

SAVE THE DATE:

18-19 May 2017, Warsaw, Poland

TOPICS INCLUDE:

- Pre-closing M&A disputes
- Non-monetary reliefs
- M&A disputes in publicly listed companies environment

WHO SHOULD ATTEND:

- Arbitrators
- Attorneys
- In-house counsel
- M&A legal and business advisors

More info: www.sadarbitrazowy.org.pl

SUPPORTING ORGANIZATIONS:



DAY ONE – 18 MAY 2017

8:30 – 9:00

Registration and morning coffee

9:00 – 9:30

Opening and welcome

Beata Gessel-Kalinowska vel Kalisz, GESSEL, Lewiatan Court of Arbitration, Poland
Maciej Jamka, ICC Poland, K&L Gates, Poland
Rashda Rana, ArbitralWomen, Australia

9:30 – 11:00

Panel I: Hot topics in M&A arbitration

- News from around the world

Moderator: Gerhard Wegen, Gleiss Lutz, Germany

Panelists:

Philip Clifford, Latham & Watkins, UK
Daphna Kapeliuk, Goldfarb Seligman & Co., Israel
Tunde Ogunseitan, ICC Court, Nigeria
Andrzej Szlęzak, Sołtysiński Kawecki & Szlęzak, Poland

11:00 – 11:30

Coffee break

11:30 – 12:00

Panel introduction: Declaratory awards in M&A / Comparative approach

Beata Gessel-Kalinowska vel Kalisz, GESSEL, Poland

12:00 – 13:30

Panel II: Non-monetary relief in M&A arbitration

- Advantages and disadvantages of specific performance, as compared with damages, in M&A disputes
- Declaratory awards: Common law versus continental law principles
- Why are limitations needed in declaratory judgments?

Moderator: Patricia Shaughnessy, Stockholm University, Sweden

Panelists:

Stefan Leimgruber, Schellenberg Wittmer, Switzerland
Martin Magál, Allen & Overy Bratislava, Slovak Republic
Shai Wade, Stephenson Harwood, UK
Rafał Zakrzewski, Clifford Chance, Cambridge University, Poland/UK

13:30 – 13:50

CMS Case Study: Declaratory awards

Małgorzata Surdek, CMS, Poland

13:50 – 14:50

Lunch

14:50 – 15:10

Alvarez & Marsal Case Study: Quantum of damages in case of breach of obligation to close

Alexander Demuth, Alvarez & Marsal, Germany

15:10 – 16:40

Panel III: Preclosing M&A disputes – discussion of one award

- Binding character of LOIs and similar documents
- Acts of non-fulfilment of conditions to closing – difficulties in appraisal
- Breach of confidentiality / exclusivity obligations
- How difficult is it to evaluate damages in preclosing disputes

Moderator: Paula Hodges, Herbert Smith Freehills, UK

Panelists:

Renata Beržanskienė, Sorainen, Lithuania
Olivier Caprasse, Hanotiau & van den Berg, Member of the ICC Court, Professor at the Universities of Liège and Brussels, Belgium
Nicolas Tse, Brown Rudnick, UK / France
Cezary Wiśniewski, Linklaters, Poland

16:40 – 17:00

GESSEL Case Study: *Culpa in contrahendo*: tips and traps in negotiation of M&A transactions

