



Institute for
**TRANSNATIONAL
ARBITRATION**



**American Society
of International Law**

11th Annual ITA-ASIL Conference

Mass and Class Claims in Arbitration



11th Annual ITA-ASIL Conference

April 9, 2014

Ronald Reagan International Trade Center
Washington, D.C.

What People Say

“Short, provocative, high quality and practically oriented.” - Past Participant



ITA is an Institute of

**THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW**

Highlights

- Keynote Speaker: Carolyn B. Lamm
- Co-Chairs: Prof. S. I. Strong and Prof. Christopher R. Drahozal
- Class Claims in Commercial Arbitration
- Mass Claims in Investment arbitration

MCLE Credit

Earn up to 2.75 hours of MCLE Credit.

cailaw.org/ita

11th Annual ITA-ASIL Conference

SCHEDULE

April 9

Conference Co-Chairs

S. I. Strong

Associate Professor of Law,
University of Missouri School of
Law, Columbia, Missouri

Christopher R. Drahozal

John M. Rounds Professor of
Law, University of Kansas of
Law, Lawrence, Kansas

“Dynamic presenters and high quality presentations .” - Past Participant



Conference papers will also be published in the 2014:3 issue of ITA’s law journal, *World Arbitration and Mediation Review*.

Program Description: Just as the United States Supreme Court has cut back on the availability of class relief, both in court and in arbitration, some investment arbitration tribunals have begun recognizing mass claims in that venue. This conference will examine those competing trends and the future prospects for class claims and mass claims in arbitration.

11:00 REGISTRATION

12:00 NETWORKING LUNCHEON

Sponsored by



1:15 WELCOME AND INTRUCTIONS

Andrea K. Bjorklund, Chair, ITA Academic Council
L. Yves Fortier Chair in International Arbitration and International
Commercial Law, McGill University Faculty of Law, Montreal,

1:20 KEYNOTE PRESENTATION: THE FUTURE OF LARGE-SCALE CLAIMS

Carolyn B. Lamm
White & Case LLP
Washington, D.C.

Large-scale arbitration has been very much in the news in recent years, from class arbitrations in the United States to mass arbitration in the investment context. Are these procedures the wave of the future or simply isolated phenomena arising out of unique circumstances? Can the international legal community expect to see more of these types of procedures in the coming years? Hear Carolyn Lamm, past President of the ABA and lead advocate for the claimants in *Abaclat v. Argentine Republic*, discuss her experience with large-scale arbitration and her views on how clients and counsel can prepare themselves for the

1:50 COMMERCIAL ARBITRATION: CLASS CLAIMS

Introduction and Moderator: Christopher R. Drahozal

In recent years, the United States Supreme Court has issued a series of high-profile decisions addressing the enforceability of class arbitration waivers (*Concepcion* and *Amex*) and the interpretation of arbitration clauses that are silent on class arbitration (*Stolt-Nielsen* and *Sutter*). The panel will examine the implications of those decisions for class relief in the United States – both class actions and class arbitrations – and for transnational class actions between the U.S. and Canada. It also will consider how Canadian courts have addressed similar issues, offering a comparative perspective on the intersection of class actions and commercial arbitration.

11th Annual ITA-ASIL Conference

SCHEDULE

April 9

Panelists:

Deepak Gupta, Gupta Beck PLLC, Adjunct Professor of Law, Georgetown Law School, Washington, D.C.

Prof. Geneviève Saumier, McGill University Faculty of Law, Montreal, Quebec

Roundtable and Q&A

3:20 INVESTMENT ARBITRATION: MASS CLAIMS

Introduction and Moderator: S. I. Strong

In 2011, the investment world was rocked by the preliminary award on jurisdiction and admissibility in *Abaclat v. Argentine Republic*, which allowed 60,000 Italian claimants to assert their claims at the same time. *Abaclat* was recently cited with approval by a majority of arbitrators in *Ambiente Ufficio S.p.A. v. Argentine Republic*, which also arose out of Argentina's 2001 default on its sovereign bonds. The panel will discuss whether and to what extent these decisions open the door to more mass arbitrations in the investment context.

Panelists:

Michael Waibel, University of Cambridge Faculty of Law, Cambridge

Samuel Wordworth QC, Essex Court Chambers, Visiting Professor, King's College, London

Roundtable and Q&A

4:30 CLOSING REMARKS

Andrea K. Bjorklund, Chair, ITA Academic Council

L. Yves Fortier Chair in International Arbitration and International Commercial Law
McGill University Faculty of Law, Montreal, Quebec



2013 Commercial Arbitration Panel



2013 Investment Arbitration Panel

Conference papers will also be published in the 2014:3 issue of ITA's law journal, *World Arbitration and Mediation Review*.

REGISTRATION

11th ITA-ASIL Conference Mass and Class Claims in International Arbitration

April 9, 2014
Ronald Reagan International Trade Center
Washington, D.C.

*Registration includes the networking luncheon, the conference
and conference materials*

- | | |
|---|-------|
| <input type="checkbox"/> Regular Tuition | \$265 |
| <input type="checkbox"/> ITA Member Tuition: | \$240 |
| <input type="checkbox"/> ASIL Member Tuition: | \$240 |
| <input type="checkbox"/> ASIL Annual Meeting Speaker Tuition: | \$175 |
| <input type="checkbox"/> Gov't/Non-Profit/Academic Tuition: | \$175 |

Name

Firm/Company/Organization

Address

City

State

Postal Code

Country

Phone

Email

- I will be attending the Networking Luncheon.

METHOD OF PAYMENT:

- Check (made payable to The Center for American and International Law)
- VISA MC AMEX Discover

Credit Card #

Exp. Date

Name on Card

4 WAYS TO REGISTER

ONLINE
credit card only
www.cailaw.org/ita

FAX
credit card only
972.244.3401

MAIL
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
8:30 am - 5 pm CST

**PAYMENT MUST ACCOMPANY
REGISTRATION**

GENERAL INFORMATION

CANCELLATION POLICY: Written notice must be received by March 24, 2014. (Email cburke@cailaw.org) After these dates, 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, in limited number, have been reserved at the JW Marriott Washington, DC, 1331 Pennsylvania Avenue NW, Washington, D.C. 20004. Registrants should call +1.800.228.9290 and mention the American Society of International Law or go online at <http://www.cailaw.com/Institute-for-Transnational-Arbitration/Events/2014/ita-asil.html> to get the discounted group rate of \$315 + tax. The last day to obtain this special rate is March 7, 2014.

NONDISCRIMINATORY 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 education activities, scholarship programs or admissions.

MCLE CREDIT: This course has been approved by the State Bar of Texas for 2.75 hours. Course ID Number: 901282521. Sign-in sheets are/certificates of attendance will be available for ALL States

SPECIALIZATION CREDIT: This program is approved by the Texas Board of Legal Specialization for 2.75 hours in the following areas: Civil Appellate Law, Civil Trial Law, Family Law, Personal Injury Trial Law.