



# Asian Leading Arbitrators' Symposium on the Conduct of International Arbitration

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Juris Conferences LLC  
SINGAPORE 16 February 2006

Singapore  
16 February 2006  
at the Raffles Hotel

**Juris Conferences LLC** is pleased to present its first annual symposium on the conduct of international arbitrations in Asia. Leading international arbitrators and practitioners, from Asia, North America and Europe will discuss, in Socratic form, four topics of importance to lawyers, arbitrators and businessmen who are involved in the resolution of international commercial disputes through arbitration. The subjects that will be taken up will be of critical importance to persons interested in how international arbitrations can be effectively and fairly conducted.

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### *Learn About:*

- ❖ Discovery in international arbitration
  - ❖ Advocacy in international arbitration
  - ❖ Presentation of evidence
  - ❖ Management of arbitral proceedings
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## Faculty

**LAWRENCE BOO** is the Deputy Chairman of the Singapore International Arbitration Centre. He is an experienced arbitrator and Associate Professor of the Faculty of Law, National University of Singapore.

**CRAIG I. CELNIKER** is a Partner in Morrison & Foerster's Tokyo office. He is the Co-Chair of the firm's International Arbitration practice group.

**LESLIE CHEW SC** is a joint Managing Partner of Khattar Wong, Singapore. A past President of the Singapore Institute of Arbitrators, Mr. Chew is on the panel of arbitrators for several Asian jurisdictions.

**ROBERT GRONDINE** is a Senior Partner in the Tokyo office of White & Case LLP and has been President and Chairman of the American Chamber of Commerce in Japan.

**BERNARD HANOTIAU** is a Partner of Hanotiau & van den Berg in Brussels, Belgium. He is a member of the ICC Institute and the ICC International Arbitration Commission. He is former Co-Chair of the IBA Arbitration Committee.

**SALLY HARPOLE** is a Solicitor, Attorney and Chartered Arbitrator based in Hong Kong. She is Senior Vice-Chair of the Arbitration Committee of the IBA.

**ALASTAIR HENDERSON** is the Managing Partner of Herbert Smith in Bangkok and joint head of the dispute resolution practice in Southeast Asia. He is a member of the Chartered Institute of Arbitrators and the arbitration committee of the ICC in Thailand.

**DAVID J. HOWELL** is a Partner and Chair of the International Arbitration Group of Fulbright & Jaworski, London. He was head of the Asia Dispute practice of Baker & McKenzie from 1998 to 2003.

**MICHAEL HWANG SC** is an independent Barrister and Arbitrator practicing in Singapore. He is Vice President of the ICCA and Vice Chairman of the International Court of Arbitration of the ICC.

**CHRISTOPHER LAU** is a Consultant in the Dispute Resolution Group in Alban Tay Mahtani & de Silva, Singapore and sits as an arbitrator in institutional and ad hoc international arbitrations in Singapore and elsewhere.

**PHILIP J. MCCONNAUGHAY** is Dean and The Donald J. Farage Professor of Law at Penn State University's Dickinson School of Law. For eighteen years, Dean McConnaughay was with Morrison & Foerster, including almost ten years as a Resident Partner in Tokyo and Hong Kong.

**SUNDARESH MENON** is a Partner with Jones Day, Singapore. He Chairs the firm's Dispute Resolution practice in Asia, and currently represents Singapore at the UNCITRAL Working Group on International Arbitration.

**KAREN MILLS** is a Chartered Arbitrator and Fellow of the Chartered Institute of Arbitrators. She has practiced in Indonesia for more >

# Asian Leading Arbitrators' Symposium on the Conduct of International Arbitration

## 8.30 - 9.00 Registration

Coffee and tea upon arrival

## 9.00 - 10.30 Working Session 1

### Discovery in international arbitration

Items for consideration to include:

- The arbitrator's role in facilitating necessary discovery and resolving discovery disputes.
- How do arbitrators deal with discovery requests?
- What cross-cultural "norms" are emerging?
- Are arbitrators seeing broader discovery requests, and what does the future hold?
- How may discovery requests and objections to discovery be framed to persuade arbitrators?
- Dealing with electronic documentation and discovery of computer records.
- Dealing with claims to privilege and confidentiality.
- To what extent do arbitrators draw adverse inferences from a party's reluctance to provide discovery.
- Should materials produced in discovery be made available to the arbitrators as well as to the parties?
- Should the parties be the ones to determine the documents they want, rather than the arbitrators? Which approach is more efficient?

## 10.30 - 11.00 Coffee / Tea Break

## 11.00 - 12.30 Working Session 2

### Advocacy before international arbitration tribunals

Items for consideration to include:

- Is the art of good advocacy the same before arbitral tribunals and state courts?
- What styles of advocacy do arbitrators find persuasive, and what is counter-productive?
- Written and oral advocacy. What should be written and what should be said?
- Do arbitrators care about rules of evidence such as leading witnesses?
- The use of visual aids, computer presentations etc. in hearings.
- How may advocates learn their trade in international arbitration?
- What are the good habits of successful advocates and what are the bad habits of unsuccessful advocates?
- How do the parties deal with the fact that, when witness statements are presented in writing in advance, most of the testimony that will be adduced will be during cross-examination?
- To what extent should arbitrators ask questions of witnesses?
- Hearsay evidence: Whether it should be offered and how arbitrators should respond, whether it should be objected to and how arbitrators should deal with it.