Natalia Jodłowska, GESSEL, Poland

Michał Pochodyła, GESSEL, Poland

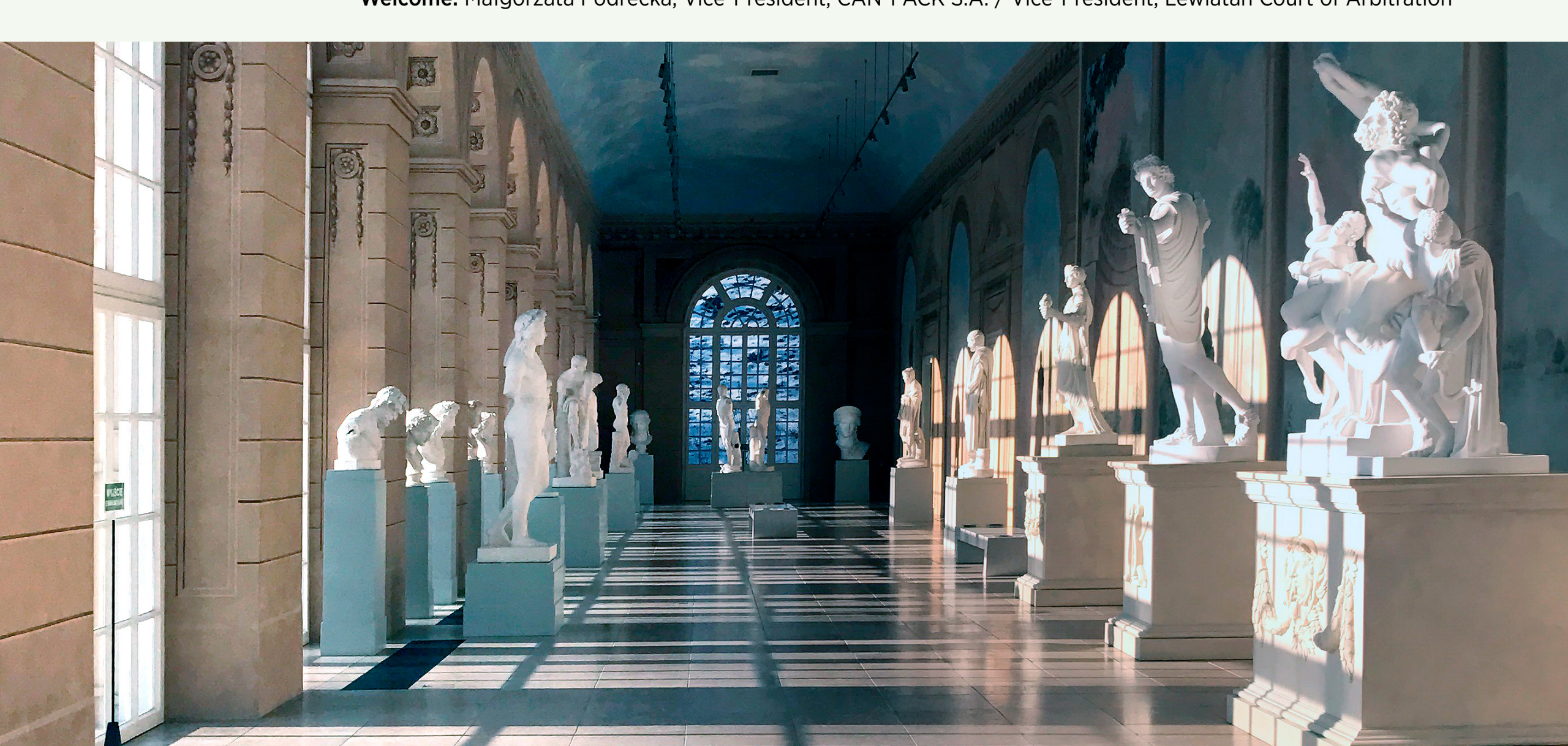
17:00 – 17:30

Keynote speech: Stephen Jagusch QC, Quinn Emanuel Urquhart & Sullivan, LLP, UK

19:00

Gala Dinner: The Old Orangery at Royal Łazienki

Welcome: Małgorzata Podrecka, Vice-President, CAN-PACK S.A. / Vice-President, Lewiatan Court of Arbitration



DAY TWO – 19 MAY 2017

8:30 – 9:00

Morning coffee

9:00 – 10:30

Panel I: M&A arbitration disputes involving publicly listed companies – Perspective of in house counsel

- How useful is arbitration in a listed companies environment?
- Confidentiality of arbitration and obligation of disclosure in public companies
- Investment agreements – specific performance of typical obligations (put/call, obligation to vote) as a remedy in light of public companies regulations

