

# The 11<sup>th</sup> Annual ICDR™ Miami International Arbitration Conference

A Corporate Counsel Series:  
*International Dispute Resolution in the Americas*

SEPTEMBER 11 – 13, 2013  
THE BILTMORE HOTEL | CORAL GABLES, FL



## AGENDA

Keep up to date on agenda and program by following Twitter:  
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### SEPTEMBER 11, 2013

**08:00**      **Golf Activity** at Biltmore Club House

**16:30 - 17:00**   **Registration**

**16:50 - 17:00**   **Welcome**

Steven K. Andersen, ICDR, Salt Lake City

Adrián Magallanes, Von Wobeser y Sierra, Mexico City

**17:00 - 19:00**   **ICDR Y&I Program**

*Tertulias Arbitrator Disclosures, Deliberations & Dissents*

Arbitrators may find themselves in ethical situations that require thoughtful and practical actions and reactions, which is the subject of this year's popular *tertulia* round table discussions. Conference attendees will split into smaller groups so that each attendee can share perspectives. Summaries from each group will be compiled and shared the following day so that attendees can benefit from all the discussions.

### Reporters

Stephen P. Anway, Squire Sanders, New York

Jennifer Gorskie, Chaffetz Lindsey, New York

### Moderators

Anderson Barry, Jones Day, San Francisco

Adriana Braghetta, LO Baptista, Schmidt, Valois, Miranda, Ferreira, Agel, São Paulo

Georgina Fabian, The International Business Law Group, Chicago

Salvador Fonseca-González, Baker & McKenzie, Mexico City

Mauricio Gomm Santos, Gomm & Smith P.A., Miami

Angus M. Gunn, Borden Ladner Gervais, Vancouver

Samaa Haridi, Weil, Gotshal & Manges, New York

David Lederman, Goodmans, Toronto

Adrián Magallanes, Von Wobeser y Sierra, Mexico City

Elsa Ortega, Ortega & Gómez Ruano, Mexico City

Cesar A. Guimarães Pereira, Justen, Pereira Oliveira & Talamini Advogados, Curitiba

REGISTRATION

ABOUT

FACULTY

VENUE

HOME

**19:30 Reception**

**SEPTEMBER 12, 2013**

**08:00 - 8:45 Registration & Continental Breakfast**

**08:45 Welcome Remarks**

Richard W. Naimark, ICDR, New York

**8:55 - 10:10 Session I**

**Corporate Counsel in International Mediation:  
*Finding Solutions with Different Paradigms***

As mediation gains in popularity around the world, differences in awareness, acceptability and practice styles abound in almost every market. Companies that want to enjoy the many benefits of mediation must learn to reconcile the differences in language, legal tradition, customs and cultures. Counsel and mediation experts explore strategies and techniques to help bridge these cultural challenges.

**Moderator**

Daniel E. González, Hogan Lovells, Miami

**Faculty**

Maite de Alba de Gandiaga, Microsoft, Mexico City

Suzana M. Blades, ConocoPhillips, Houston

**ICDR Representative**

Steven K. Andersen, ICDR, Salt Lake City

**10:10 - 10:30 Break**

**10:30 - 12:00 Session II**

**Corporate Counsel Advocacy in International Arbitration:  
*Working towards a Fair and Economical Process***

The successes and failures of an international arbitration process are attributable to the strategy, approach and philosophies of the companies that manage them. Corporate counsel can help by taking a more active role in the international arbitration process. The faculty of corporate counsel will explore ideas and practices employed in the oversight and management of their own arbitrations to help ensure the best possible outcome, pointing out pertinent considerations to address at each step of the process to maximize efficiency, economy and predictability.

**Moderator**

R. Doak Bishop, King & Spalding, Houston

**Faculty**

Kristin Furnish, ICA, Mexico City

Tom Sikora, ExxonMobil, Houston

**ICDR Representative**

Luis M. Martinez, ICDR, New York

**12:00 - 13:30 Lunch and *Tertulias* Report**

*Tertulia* reporters will share insights, summaries and trends learned from the round table discussion sessions from the conference's opening day.

**Moderator**

Timothy J. Tyler, Vinson & Elkins, Houston

**Reporters**

Stephen P. Anway, Squire Sanders, New York  
Jennifer Gorskie, Chaffetz Lindsey, New York

**14:00 - 15:15 Session III****Mock ICDR Preliminary Hearing:*****Advanced Case Management Issues and Practices in International Arbitration***

The ICDR preliminary hearing or conference is a critical procedural step in determining every aspect of the arbitration. Faculty will explore the importance of identifying a variety of threshold issues and problems which, if not dealt with early on, can significantly impede the efficiency and fairness of the arbitration process--and the techniques to use to effectively address them.

