



THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW

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LIMITED
REGISTRATION
REGISTER BY JANUARY 19, 2012
AND SAVE!

1ST Annual ITA Winter Forum

February 2-3, 2012

The Stanford Court Renaissance San Francisco Hotel
San Francisco, California

Co-Sponsored by

American Society for International Law	University of California at Berkeley School of Law
International Law Section for the State Bar of California	University of California at Davis School of Law
International Section of the San Francisco Bar Association	University of California at Hastings College of the Law
	University of the Pacific McGeorge School of Law

Highlights

- ITA Forum
- Works in Progress Discussions:
 - Role of Courts in Aid of International Arbitration
 - Precedent and Accuracy in Arbitration
 - Trustworthiness of Party-Appointed Arbitrators
- Luncheon Interview with: **Prof. George A. Bermann**, Chief Reporter, *ALI Restatement (Third) of the US Law of International Commercial Arbitration*, Columbia University Law School
- Winter Roundtable on the Fundamentals of International Arbitration
- Welcome Reception
- Winter Forum Reception and Dinner

1ST WINTER ROUNDTABLE ON THE FUNDAMENTALS OF INTERNATIONAL ARBITRATION

February 2, 2012 • 3:30-6:30 p.m.

The Stanford Court Renaissance San Francisco Hotel • San Francisco, California

Presented by
 ITA YOUNG ARBITRATORS INITIATIVE
 ICDR YOUNG & INTERNATIONAL
 LCIA YOUNG INTERNATIONAL ARBITRATION GROUP
 CALIFORNIA YOUNG LAWYERS ASSOCIATION
 INTERNATIONAL PRACTICE SECTION, BARRISTERS CLUB, SAN FRANCISCO BAR ASSOCIATION

Co-Sponsored by
 Andrews Kurth LLP
 Crowell & Moring LLP
 Hughes, Hubbard & Reed LLP
 United-ADR

3:30 REGISTRATION

4:00 WELCOME

Thomas W. Walsh, Sullivan & Cromwell LLP, New York
 Chair, ITA Young Arbitrators Initiative

Nicole Dolenz-Extale, Baker & McKenzie LLP, New York
 Representative, ICDR Young & International

Baiju Vasani, Crowell & Moring LLP, Washington, D.C.
 Regional Representative for North America,
 LCIA Young International Arbitrators Group

M. Anderson Berry, Jones Day, San Francisco
 Co-Chair, International Section, Barristers Club, SF Bar Association

Claire O'Callaghan, Fenwick & West LLP, San Francisco
 Board Member, California Young Lawyers Association

4:15 DEBATE: APPOINTMENT OF ARBITRATORS: SHOULD ARBITRATORS BE APPOINTED BY THE PARTIES?

FOR: Ank A. Santens, White & Case LLP, New York

AGAINST: Richard D. Deutsch, Andrews Kurth LLP, Houston

MODERATOR: M. Anderson Berry, Jones Day, San Francisco

4:55 DEBATE: GEA V. SAIPEM: IS AN ARBITRATION AWARD AN INVESTMENT UNDER THE ICSID CONVENTION?

FOR: Baiju Vasani, Crowell & Moring LLP, Washington, D.C.

AGAINST: James M. Hosking, Chaffetz Lindsey LLP, New York

MODERATOR: Nicole Dolenz-Extale, Baker & McKenzie LLP, New York

5:35 BREAK

5:50 DEBATE: REPEAT APPOINTMENTS: A COMPROMISE OF ARBITRATOR INDEPENDENCE OR IMPARTIALITY?

FOR: Anton A. Ware, Arnold & Porter LLP, San Francisco

AGAINST: Hagit Elul, Hughes, Hubbard & Reed LLP, New York

MODERATOR: Thomas W. Walsh, Sullivan & Cromwell LLP, New York

6:30 CLOSING REMARKS

The Winter Roundtable is a part of the Winter Forum. All ages are welcome. Separate registration for the Winter Roundtable only is available (see registration page) and includes the Roundtable, the Roundtable meeting materials and the Welcome Reception only.

MCLE Credit: The Winter Roundtable is approved by the State Bar of Texas and the State Bar of California for 2 hours (no ethics). Course ID Number: 901237340. Sign-in sheets and/or certificates of attendance will be available for ALL states.

