



# FIAA

Foundation for International  
Arbitration Advocacy

## *FIAA Tenth Anniversary Events*

### QUESTIONING OF EXPERT WITNESSES IN INTERNATIONAL ARBITRATION

A Learning-by-Doing Skills Workshop

24-26 January 2017

Graduate Institute of International and Development Studies  
Maison de la Paix, chemin Eugene Rigot 2, 1211 Geneva

### FIAA-MIDS TENTH ANNIVERSARY GALA DINNER

26 January 2017

International Committee of the Red Cross Headquarters  
19 Avenue de la Paix, 1202 Geneva

### FIAA-CIDS TENTH ANNIVERSARY CONFERENCE “Advocacy in different international *fora*: Innovation through cross-fertilization?”

27 January 2017

Graduate Institute of International and Development Studies  
Maison de la Paix, chemin Eugene Rigot 2, 1211 Geneva

FIAA  
Foundation for International Arbitration Advocacy  
Rue du Pre de la Bichette 1  
Eleventh Floor  
1202 Geneva  
Switzerland

Web: [www.fiaa.com](http://www.fiaa.com)

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## QUESTIONING OF EXPERT WITNESSES IN INTERNATIONAL ARBITRATION

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### ABOUT FIAA

FIAA – Foundation for International Arbitration Advocacy is dedicated to providing advocacy training specifically designed for international arbitration.

Through a series of different learning-by-doing programs and workshops, FIAA offers skills training for international arbitration practitioners in witness questioning, oral argument and written advocacy. FIAA also provides a forum for arbitrators, counsel and academics to analyze, develop and promote effective and ethical dispute resolution skills for international arbitration.

For more information about FIAA and its programs, visit our website at: [www.fiaa.com](http://www.fiaa.com)

### FIAA'S JANUARY 2017 ADVOCACY WORKSHOP

FIAA's January 2017 Advocacy Workshop will focus on one key aspect of advocacy in international arbitration – the questioning of expert witnesses.

This learning-by-doing workshop will provide international arbitration practitioners with skills and techniques for examination, cross-examination and witness conferencing involving expert witnesses.

Participants will work with accounting experts from leading firms (FTI and Ernst & Young), engage in exercises and simulations, see demonstrations and hear presentations by experienced international arbitration practitioners and advocacy instructors. Throughout the workshop, participants will receive faculty feedback on live and recorded performances.

On the final day of the workshop, participants will act as counsel in mock hearings with opening statements, examinations-in-chief, cross-examinations, witness conferencing and closing arguments before arbitral tribunals comprised of experienced international arbitration practitioners.

The workshop is strictly limited to 24 participants in order to ensure an effective learning environment and that each participant has ample opportunity to develop his or her advocacy skills.

This workshop is accredited for 20 hours of continuing legal education by the Solicitors Regulation Authority of England and Wales. Application for New York accreditation of this course is currently pending.

FIAA's January 2017 Advocacy Workshop will open at 12:00 noon on Tuesday, 24 January 2017, and close with the Gala dinner on Thursday evening, 26 January 2017.

Prior to the workshop, registered participants will receive a detailed workshop programme, together with the mock arbitration case file and reference materials.

### WORKSHOP FACULTY

**John Beechey**

Independent Arbitrator, London

**Sheila Block**

Torys LLP, Toronto

**Marinn Carlson**

Sidley Austin LLP, Washington

**Teresa Cheng SC**

Hong Kong

**Amir Ghaffari**

Vinson & Elkins LLP, London

**Stephen Jagusch QC**

Quinn Emanuel Urquhart & Sullivan LLP, London

**Shreyas Jayasimha**

Aarna Law, Bangalore

**Jean Kalicki**

Independent Arbitrator, New York

**Brian King**

Freshfields Bruckhaus Deringer LLP, New York

**Gabrielle Kaufmann-Kohler**

Lévy Kaufmann-Kohler, Geneva

**Andrew McDougall**

White & Case LLP, Paris

**Isabelle Michou**

Herbet Smith Freehills LLP, Paris

**Wendy Miles QC**

Boies Schiller & Flexner LLP, London

**Michael Ostrove**

DLA Piper LLP, Paris

**David Roney**

Sidley Austin LLP, Geneva

**Ank Santens**

White & Case LLP, New York

**Matthias Scherer**

Lalive, Geneva

**Michael Schneider**

Lalive, Geneva

**James Seckinger**

University of Notre Dame, Notre Dame, Indiana

**Michael Young**

Allen & Overy LLP, Paris

**Roland Ziadé**

Linklaters LLP, Paris

## QUESTIONING OF EXPERT WITNESSES IN INTERNATIONAL ARBITRATION

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### IF YOU WISH TO ATTEND

Please complete the attached registration form and send it, together with your bank transfer details / PayPal Confirmation, to the FIAA Administrator by e-mail to [info@fiia.com](mailto:info@fiia.com) or by fax to +41 22 308 0001.

EARLY REGISTRATION IS RECOMMENDED – This workshop is strictly limited to 24 participants.