**Moderator**

Anibal Sabater, Norton Rose Fulbright, New York

**Faculty**

Grant Hanessian, Baker & McKenzie, New York  
John Fellas, Hughes Hubbard & Reed, New York

**ICDR Representative**

Thomas M. Ventrone, ICDR, New York

**15:15 - 15:45 Ice Cream Break****15:45 - 17:00 Session IV****Managing Difficult Evidence Problems in International Arbitration:*****The ICDR Guidelines for Arbitrators Concerning the Exchange of Information***

There is a wide range of acceptable options in dealing with the presentation of evidence in international arbitration. In order to help arbitrators and advocates deal with the broadening range of practices, this session includes discussion of the ICDR Guidelines as a tool to help narrow the field and addresses questions such as how experts can best be integrated into the process.

**Moderator**

Burton A. Landy, Akerman Senterfitt, Miami

**Faculty**

Cedric C. Chao, DLA Piper, San Francisco  
Glenn P. Hendrix, Arnall Golden Gregory, Atlanta  
Glenn Sheets, Stout Risius Ross, New York

**ICDR Representative**

Thomas M. Ventrone, ICDR, New York

**17:00 - 17:30 Session V: ICDR RULES ADVANCES**

The last rules modifications created by the ICDR--a pioneering emergency interim relief mechanism and document-exchange guidelines--have been widely accepted, discussed and even adopted by other prominent arbitral institutions around the world.

**Part I: ICDR International Arbitration Rules**

The ICDR will provide an update of pending changes to the ICDR rules that will take effect in 2014. Contemplated changes include joinder, consolidation, document exchange, party representation, arbitrator appointment, arbitrator availability and hearings.

*Part II will be presented on September 13 at 8:00 AM.*

**ICDR Representative**

Richard W. Naimark, ICDR, New York

**18:30 Reception & Dinner**

**SEPTEMBER 13, 2013**

**7:00 - 8:00 Continental Breakfast****8:00 to 9:00 Session V: ICDR RULES ADVANCES****Part II: Canadian Arbitration Rules, [energyarbitratorlist.icdr.org](http://energyarbitratorlist.icdr.org), Expedited Procedures, Last Best Offer Procedures**

In addition to the changes to the standard ICDR Arbitration rules, the ICDR also is working on a variety of other new rules initiatives and offerings. This group of experts will discuss the creation and philosophy of each initiative listed above.

**Moderator & Reporter**

Luis Enrique Graham, Hogan Lovells, Mexico City: Expedited Procedures

**Reporters**

Juliet Blanch, Weil, Gotshal & Manges, London: [energyarbitratorlist.icdr.org](http://energyarbitratorlist.icdr.org)

J. Brian Casey, Bay Street Chambers, Toronto: Canadian Arbitration Rules

Wendy Kennedy Venoit, McElroy, Deutsch, Mulvaney & Carpenter, Hartford: Last Best Offer Procedures

**9:00 - 11:00 Session VI****Rapid-Fire Debate & Vote:*****International Dispute Resolution Issues in North America***

An exciting and quick-moving session covering key legal and practice questions pertaining to each jurisdiction listed herein. In rapid succession, experts will answer and debate questions on relevant topics, all under tight time frames managed by the moderator. All conference attendees will vote and instantaneously see the results on each question just debated by the experts.

**Moderator**

Ann Ryan Robertson, Locke Lord, Houston

**Faculty**

J. Brian Casey, Bay Street Chambers, Toronto

Cecilia Flores, Haynes and Boone, Mexico City

Judith Ann Freedberg, University of Miami School of Law, Coral Gables, FL

Dominique Gibbens, Fasken Martineau DuMoulin, Montreal

Mark Kantor, Independent Arbitrator, Washington D.C.

Robert C. O'Brien, Arent Fox, Los Angeles

Claudia T. Salomon, Latham & Watkins, New York

**ICDR Representative**

Steven K. Andersen, ICDR, Salt Lake City

**11:00 - 11:30 Break****11:30 - 13:30 Session VII****Rapid-Fire Debate & Vote:*****International Dispute Resolution Issues in Latin America***

An exciting and quick-moving session covering key legal and practice questions pertaining to each jurisdiction listed herein. In rapid succession, experts will answer and debate questions on relevant topics, all under tight time frames managed by the

moderator. All conference attendees will vote and instantaneously see the results on each question just debated by the experts.

**Moderator**

Jose Astigarraga, Astigarraga Davis, Miami

**Faculty**

Tarcísio Araújo Kroetz, Hapner & Kroetz, Curitiba  
Adriana Braghetta, LO Baptista, Schmidt, Valois, Miranda, Ferreira, Agel, São Paulo  
Federico Godoy, Beretta Godoy, Buenos Aires  
Enrique Gomez-Pinzon, Holland & Knight, Bogotá  
Andres A. Mezgravis, Mezgravis & Asociados, Caracas  
Alfredo Skinner-Klée, Arenales & Skinner-Klée, Guatamala City  
Carlos A. Soto, Estudio Muñiz, Ramirez, Perez-Taiman & Olaya, Lima  
Mercedes Tarrazón, Dispute Resolution Professional, Barcelona

**ICDR Representative**

Luis M. Martinez, ICDR, New York

**13:30 Concluding Remarks**

Steven K. Andersen, ICDR, Salt Lake City



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