Moderator: Wendy Miles, Boies, Schiller & Flexner, UK/New Zealand

Panelists:

Christian Borris, Borris Hennecke Kneisel, Germany
Ewa Ciborowska, Veolia, Poland
Sebastian Kwiecień, Colian, Poland
Mathias Wolkewitz, Wintershall, Germany

10:30 – 11:00

Coffee break

11:00 – 11:20

ICC Case Study: How complicated the M&A dispute could be with participation of a public company

Maria Hauser-Morel, ICC Court, France

11:20 – 12:40

Roundtable discussion of arbitral institutions: Arbitration in a listed companies environment – pros / cons / necessity – arbitration institutions' perspective

- Transactional disputes
- Shareholder disputes
- Internal company disputes

Moderator: Philipp Habegger, Habegger Arbitration, Switzerland

Panelists:

Gösta Heider, VIAC, Austria
Rafał Kos, SA Lewiatan, KKG, Poland
Miroslava Schierholz, ICDR / AAA, USA
Carita Wallgren-Lindholm, Arbitrator, Member of the ICC Court, Finland

12:40 – 12:55

Closing remarks: Louis Flannery, Stephenson Harwood LLP, UK

CONFERENCE LOCATION:

Polonia Palace Hotel
Al. Jerozolimskie 45
00-692 Warsaw, Poland

TERMS & CONDITIONS

REGISTER ON-LINE available at: www.sadarbitrazowy.org.pl

CONFERENCE FEE (VAT inclusive)

	Early bird rate (before 31 March 2017)	Early bird rate (before 30 April 2017)	Regular
Delegates	EUR 200	EUR 250	EUR 300
KAL Participants	-----	-----	EUR 80

GALA DINNER EUR 120

Payment must be received within 3 working days after the registration.
Payment can be made by bank transfer only. Please find our bank details below.

For payments in EUR

Name of the bank: Alior Bank
Account holder: Polish Confederation Lewiatan
IBAN: PL04 2490 0005 0000 4600 9417 0088
SWIFT: ALBPPLPW

For payments in PLN

Name of the bank: PEKAO S.A. III o/Warsaw
Account holder: Konfederacja LEWIATAN
IBAN: PL97 1240 1040 1111 0010 3840 4800
SWIFT: PKOPPLPW

Please put participant's name as the transfer's title.

All additional bank transfer fees shall be covered by payer.
The registration form for the 2017 Dispute Resolution in M&A Transactions constitutes a legally binding agreement, which obliges a person who registers to pay the stated amount. Upon sending the registration form you shall receive a confirmation email to the address provided. If you do not receive the confirmation email, please contact us at: conference@arbitrationcourt.org.pl
The invoice will be issued immediately after the payment and sent to the email address provided by the participant in the registration form. Booking can only be guaranteed upon receipt of the payment. The organizer reserves the right to make changes in the conference program.

CANCELLATIONS AND NON-ATTENDANCE

A 80% refund of the registration fee will be given for cancellations received up to 21 days before the conference. After this term no refund will be granted. Cancellations must be made in writing. In case the originally registered participant cannot attend the 2017 Dispute Resolution in M&A Transactions Conference, a substitute delegate is allowed to participate at no additional cost.

INSURANCE

The organizer of the conference cannot be held liable for personal injuries or for loss and/or damage to the personal belongings of participants either during or as a result of the conference.

CONTACT

Should you have any questions regarding the registration, please contact us at:
conference@arbitrationcourt.org.pl

ACCOMMODATION

We have created a dedicated accommodation booking platform for the participants of our conference. Please use the following link to book your preferred hotel:

<http://www.hrs.de/web3?clientId=ZW5fX2dlc3NlbGV2ZW50cw,2>
The accommodation services are provided by an external partner and therefore the Lewiatan Court of Arbitration does not assume any responsibility for bookings logistics.