24th Annual ITA Workshop:

THE FINAL CURTAIN:
Post-Hearing Submissions, Deliberations and Enforcement

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Westin Galleria Hotel
Dallas, Texas

Chair, Institute for Transnational Arbitration

LUCY REED, who currently serves as Chair of the ITA, co-heads the Freshfields global international arbitration group. She represents private and public clients and occasionally sits as arbitrator in international arbitrations under the major rules. Lucy is a member of the LCIA Court and the ICC Commission on Arbitration, and was recently designated by ICSID to the ICSID Panel of Arbitrators. She has served as an arbitrator on the Eritrea-Ethiopia Claims Commission, co-director of the Claims Resolution Tribunal for Dormant Accounts in Switzerland and, while with the State Department, the U.S. Agent to the Iran-U.S. Claims Tribunal. Lucy is co-author of the Freshfields Guide to Arbitration Clauses in International Contracts and the Guide to ICSID Arbitration (both published by Kluwer). She served as President of the American Society of International Law (2008-2010) and is a member of the Council on Foreign Relations.

Workshop Co-Chairs

TAI-HENG CHENG, partner at Quinn Emanuel Urquhart Oliver & Hedges, LLP, and tenured professor at New York Law School, specializes in international arbitration and litigation. He is a member of the panels of neutrals of the AAA/ICDR, CPR and HKIAC, and has served as chair, arbitrator, counsel and expert in investor-state disputes and international commercial arbitrations, under ICDR, ICC, UNCITRAL, JAMS, SCC and ICSID rules. He has also served as counsel in multi-jurisdiction proceedings in the United States and abroad. Prof. Cheng is also co-director of the Institute for Global Law, Justice and Policy, New York Law School, where he has been since 2006. He was a visiting associate professor at Vanderbilt Law School and City University of Hong Kong School of Law in 2010 and 2008, respectively. From 2003 to 2006, Prof. Cheng practiced law at Simpson Thacher & Bartlett, LLP. U.S. Federal Appeals and District Courts have cited and relied on Professor Cheng’s international law scholarship as authoritative. He is an elected member of the American Law Institute, the Executive Council of the American Society of International Law, and the Executive Committee and Academic Council of the Institute for Transnational Arbitration.

PHILIPPE PINsolLe is a partner at Shearman & Sterling LLP in Paris, and specializes in international arbitration. He has been involved, as counsel or arbitrator, in more than a hundred and fifty international arbitrations, both institutional (ICC, ICSID, LCIA, SCC, AFA, Swiss Rules, etc.) and ad hoc, concerning such activities as investment, oil and gas, energy, telecom or defense industry. He is a member of the Paris Bar and of the Bar of England & Wales (Gray’s Inn). He is the author of numerous articles and case-notes on international arbitration.
JENNIFER SMITH is a partner with Baker Botts and currently serves as Deputy Chairman of the Litigation Department. Ms. Smith has practiced law in the United States and England, and she is licensed in both jurisdictions. Her practice focuses primarily on international arbitration and dispute resolution. She served as a law clerk to Judge Lynn N. Hughes in the Southern District of Texas after receiving her J.D. with honors from the University of Texas and B.A. magna cum laude from Wellesley College. Ms. Smith also serves on the Advisory Boards of the Institute for Energy Law, the World Affairs Council of Houston, the University of Texas Center for Global Energy, International Arbitration and Environmental Law, and the Blaffer Gallery.