6:30-8:00

WELCOME RECEPTION FOR ALL WINTER FORUM AND ROUNDTABLE REGISTRANTS AND FACULTY

The Stanford Court Renaissance San Francisco Hotel • Nob Hill Room

Sponsored by
 King & Spalding LLP
 North American Branch of the Chartered Institute of Arbitrators (CIArb)

7:30-8:30

CONTINENTAL BREAKFAST

Sponsored by

ASIL Dispute Resolution Interest Group
Society of International Economic Law

8:00 REGISTRATION

8:30 WELCOME AND INTRODUCTIONS

Hon. Charles N. Brower, 20 Essex Street Chambers, London and Iran-United States Claims Tribunal, The Hague

Conference Co-Chairs:

Prof. Susan Franck, Washington & Lee University School of Law, Lexington

Leah D. Harhay, Of Counsel, Jones Day, San Francisco and Managing Editor, *World Arbitration & Mediation Review*

WORKS IN PROGRESS

The morning sessions will showcase three important works in progress on key topics in international arbitration which have been selected from over 50 submissions through a rigorous review process. Each session will begin with a presentation of the work in progress by the author, followed by commentary on the work in progress by an internationally recognized expert and then interactive discussion among all participants. Our objective is to integrate the unique insights of academics and practitioners, encourage collaboration, and promote the evolution of international arbitration during a time of global transition.

ITA gratefully acknowledges the members of the 2012 ITA Winter Forum Selection Committee: José E. Alvarez, Professor of Law, New York University School of Law, New York, Andrea K. Bjorklund, Professor of Law, University of California-Davis School of Law, Davis, Gary Born, Wilmer Hale LLP, London, Jean E. Kalicki, Arnold & Porter LLP, Washington, D.C., Abby Cohen Smutny, White & Case LLP, Washington, D.C., Jarrod Wong, Associate Professor of Law, University of the Pacific McGeorge School of Law, Sacramento.

MODERATOR: Prof. Susan Franck, Washington & Lee University School of Law, Lexington, Virginia

8:45 "NO ARBITRATION IS AN ISLAND": THE ROLE OF COURTS IN AID OF INTERNATIONAL ARBITRATION

Charles C. Correll, Jr. & Ryan J. Szczepanik

Presenter: Charles C. Correll, Jr., King & Spalding LLP, San Francisco

Commentator: Epaminontas E. Triantafilou, Legal Counsel, Permanent Court of Arbitration, The Hague

10:00 THE PRICE OF PRECEDENT: ACCURACY IN ARBITRATION

Irene M. Ten Cate

Presenter: Irene M. Ten Cate, Associate-in-Law at Columbia Law School, New York

Commentator: Prof. Andrea Bjorklund, UC Davis Law School, Davis

11:15 BREAK

11:35 THE DEATH OF THE TWO HEADED-NIGHTINGALE: WHY THE PAULSSON-VAN DEN BERG PRESUMPTION THAT PARTY-APPOINTED ARBITRATORS ARE UNTRUSTWORTHY IS WRONGHEADED

Charles B. Rosenberg & Judge Charles N. Brower

Presenter: Charles B. Rosenberg, International Arbitration Law Clerk to The Hon. Charles N. Brower, 20 Essex Street Chambers, London

Commentator: Jan Paulsson, Freshfields Bruckhaus Deringer LLP, Paris

12:50 CONCLUDING REMARKS

1:00 LUNCHEON - A CONVERSATION WITH GEORGE BERMANN: HOW WE GOT HERE, AND WHERE DO WE GO FROM HERE

Prof. George A. Bermann

Chief Reporter, All Restatement (Third) of the US Law of International Commercial Arbitration

Jean Monnet Professor of EU Law, Walter Gellhorn Professor of Law

Columbia University Law School, New York

With

Prof. David D. Caron, Immediate Past Chair, ITA and President, ASIL

C. William Maxeiner Distinguished Professor of Law, University of California, Berkeley, Boalt Hall School of Law, Berkeley

Sponsored by

Arnold & Porter LLP

ITA FORUM

The ITA Forum – a highlight of the ITA’s annual Workshop and membership meetings in Dallas each June – is an open informal discussion providing the opportunity for arbitrators, arbitration counsel and in-house counsel to share experiences and raise concerns in transnational arbitration in an off-the-record unstructured dialogue format. The agenda for the Forum is determined by the participants, by pre-submitted questions and topics and by spontaneous remarks at the event. Registrants will receive instructions on how to submit questions or topics for discussion at the Forum.