### REGISTRATION FEES AND PAYMENT

1. The registration fee for the FIAA Advocacy Workshop and Gala Dinner is **CHF 750** and covers:
  - participation in the workshop
  - all workshop documentation
  - lunches and refreshment breaks on Tuesday and Wednesday and the Gala Dinner on Thursday 26 January 2017
2. The registration fee for the FIAA Advocacy Workshop, Gala Dinner plus the FIAA-CIDS Conference on 27 January 2017 is **CHF 845**.
3. The registration fee for the Gala Dinner is **CHF 85**.
4. The registration fee for the FIAA-CIDS Conference on 27 January 2017 is as follows:
  - (a) Practitioners: **CHF 350**
  - (b) Full-time academics: **CHF 150**
  - (c) MIDS and FIAA Alumni: **CHF 95**
  - (d) Full-time students and interns: **CHF 50**

Payments may be made by bank transfer or online via PayPal (visit [www.fiaa.com](http://www.fiaa.com)).

If paying by bank transfer, please instruct your bank to transfer “free of charges to beneficiary” and quote your name and the words “FIAA January 2017 Workshop”.

Beneficiary:	Foundation for International Arbitration Advocacy (FIAA)
Purpose:	Registration Fee – January 2017
Bank:	UBS SA Place du Molard 8 P.O. Box 2600 1211 Geneva 2 Switzerland
SWIFT/BIC Code:	UBSWCHZH80A
IBAN Account No.:	CH56 0024 0240 4597 0260 V

Please ensure that a copy of the bank transfer details is attached to your registration form. Full payment must be received in order to process your registration and reserve a place for you at the workshop.

Upon receipt of your payment for the workshop a confirmation e-mail will be sent. Registration confirmations will not be sent by mail.

### FIAA SCHOLARSHIPS

FIAA is offering two scholarships for this workshop to cover more than 75% of the registration fee. These scholarships will be awarded on the basis of need. Applicants for scholarships are invited to submit the following: (1) the attached Registration Form; (2) the attached Scholarship Application Form; (3) a letter from the applicant's employer supporting the applicant's attendance at the workshop; (4) payment of CHF 175 (25% of the registration fee, which will be refunded in full if no scholarship is granted); and (5) applications and scholarships are awarded on a rolling basis.

### NO CANCELLATIONS

Due to the restriction on the number of participants, no refunds shall be paid on cancellation of any registration. A registration may, however, be transferred to another person by written notice sent to FIAA at [info@fiia.com](mailto:info@fiia.com).

### WORKSHOP VENUE

FIAA's January 2017 International Arbitration Advocacy Workshop will take place at:

Graduate Institute of International and Development Studies, Maison de la Paix, chemin Eugene Rigot 2, 1211 Geneva

### TRAVEL ARRANGEMENTS AND VISAS

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to send out letters supporting visa applications to embassies prior to receipt of your registration form and full payment of registration fees. Please apply for your visa in good time.

## QUESTIONING OF EXPERT WITNESSES IN INTERNATIONAL ARBITRATION

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### FEEDBACK ON FIAA'S PREVIOUS WORKSHOPS

*"Very instructive, very helpful. An intensive learning experience that was definitely worth it."*

Maurice Courvoisier, Wenger Plattner, Basel

*"Excellent faculty. I was blown away by how much time all these 'big names' took to review my performance and give detailed comments – invaluable and unparalleled in my career."*

Lucy Martinez, Freshfields Bruckhaus Deringer, New York

*"Definitely one of the best learning experiences of my professional life. This will stick."*

Jan Pas, Pels Rijcken & Droogleever Fortuijn, The Hague

*"A course of the highest calibre. I got a huge amount out of it and am very eager to put these advocacy skills to use."*

John Templeman, Allen & Overy LLP, London

### SPONSORS

FIAA thanks its sponsors for their support.



The FTI Consulting Economic and Financial Consulting practice provides detailed damages/valuation calculations for arbitration or litigation. Our work is based on economic, accounting, and finance evidence, that we analyse in order to quantify the financial effects of the alleged actions of the parties. Our reports are prepared in a fashion that is easily understood by Judges, and Arbitrators. In 2016 (Q1-Q3), our International Arbitration experts acted as independent experts, to provide damages, valuation or financial expertise in over 51 new substantive arbitrations, for over 29 different law firms globally, and collectively testified over 59 times. Our testifying experts have significant experience in delivering clear and concise opinion evidence in arbitral and judicial hearings. We have extensive industry experience in Oil and Gas, Electric Power, Pharmaceuticals, Healthcare, Telecommunications, Media and Entertainment, Transportation, Financial Services, Transfer Pricing, Intellectual Property and Mining/Extractive Industries. Who's Who Legal 2016 survey of leading expert witnesses in commercial arbitration identified that FTI has maintained its position as the pre-eminent firm globally, with 34 of the 165 experts listed coming from FTI (or its subsidiary Compass Lexecon). More information can be found at [www.fticonsulting.com](http://www.fticonsulting.com)