## SPONSORS

If you would like information or if you have any questions about becoming a sponsor of a Juris Conference Symposium, please contact us at

[Events@jurisconferences.com](mailto:Events@jurisconferences.com)

The symposium will have, for each of the topics, two discussion leaders, one from the Asia Pacific region and one from outside that region, who will lead the discussion with the faculty of international arbitrators and practitioners. Questions and interventions will be received from the floor as well.

### 12.30 - 14.00 Networking Luncheon

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### 14.00 - 15.30 Working Session 3

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#### Presentation of evidence

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Items for consideration to include:

- Dealing with advocates from different legal cultures, with different expectations as to the role of cross-examination.
- Should cross-examination be confined to the scope of the witness's statement?
- Rabbits out of the hat. Should counsel be permitted to present documents for the first time in cross-examination?
- The role of the tribunal in controlling cross-examination.
- Preparing witnesses for cross-examination. Cultural issues. Parties versus other witnesses.
- Use of leading questions - Cultural objections.
- Style: How hostile? How loud? How insistent? How long?
- Should points made in cross-examination be underscored at the time or should they be saved for summation or post-hearing briefs?

### 15.30 - 16.00 Coffee / Tea Break

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### 16.00 - 17.30 Working Session 4

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#### Management of arbitral proceedings

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Items for consideration to include:

- Principles for the successful conduct of an arbitration.
- The role of preparatory conferences and how to make them effective.
- Controlling the exchange of pleadings and the submission of documentary and witness evidence.
- Whether to have any hearing, or more than one hearing, and if so where and for how long.
- Dealing with common law and civil law expectations as to the purpose of hearings.
- The planning that the tribunal and parties must undertake for a successful hearing.
- Controlling time at a hearing.
- The role of opening and closing arguments, and post-hearing briefs.
- Dealing with witness evidence and witness conferencing.
- Organizing questions by the arbitrators: When? How many?
- Expert Testimony: Separate hearings, confrontations between experts?

### 17.45 - 19.00 Drinks Reception

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Reserve your place today.  
Space in the meeting room is limited.

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## Faculty

than 20 years and is one of the founders of the Karim Syah (formerly Karim Sani) in Jakarta.

**MEEF MOH** is a Senior Consultant with Herbert Smith LLP. She is Chair of the international arbitration practice group in Singapore and is a Council Member of the Singapore Institute of Arbitrators.

**MICHAEL J. MOSER** is China Managing Partner of Freshfields Bruckhaus Deringer. He is Co-Chairman of the China Arbitration Forum, Vice Chairman of the HKIAC and a member of the Panel of Arbitrators of CIETAC.

**LAWRENCE W. NEWMAN** is a Partner in the litigation department of the New York office of Baker & McKenzie. He is the author and co-author of several works on international arbitration and litigation.

**COLIN ONG** is Managing Partner of Dr. Colin Ong Legal Services (Brunei); Barrister and Arbitrator of Essex Court Chambers and of 3 Verulam Buildings (London); President of the Arbitration Association of Brunei Darussalam.

**MICHAEL PRYLES** is President of the Australian Centre for International Commercial Arbitration, President of the Asia Pacific Regional Arbitration Group and a consultant to the law firm Clayton Utz.

**DAVID SANDBORG** is a Chartered Arbitrator based in Hong Kong. He is a Professor of Law and Director of Dispute Resolution Studies at Shantou University School of Law in Mainland China, a Visiting Professor at Osaka University and the University of Melbourne law schools.

**JOHN SAVAGE** is Chair of Shearman & Sterling's international arbitration practice in Asia. He is also the Managing Partner of the firm's Singapore office.

**YASUHEI TANIGUCHI** is the President of the Japan Association of Arbitrators, Council Member of ICCA, Council Member of ICC Institute for World Business Law, Member (former Chairman) of the Appellate Body of the WTO, Of Counsel with Matsuo & Kosugi in Tokyo and Professor of Law at Tokyo Keizai University.

**JINGZHOU TAO** is the Managing Partner of the China Practice Group of DLA Piper Rudnick in Beijing. He is Chairman of ICC China Arbitration Committee, Member of Expert Committee of CIETAC, and Member of ICC International Court of Arbitration.

**CHRISTOPHER W. TO** is Secretary-General of the Hong Kong International Arbitration Centre and the Asian Domain Name Dispute Resolution Centre.

**JOHN M. TOWNSEND** is a Partner and Chair of the Arbitration and ADR Group of Hughes Hubbard & Reed LLP. He is also a Director and Chairman of the Executive Committee of the American Arbitration Association and Chairman of the Mediation Committee of the IBA.

**BYUNG-CHOL YOON** is a Partner with Kim & Chang, South Korea and Chair of the firm's Arbitration Practice Group.

## Registration Form

Send to: Mr. Rick Bodt, **Juris Conferences, LLC** 71 New Street, Huntington, NY 11743 USA Fax No: 1.631.351.5712 or E-Mail your registration request to [accounts@jurispub.com](mailto:accounts@jurispub.com) Registrations are confirmed when payment has been received.