**LUNCHEON SPEAKER**

**R. DOAK BISHOP** - Partner in King & Spalding’s Houston Office. Co-Chair of Firm’s International Arbitration Practice Group. B.A. degree with high honors and departmental distinction from Southern Methodist University (1973), and J.D. degree with honors from the University of Texas Law School (1976), Research Editor of the Texas Law Review. Over 35 years of legal practice, with a focus on international arbitration and foreign investment disputes. Board Certified in Civil Trial Law by the Texas Board of Legal Specialization. Board of Directors of the American Arbitration Association; Board of Trustees of the Center for American and International Law; Vice-Chair of the Institute of Transnational Arbitration; Member, U.S. delegation to the NAFTA Advisory Committee on Private Commercial Disputes; Advisor to the American Law Institute’s Restatement of the Law (3rd) of International Commercial Arbitration; Adjunct Professor, SMU Law School (1999) (International Commercial Arbitration) and University of Houston Law School (2002) (Foreign Investment Disputes); Co-Chair, International Litigation Committee of ABA’s Litigation Section (1998-2000); Chair, Litigation Section of the State Bar of Texas (1998-1999). Specialties in international arbitration of international energy disputes, investment and infrastructure disputes, construction disputes, and environment issues. Registered more than 30 ICSID arbitrations and represented investors in about 40 investment arbitrations against foreign governments. Arbitrator in about 70 arbitrations, including NAFTA and BIT arbitrations under the UNCITRAL Rules. Editor, The Art of Advocacy in International Arbitration (2nd ed. Juris Publishing 2010); co-author with Professor James Crawford and Professor Michael Reisman, Foreign Investment Disputes: Cases, Materials and Commentaries (Kluwers, 2005); Editor, Enforcement of Arbitral Awards Against Sovereigns (Juris 2009).

**PLAYERS & COMMENTATORS**

**CATHERINE M. AMIRFAR** is a litigation partner based in the New York office of Debevoise & Plimpton LLP. Her practice focuses on international commercial and treaty arbitration, and international and complex commercial litigation. She routinely acts as counsel in international arbitration cases arising under the rules of the major arbitral institutions, and her recent representations include disputes involving Latin America and disputes dealing with the gas, energy and financial industry sectors. She has argued in a variety of international fora and is among the youngest advocates to argue before the International Court of Justice. She has been ranked as a leading practitioner in the field of international arbitration by Chambers USA (2010), Chambers Global (2012), Chambers Latin America (2011), and Legal 500 US (2011). She was recently selected as a “Future Star” in Benchmark Litigation (2012) and was recognized by the Global Arbitration Review last year in its “45 under 45,” a selection of the 45 leading figures of the international arbitration bar under the age of 45. She is currently authoring, with Donald Donovan, a book to be published by Cambridge University Press entitled, From the World Court to the United States Supreme Court: The Vienna Convention Litigation and Its Impact on International Law. She is a member of the Council on Foreign Relations.
OLIVER ARMAS is a partner in the New York office of Chadbourne & Parke LLP and co-head of its International Disputes Resolution Group. He practices in the fields of international litigation and arbitration, and has served as counsel, and as chair, sole arbitrator and co-arbitrator, in arbitrations under the AAA/ICDR, ICC, LCIA, ICSID and ad hoc rules. He has been recognized by, among others, Who's Who Legal - The International Who's Who Of Business Lawyers (International Arbitration); Chambers USA - Guide to America’s Leading Business Lawyers (International Arbitration); Chambers Global (International Arbitration); Chambers Latin America (International Arbitration). He is the author of numerous articles and speaks frequently on international arbitration. He received a B.A., M.P.A. and J.D. from New York University.