2:30	<p>1ST SESSION</p> <p>Co-Moderators: Teresa Giovannini, LALIVE, Geneva</p> <p>Prof. David D. Caron, C. William Maxeiner Distinguished Professor of Law, University of California, Berkeley, Boalt Hall School of Law, Berkeley</p>
3:50	BREAK
4:10	<p>2ND SESSION</p> <p>Co-Moderators: Prof. Jack J. Coe, Jr., Pepperdine University School of Law, Malibu</p> <p>Kathleen Paisley, AMBOS Law, Brussels</p>
5:30	ADJOURN

5:30-6:45

WINTER FORUM RECEPTION
FOR ALL WINTER FORUM REGISTRANTS AND FACULTY

The Stanford Court Renaissance San Francisco Hotel • Nob Hill Room

Sponsored by
Jones Day

7:00-9:00

WINTER FORUM DINNER
FOR ALL WINTER FORUM REGISTRANTS AND FACULTY

Scoma’s Restaurant at Fisherman’s Wharf

(please indicate on the registration form if you wish to attend - ticket price: \$85 per person)

Sponsored by
Jones Day

(buses will depart from the hotel lobby at 6:45 to go to the Dinner and will return to the hotel at the conclusion of the Dinner)



UPCOMING ITA PROGRAMS - SAVE THE DATES!

**9th Annual ITA-ASIL Conference:
Arbitration in Times of Crisis**

March 28, 2012 • The Fairmont Hotel
Washington, D.C., USA

Co-Chairs **Prof. John R. Crook** (George Washington University Law School) and **Prof. Andrew Newcombe** (University of Victoria Law School)

Looking back with the perspective of ten years, this conference will debate whether the Argentine Crisis of 2001 has forged, reinforced or damaged the fabric of international law, and whether the present system of investor-state arbitration represents an effective vehicle for managing legal change in times of crisis. Preceding the Conference will be an **ITA-ASIL Young Lawyers Breakfast** presented by the ITA Young Arbitrators Initiative and the ASIL New Professionals Group.

**8th Annual Americas Workshop:
The Merits Hearing: Getting the
Message to the Tribunal**

April 25-27, 2012 • Santiago, Chile

Co-Chairs: **Michael Goldberg** (Baker Botts L.L.P.), **Karin Helmlinger** (Secretary General, Arbitration and Mediation Center of Santiago), **Carlos Eugenio Jorquiera** (President, Arbitration and Mediation Center of Santiago), **Wendy Miles** (WilmerHale), **Prof. Guido Tawil** (M. & M. Bomchil Advogados and University of Buenos Aires) and **Eduardo Zuleta** (Gómez-Pinzón Zuleta)

On the evening before the Workshop, the **5th Annual Americas Roundtable on the Fundamentals of International Arbitration: Do's and Don'ts** will be presented by several of the top young arbitrator organizations in the region and the world.

**23rd Annual ITA Workshop:
Final Submissions, Deliberations
and Enforcement**

June 21, 2012 • Westin Galleria • Dallas, Texas, USA

Co-Chairs: **Prof. Tai-Heng Cheng** (New York Law School), **Philippe Pinsolle** (Shearman & Sterling LLP) and **Jennifer M. Smith** (Baker Botts L.L.P.)

Members of the ITA and its Academic Council, Board of Reporters and Board of Editors will reassemble the following morning for the annual **ITA Forum** and other membership activities. On the evening preceding the Workshop will be the **7th Annual ITA Dallas Roundtable** presented by the ITA Young Arbitrators Initiative, the ICC Young Arbitrators Forum, the ICDR Young & International and the LCIA Young International Arbitration Group.

