coffee
09.15 - 09.30	Welcome from the President of Arbitration Ireland, Michael Carrigan, Eugene F. Collins
09.30 - 09.45	Keynote Address: David Williams QC
09.45 - 11.15	Session 1: Chaired by Mr. Justice Brian McGovern, High Court of Ireland <i>"The Interaction between National Courts and International Arbitration"</i> Speakers include: <ul style="list-style-type: none">• Lord Hoffmann Brick Court Chambers, London• David Williams QC Auckland, New Zealand, and Essex Court Chambers, London• Jeremy Gauntlett SC Brick Court Chambers, London and South Africa• Michael Collins SC Bar of Ireland
11.15 - 11.30	Coffee
11.30 - 12.45	Session 2: Chaired by Edward G Kehoe, King & Spalding (New York) <i>"Document Production in International Arbitration: Is it worth the cost and effort?"</i> Speakers include: <ul style="list-style-type: none">• Mark Appel Senior Vice President, ICDR• Louis Flannery Stephenson Harwood (London)• Timothy L Foden Quinn Emmanuel (London)• John Fellas Hughes Hubbard (New York)
12.45 - 14.00	Lunch (Hanley's Bistro)
14.00 - 15.15	Session 3: Chaired by Colm O hOisin SC <i>"The Future for Investor-State Dispute Settlement: can reform allay concerns?"</i> Speakers include: <ul style="list-style-type: none">• Audley Sheppard Clifford Chance (London)• Niall Meagher Executive Director, Advisory Centre on WTO Law (Geneva)• George Burn Vinson & Elkins (London)• Fedelma Claire Smith Permanent Court of Arbitration (The Hague)
15.15-15.30	Coffee
15.30 - 16.45	Session 4: Chaired by Gavin Woods, Arthur Cox <i>"What can Sports Arbitration teach the Arbitral Community?"</i> Speakers include: <ul style="list-style-type: none">• Philippe Cavaleros Winston & Strawn (Paris)• Louise Reilly Barrister and Formerly Managing Counsel and Head of Mediation at Court of Arbitration for Sport (CAS)• Ben Rutherford International Rugby Board• David Casserly Barrister
16.45	Closing Remarks
18.00	Reception and Dinner at King's Inns
18.30	Dining at King's Inns
21.00 - Midnight	Traditional music 'Seisiún' in The Sheds, Distillery Building