FRED G. BENNETT - Mr. Bennett has over 30 years experience as an advocate and arbitrator in international and domestic arbitration. He is the head of the firm's arbitration practice, and was the head of the worldwide ADR practice group at his former firm, Gibson Dunn & Crutcher. As an advocate, Mr. Bennett has arbitrated internationally and domestically, complex technical and business disputes in almost every area of business endeavor. Mr. Bennett's experience in complex contractual disputes includes disputes arising from architectural engineering and construction; contracts relating to the oil and gas industry; contracts involving commercial and residential real estate projects; manufacturing contracts; patent and IP licensing contracts; complex insurance coverage disputes; and distributorship contracts and partnership agreements. As an arbitrator, Mr. Bennett is a member of the AAA's national Board of Directors, the Executive Committee of the Board, and the Board's Nominating and Governance Committee. He has presided over numerous arbitration proceedings for the International Chamber of Commerce, the American Arbitration Association, and the AAA'S International Center for Dispute Resolution (ICDR). He sits on the AAA's Large Complex Case Panels for commercial and construction disputes, and the ICDR panel for international disputes. For many years he was Chairman of the AAA's continuing education program for LCCP arbitrators in Southern California. He has also served for many years as a member of the U.S. National Committee responsible for administering ICC arbitration work within the United States, and is currently Chairman of its Southwest Subcommittee. He is also a U.S. representative on the ICC Commission. He is now chairing an international task force responsible for modernizing the AAA’s domestic and international rules pertaining to the pre-hearing exchange and production of information. Mr. Bennett is a frequent guest lecturer on major domestic and international arbitration conferences and is the author of numerous publications on arbitration. He is the primary coeditor of Redfern and Hunter on International Arbitration, 5th edition 2010. Mr. Bennett received the ILO award for the outstanding arbitration practitioner in the U.S. in 2010.
DOMINIQUE BROWN-BERSET is a founding partner of Brown&Page, a law firm with offices in Geneva and Nyon specializing in dispute resolution, contract and commercial law, and public international law. She practices mainly in the field of international arbitration and business transactions. She is listed, inter alia, on the HKIAC, JCAA, KLRCA Panels of Arbitrators. She holds law degrees from Lausanne University Law School (Switzerland), Paris I, Panthéon-Sorbonne (France) and Harvard Law School (U.S.A). She is a Member of the Management Board and of the Supervisory Council of the Swiss Institute of Comparative Law. She has been acting as counsel, co-counsel and arbitrator in more than 170 international arbitration cases around the world, including in cases involving States and international organizations both at private and governmental levels, and in particular in cases relating to transfer of technology, construction of turnkey factories and other major infrastructure projects (roads, bridges, pipelines), procurement contracts, license agreements, agency, joint venture and shareholders’ agreements, distribution, sale and purchase contracts, telecom, post M&A disputes and the like. Her industry experience includes telecommunications, satellites, aviation, avionics, computers (software and hardware), glass and paper production, steel, chemicals and petrochemicals, LNG projects, electricity, oil and gas (and other energy sectors), mining, food, catering, utilities operation and maintenance services, pharmaceuticals and biotechnology, shipping and shipbuilding, luxury goods, textiles and the arts, financial services and real estate. Dominique has a special interest and experience in dispute resolution tools in relation to arbitration that lead to faster commercial solutions.

TERESA CHENG GBS SC JP FICE, FCI Arb is a Senior Counsel, Chartered Arbitrator and Accredited Mediator. She is a Vice President of the International Council of Commercial Arbitration (ICCA), Vice-President of the ICC International Court of Arbitration, as well as, and Vice Chairperson of Hong Kong International Arbitration Centre (HKIAC). She is a member of the International Centre for Settlement of Investment Disputes (ICSID) panel of Arbitrators, designated by the Chairman of the ICSID Administrative Council. She was Past President of the Chartered Institute of Arbitrators (CIArb), and a past Chairman of its East Asia Branch. She is also Council Member of China International Economic and Trade Arbitration Committee (CIETAC); a Councilor of Asia Pacific Users’ Council of the London Court of International Arbitration (LCIA) and a panel arbitrator of Court of Arbitration for Sport (CAS). She also sits as a Deputy Judge in the Court of First Instance of the High Court of Hong Kong. Ms Cheng is a Fellow of King’s College, London, and Visiting Professor of the School of Law of Tsinghua University, Beijing. Ms Cheng has co-authored numerous books and articles in journals and seminars. Some of her recent publications include “Construction Law and Practice in Hong Kong” and “Arbitration in Hong Kong: A Practical Guide”, published by Sweet & Maxwell, as well as papers in the “International Council for Commercial Arbitration Congress Series”, published by Kluwer Law International.