### REGISTRATION INFORMATION:

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The bank address is: NORTH FORK BANK  
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HUNTINGTON, NY 11743 USA

Please be sure to reference **Juris Symposium** and your **Firm's Name** in the wire transfer information.

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An invoice will be sent to your above address after receipt of payment.

Date: \_\_\_\_\_ Place: \_\_\_\_\_  
Signature: \_\_\_\_\_

### SINGAPORE SYMPOSIUM LOCATION:

**Raffles Hotel**, One Beach Road, Singapore 189673  
Tel: +65 6337 1886  
Web: [www.affleshotel.com](http://www.affleshotel.com)

**ACCOMODATIONS:** For room rates in connection with Juris Conferences' Symposium, please see enclosed hotel registration forms. Please contact hotel directly. All dealings are between the registrant and the hotel.

**Raffles Hotel**, One Beach Road, Singapore 189673 (attn: Ms. Jenny Steven)  
Tel: +65 6337 1886 Fax: +65 6336 5045  
Email: [jenny.steven@affles.com](mailto:jenny.steven@affles.com) Web: [www.affleshotel.com](http://www.affleshotel.com)

**Swissotel The Stamford**, 2 Stamford Road, Singapore 178882  
Tel: +65 6339 6633 Fax: +65 6336 5117  
Email: [reservations.singapore@swissotel.com](mailto:reservations.singapore@swissotel.com) Web: [www.afflescityhotels.com](http://www.afflescityhotels.com)

**Raffles The Plaza**, 80 Bras Basah Road, Singapore 189560  
Tel: +65 6837 3883 Fax: +65 6336 6210  
Email: [reservations.plaza@affles.com](mailto:reservations.plaza@affles.com) Web: [www.afflescityhotels.com](http://www.afflescityhotels.com)

### FEE:

**\$500.00 USD**

**(\$350.00 USD** for full-time academics, full-time students and government employees) can be charged to a credit card, paid by check/money order, or by bank wire transfer.

**Fee includes**, conference materials including *The Leading Arbitrators' Guide to International Arbitration* (edited by Lawrence Newman & Richard Hill), refreshments at breaks, 3-course luncheon and drinks & hors d'oeuvre reception. (The fee does not include accommodations.)



**Juris Conferences LLC**  
16 February 2006  
Raffles Hotel Singapore

**HOTEL RESERVATION FORM • Raffles Hotel**

Please indicate for which of the following evenings you require hotel accommodation:

Tuesday, February 14 2006

Wednesday, February 15 2006

Thursday, February 16 2006

Friday, February 17 2006

Saturday, February 18 2006

Sunday, February 19 2006

Other (please specify)

  
  
  
  
  
  

**ROOM RATES (inclusive of a buffet breakfast):**

Raffles Inc Stateroom: **S\$430 / S\$480 (single / double)**  
*Approx: \$255 USD / \$285 USD*

Courtyard Suite: **S\$560 / S\$610 (single / double)**  
*Approx: \$330 USD / \$360 USD*

**LIMOUSINE TRANSFER:**

One Way S\$140

Return S\$220

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Arrival Date / Flight Details: \_\_\_\_\_

Departure Date / Flight Details: \_\_\_\_\_

PAY BY CREDIT CARD

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Card number: \_\_\_\_\_

Signature: \_\_\_\_\_

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Jenny Steven  
Via email: [jenny.steven@raffles.com](mailto:jenny.steven@raffles.com)  
Via fax: +65 6336 5045



**Juris Conferences LLC**  
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Raffles Hotel Singapore

**HOTEL RESERVATION FORM**  
**Swissotel The Stamford or Raffles The Plaza**

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Other (please specify)

  
  
  
  
  
  

**EARLY ARRIVAL:**   
Early arrival to pre-block as full-day rate.

**ROOM RATES:**

Raffles The Plaza: **Deluxe S\$280**  
**Premier Deluxe S\$310**  
Swissotel The Stamford: **Deluxe S\$260**

  
  

**REQUEST:**  
Smoking:   
Non-Smoking:

*All room rates quoted are subject to 10% service charge, 1% cest & 5%GST*

**BREAKFAST** -S\$30 per meal

**LIMOUSINE TRANSFER:** In the event of a no-show or cancellation without prior notice, the company or credit card number given for the guarantee will be billed for the charges

One Way S\$75 +5% GST  Return S\$150 +5% GST  For Flight Arrival between 0700 - 2159 hrs  
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**Please Fax confirmation**

◆ A one night's charge will be levied for guaranteed reservations when:

1. Reservations are cancelled after 1800 hrs on day of arrival.
2. No-Show of guests on arrival date.

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Email: [reservations.singapore@swissotel.com](mailto:reservations.singapore@swissotel.com)

**Raffles The Plaza, Singapore**  
Tel: +65 6837 3883 Fax: +65 6336 6210  
Email: [reservations.plaza@raffles.com](mailto:reservations.plaza@raffles.com)