FOUR WAYS TO REGISTER

ONLINE

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FAX

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check or credit card

The Center for American and International Law
5201 Democracy Drive
Plano, TX USA 75024

PHONE

credit card only
972.244.3400 or
800.409.1090
8:30am-5:00pm CDT

PAYMENT MUST ACCOMPANY REGISTRATION

GENERAL INFORMATION

CANCELLATION POLICY: Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by January 19, 2012. Email cburkel@cailaw.org. After this date, no refunds, but substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive the course materials.

HOUSING: The cost of housing is not included in the course registration fee. However, rooms have been reserved at The Stanford Court Renaissance San Francisco Hotel, 905 California Street - Nob Hill, San Francisco, CA 94108. Registrants should go online at www.cailaw.org/ita/Winter-Forum_12.html or call (888) 236-2427 and mention IITITA to get the special rate of \$179 per night. The last day to obtain this special rate is January 12, 2012.

NONDISCRIMINATION POLICY: The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

PRESS POLICY: All ITA conferences are held under the Chatham House Rule. Participants, including journalists, are free to use any information received, but comments may not be attributed to any speaker identified by name or affiliation unless expressly authorized by that speaker.

MCLE CREDIT: This program is approved by the State Bars of Texas and the State Bar of California for 9 hours (no ethics). Feb. 2 = 2 hours - Course ID Number: 901237340. Feb. 3 = 7 hours - Course ID Number: 901237342.

Sign-in sheets and/or certificates of attendance will be available for ALL states.

REGISTRATION

1ST ANNUAL ITA WINTER FORUM

February 2-3, 2012

The Stanford Court Renaissance San Francisco Hotel
San Francisco, California

Winter Forum registration includes the February 2 Winter Roundtable program and Welcome Reception, the February 3 Winter Forum program, Luncheon, Forum Reception, Forum dinner (addtl \$85) and course materials.

Winter Roundtable registration alone includes the February 2 Winter Roundtable program, the Roundtable meeting materials and the Welcome Reception only.

ITA Executive Committee and Academic Council members will be contacted separately to RSVP for the mid-year meetings following the Winter Forum.

Check applicable box:

WINTER FORUM REGISTRATION (Feb. 2-3 events)

	Received by 1/19/12	Received after 1/19/12
Regular registration fee	<input type="checkbox"/> \$495	<input type="checkbox"/> \$545
ITA Advisory Board Member	<input type="checkbox"/> \$395	<input type="checkbox"/> \$445
ITA Supporting or Sustaining Member Employee	<input type="checkbox"/> \$395	<input type="checkbox"/> \$445
Co-Sponsor Member (listed on cover): _____	<input type="checkbox"/> \$395	<input type="checkbox"/> \$445

(please identify your organization)

WINTER ROUNDTABLE REGISTRATION (Feb. 2 events only)

Regular registration fee	<input type="checkbox"/> \$75	<input type="checkbox"/> \$100
Roundtable Co-Sponsor Member (listed on pg. 2): _____	<input type="checkbox"/> \$50	<input type="checkbox"/> \$75
(please identify your organization)		
Student	<input type="checkbox"/> \$25	<input type="checkbox"/> \$50

- I will attend the Winter Roundtable on February 2. (Fee is \$0 if registering for the Winter Forum; Fee is \$75 regular/\$50 member/\$25 student if attending **only** the February 2 Winter Roundtable and Welcome Reception).
- I will attend the Welcome Reception on February 2 (included in Winter Roundtable and Winter Forum registration).
- I will attend the Winter Forum Reception on February 3 (included in Winter Forum registration).
- I will attend the Winter Forum Dinner on February 3 (Dinner fee is \$85 per person).
- I will be accompanied at the Winter Forum Dinner by a guest and am including the guest ticket price of \$85 in my registration payment.**

Name _____

Firm/Company/Organization _____

Address _____

City, State, Postal Code, Country _____

Phone _____ Fax _____

Email _____

** Please complete the following Forum Dinner guest information (if applicable).

Guest Name _____

Guest Title _____

Firm/Company/Organization _____

Address _____

City, State, Country _____

PAYMENT INFORMATION

Check enclosed payable to: The Center for American and International Law

Credit Card: Mastercard Visa AMEX Discover

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Signature _____



1ST ANNUAL ITA WINTER FORUM
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THE CENTER FOR AMERICAN
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9 hours of MCLE credit available. Register today!