LOUIS DEGOS, a partner in the Paris office of K&L Gates LLP, is a barrister at the Paris Bar and focuses his practice in commercial litigation, arbitration, and alternative dispute resolution. He pleads regularly before French state courts and arbitral (ad hoc and institutional) tribunals in domestic and international disputes. Mr. Degos has taken part in some 80 arbitrations as a counsel or as an arbitrator (President of Arbitral Tribunal, co-arbitrator or sole arbitrator) in domestic and international arbitrations, ad hoc or following arbitration rules (ICC, Swiss rules of international arbitration, UNCITRAL, etc.). He frequently represents parties in alternative dispute resolution proceedings and advises parties within the framework of mediations and other alternative dispute resolution modes, such as assisted negotiation or mini-trial. He is often appointed mediator, both in domestic and international disputes. Mr. Degos is also well-known for his particular knowledge in arbitration law and his litigation experience in disputes following or related to an arbitration. He has been recently elected by his peers member of the Board of the Paris Bar.
RICHARD DEUTSCH is a partner at Andrews Kurth LLP in Houston who focuses his practice on international arbitration. His practice includes all aspects of energy disputes. He has represented and advised clients in commercial arbitrations and in investor-state arbitrations arising from bilateral investment treaties and the North American Free Trade Agreement, including representation of the claimant in the largest award rendered in a NAFTA claim while working at another firm. His experience includes ad hoc arbitrations under the UNCITRAL Arbitration Rules, as well as institutional arbitrations under the rules of the ICSID Convention (and Additional Facility), AAA (ICDR), ICC and the Cairo Regional International Arbitration Centre. Rich is on the adjunct faculty for the St. Gallen (Switzerland) Executive Master of International Business Law Program and has been an adjunct professor at the University of Texas School of Law teaching “International Investor-State Arbitration.” He is on the advisory board of the ITA and is on the Steering Group of the ABA’s International Arbitration Committee.

JUDITH GILL, Q.C. specializes in international arbitration, both institutional and ad hoc, under ICSID, LCIA, ICC and AAA Rules. She also sits as an arbitrator. Judith is qualified as a Solicitor Advocate and frequently appears as an advocate in arbitration proceedings. Judith is only the second woman solicitor-advocate to be appointed QC and the first with an international arbitration practice. Judith’s practice covers a broad range of subjects including insurance, joint ventures, distributorships, healthcare, banking and investment treaty arbitration. She is a Director of the LCIA, a former member of the LCIA Court and a member of the ICC UK Arbitration Group. Judith has also been appointed to the Board of Directors of both the Singapore International Arbitration Centre and the American Arbitration Association and is the Immediate Past Co-Chair of the Arbitration Committee of the IBA. Judith is joint author of the leading textbook “Russell on Arbitration” and has published widely on international arbitration.

TERESA GIOVANNINI has acted as counsel and arbitrator in more than 140 international arbitrations, either ad hoc or administered by various institutions (AAA/ICDR, CCIG, ICC, ICHEIC, ICSID, LCIA, SCC, Chamber of Commerce of Milan, Chamber of Commerce of Venice and Chamber of Commerce of Ticino). Teresa Giovannini is a member of several panels of arbitrators, including the ICC Swiss National Committee, the ICDR, the Beijing Arbitration Commission (BAC), the CIETAC, the CRCICA, the DIAC, the ICHEIC and the LCIA. Since 2012 she has been included on the ICOM-WIPO List of Mediators with specific expertise in art and cultural heritage. Teresa Giovannini was a member and vice-president of the LCIA Court from 2006 until 2011. She is currently a member of the Council of the ICC Institute of World Business Law, of the International Law Association Committee on Arbitration (Swiss Member), of the IBA Sub-Committee on Conflicts of Interest, of the Board of Directors of the American Arbitration Association, of the Advisory Board of the Transnational Arbitration Association, of the LCIA Company and of the Club of Arbitrators of the Milan Chamber of National and International Arbitration. She is also a member of many other professional associations, including ASA (Swiss Arbitration Association), the Swiss Society of International Law, the Swiss Society of Jurists, the Comité français de l’arbitrage, the International Arbitration Institute, the International Arbitration Club, and the International Bar Association (Arbitration and Art, Cultural Institutions and Heritage Law Committees). Teresa Giovannini is ranked by Chambers Europe since 2009, by Chambers Global since 2000 (Switzerland - Dispute resolution - Arbitrators) and by the International Who’s Who of Commercial Arbitration since 2007. She is a frequent lecturer in the field of international arbitration (e.g. IBA, ICC Institute, ICAA, BIICL, CIArb, etc.) and the author of many articles on the subject.
MARK L. GREENBERG - Graduate of the University of Florida (undergraduate) - Graduate of South Texas College of Law, Houston, Texas - Member of the Texas Bar and Licensed to practice before the Federal District Courts for the Southern District of Texas - Was in private practice for three years prior to moving in-house with Pennzoil Products Company, the motor oil division of Pennzoil Company (now part of Shell Oil Company) - have been general counsel for a division of Baker Hughes Incorporated and Bear Sterns (now part of JPMorgan Chase - have been Senior Counsel for Enron Corporation (Emerging Markets) and Citigroup Energy Company (a division of Citigroup) - Currently Head of North American Legal for Mercuria Energy Group and General Counsel for Mercuria Energy Company - have spent the last 13 years in the commodity business - have participated in numerous US-based and European-based arbitration matters - mostly as in-house counsel.

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MARK KANTOR - Until he retired from Milbank, Tweed, Hadley & McCloy LLP at the end of 1999, Mark Kantor was a partner in the Corporate and Project Finance Groups of the Firm. He currently serves as an arbitrator and mediator, and teaches courses in International Business Transactions and in International Arbitration as an Adjunct Professor at the Georgetown University Law Center. He is also a Senior Research Fellow at the Vale Columbia Program on Sustainable International Investment (a joint enterprise of Columbia Law School and the Earth Institute at Columbia University). In addition, he is Editor in Chief of Transnational Dispute Management, the global dispute resolution journal. He is listed in inter alia Who’s Who Commercial Arbitration, Chambers USA (International Arbitration), and Best Lawyers in America (International Arbitration). Among other publications, he is the author of Valuation for Arbitration: Compensation Standards, Valuation Methods and Expert Evidence (Kluwer 2008).

ELIE KLEIMAN joined Freshfields Bruckhaus Deringer LLP’s dispute resolution group in August 2000 as partner of the litigation and arbitration groups and is now managing partner of the Paris office. He specialises in international commercial arbitration and litigation. He has intervened in disputes involving investment, trade, joint ventures, long-term contracts, representation and warranties, licensing, distribution and construction in a wide range of sectors such as energy and natural resources, chemicals, infrastructure and transport, financial institutions, telecommunications, pharmaceuticals, media and technology. He also has experience as an arbitrator in international and domestic commercial disputes and as counsel in mediations. Elie often speaks at seminars and conferences on arbitration and litigation and has also published widely in the field of international dispute resolution. He has been recognized by, among others, Who’s Who Legal in Commercial Arbitration and Chambers Global.
WILLIAM H. KNULL, III is co-chair of the international arbitration practice of Mayer Brown LLP. A graduate of Yale University and the University of Virginia School of Law, he has been engaged for more than 30 years in a practice concentrated in arbitration and litigation of international commercial and investment disputes. He has been lead counsel in multi-billion dollar disputes involving contractual, operational, accounting, governance, jurisdictional and related issues arising from projects, transactions and investments in Europe, Latin America and Central and East Asia. In addition to the Advisory Board of the ITA, he is a Fellow of the Chartered Institute of Arbitrators, vice chair of the committee on litigation and dispute resolution of the Institute for Energy Law and a director of the World Affairs Council of Houston.

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JAMES L. LOFTIS chairs V&E’s International Dispute Resolution practice, and focuses his practice on international commercial arbitration and investor-state disputes, particularly disputes involving state contracts and investment agreements. He is a member of the ICC Commission on Arbitration, is listed in Global Arbitration Review, is the ABA’s delegate to the LCIA Court of Arbitration in London, is listed in Legal Media Group’s (Euromoney’s) Expert Guide to Commercial Arbitration, and is ranked in international arbitration in both Chambers Global and Chambers USA. He is listed in The Best Lawyers in America® for international arbitration. From 1997 to 2000, James served in Geneva, Switzerland, as chief counsel for the Oil Sector and Construction and Engineering Panels of the United Nations Compensation Commission (the Iraq/Gulf War claims tribunal). James is also an adjunct professor of law at the University of Texas School of Law, where he teaches international investment law and international arbitration. In addition, James is Chair of the Advisory Board for the Center for Global Energy, International Arbitration and Environmental Law at the University of Texas School of Law.
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JENNIFER PRICE — partner at King & Spalding LLP, Houston, Texas; JD, University of San Diego; more than 20 years of experience in all phases of international arbitration and litigation practice, representing primarily international energy and power companies in a wide range of commercial and investment disputes pursuant to virtually all major arbitral regimes in matters involving clients and disputes in North America, Europe, Africa, Asia, and Latin America. Member, ICDR Panel of International Arbitrators. Recognized among the World’s Leading Experts in Commercial Arbitration; as one of the Best Lawyers in America in the field of International Arbitration and as one of the World’s Leading Women in Business Law; and in The International Who’s Who of Commercial Arbitration.
KLAUS REICHERT, S.C. is a barrister in practice at Brick Court Chambers in London and at the Bar of Ireland. He has served as arbitrator and counsel in over one hundred international cases in many jurisdictions pursuant to rules including LCIA, ICC, ICDR, UNCITRAL, LCIA-DIFC and ICSID. He is a member of the LPD Council of the International Bar Association, the Executive Boards of the ITA and Arbitration Ireland and the ICC Irish National Committee. He was counsel for Dallah in the landmark case on the New York Convention before the English Courts. He was the chair of the Host Committee for ICCA 2008 in Dublin and in 2012 lectured on international arbitration at The Hague Academy of International Law, Seminar for Advanced Studies.

JONATHAN SUTCLIFFE is a partner in the Dubai office of Fulbright & Jaworski L.L.P. He has significant experience in international arbitration and has acted for numerous clients on a diverse range of international commercial arbitration, ADR and litigation matters in the energy, construction, defense, insurance, international joint venture and film sectors and on investor-state disputes. Jonathan also sits as an arbitrator. Jonathan is qualified in England & Wales and in New York and is registered as an advocate in the DIFC Courts in Dubai. He is recommended for international arbitration and projects and energy disputes by various leading legal guides, including Chambers, Legal 500 and The International Who’s Who of Commercial Arbitration. Jonathan is a Member of the Advisory Board of the Institute for Transnational Arbitration.

JENNIFER THORNTON is Special Counsel in the International Arbitration and Dispute Resolution Group at Baker Botts L.L.P. where she specializes in the resolution of complex public international law claims arising under international investment agreements. She is also an Adjunct Professor of Law at George Mason University Law School where she teaches International Investment Law. From 2006 until 2010, she was an Attorney-Adviser on the NAFTA/CAFTA-DR Arbitration team at the United States Department of State. In this capacity, she defended the United States against numerous NAFTA Chapter Eleven investment claims and monitored questions of treaty interpretation in several of the first investment claims arising under Chapter Ten of the CAFTA-DR. She also advised the interagency group charged with reviewing the U.S. Model BIT on questions of public international law and procedure. Prior to joining the State Department, she practiced law in New York and represented clients in arbitrations governed by the ICSID, ICC, and SCC Arbitration Rules.

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