HL TRAD was founded by two specialists in B2B language services, who wanted to create an innovative company aimed exclusively at the legal and financial sectors. For 9 years, HL TRAD has been a unique partner for the key players in these sectors. Its specialist positioning, unique for a language service provider, has made HL TRAD a key reference point for the legal and financial sectors, allowing it to respond quickly and efficiently to their very specific needs with optimum cost effectiveness. This original and unique concept has allowed for a remarkable expansion. HL TRAD continues to grow and has expanded across Europe with offices in Geneva, Paris, Brussels, London and Amsterdam. For more information visit: [www.hltrad.ch](http://www.hltrad.ch)



ASA is a non-profit association with over 1100 members - of whom a third are from outside Switzerland, all practitioners and academics engaged and/or interested in domestic and international arbitration. Membership is open to all nationalities, irrespective of the level of experience. Since its creation in 1974 it has become one of the leading arbitration associations, bringing together the world's most eminent arbitration practitioners. More information can be found at [www.arbitration-ch.org](http://www.arbitration-ch.org)





## FIAA-CIDS CONFERENCE

### Advocacy in different international *fora*: Innovation through cross-fertilization?

Geneva, 27 January 2017

Maison de la Paix, Auditorium Ivan Pictet (chemin Eugène-Rigot 2, 1202 Geneva)

For more information please visit the conference website at:

[www.fiaacidsconference.ch](http://www.fiaacidsconference.ch)



#### PROGRAMME

**09:45-10:30 Registration and welcome coffee**

**10:30-10:45 Introductory remarks**

Gabrielle Kaufmann-Kohler (CIDS; FIAA)  
David Roney (Sidley Austin; FIAA)

**10:45-11:15 Keynote speech**

Christopher Greenwood (International Court of Justice)

**11:15-12:45 First panel: Written advocacy**

The purpose and length of written pleadings; the persuasive written presentation of a complex evidentiary record; the persuasive written presentation of legal issues; the effective use of written responses to tribunal questions, and relevance of correspondence with the tribunal.

Speakers:

Lucy Reed (National University of Singapore)  
Marcelo Kohen (MIDS; Graduate Institute of International and Development Studies)  
Cherise M. Valles (Advisory Centre on WTO Law)

Moderator:

Isabelle Michou (Quinn Emanuel Urquhart & Sullivan)

**13:00-14:15 Lunch**

**14:15-15:45 Second panel: Oral advocacy**

Effective use of different kinds of oral submissions; persuasive oral submissions addressing a complex evidentiary record; oral questioning of witnesses; persuasive oral submissions addressing legal issues; the effective use of oral responses to tribunal questions; preparing to conduct advocacy

Speakers:

Jean Kalicki (Independent Arbitrator)  
Loretta Malintoppi (Eversheds)  
David Unterhalter (Monckton Chambers)

Moderator:

Andrew McDougall (White&Case)

**16:15-17:45 Third panel: Use of expert evidence**

Testing expert evidence; role of counsel in preparation of expert reports; questioning of experts; finding common ground and highlighting differences between experts; differences in dealing with party-appointed vs tribunal appointed experts; preparing to deal with expert evidence at hearings

Speakers:

Andrea Menaker (White&Case)  
Samuel Wordsworth (Essex Court Chambers)  
Nicolas J.S. Lockhart (Sidley Austin)

Moderator:

Zachary Douglas (CIDS; Matrix Chambers)

## FIAA Tenth Anniversary Events

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Please return this form, together with your bank transfer details, to the FIAA Administrator by e-mail to [info@fiaa.com](mailto:info@fiaa.com) or by fax to +41 22 308 0001

**(Please print IN BLOCK CAPITALS)**

Last name: \_\_\_\_\_ First name: \_\_\_\_\_

Title (Professor / Doctor / Mr / Mrs / Ms): \_\_\_\_\_ Suffix: \_\_\_\_\_

Firm / Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Tel.: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Registration Fees:

Please check off the appropriate boxes below to indicate which event(s) you will be attending and how you have made your payment:

- The registration fee for the FIAA Advocacy Workshop and Gala Dinner (24-26 January) is CHF 750.
- The registration fee for the FIAA Advocacy Workshop, Gala Dinner plus the FIAA-CIDS Conference (27 January) is CHF 845.
- The registration fee for the Gala Dinner is CHF 85.
- The registration fee for the FIAA-CIDS Conference (27 January) is as follows:
- (a) Practitioners: CHF 350
  - (b) Full-time academics: CHF 150
  - (c) MIDS and FIAA Alumni: CHF 95
  - (d) Full-time students and interns: CHF 50

I have paid by bank transfer       I have paid via PayPal

Please instruct your bank to make the transfer "free of charges to beneficiary" and quote your name and the words "FIAA January 2017 Workshop".

Beneficiary: Foundation for International Arbitration Advocacy (FIAA)

Purpose: Registration Fee - January 2017

Bank: UBS SA  
Place du Molard 8  
P.O. Box 2600  
1211 Geneva 2  
Switzerland

SWIFT / BIC Code: UBSWCHZH80A

IBAN Account No.: CH56 0024 0240 4597 0260 V

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

NO CANCELLATIONS - Due to the restriction on the number of participants, no refunds shall be paid on the cancellation of any registration. A registration may, however, be transferred to another person by written notice sent to FIAA at [info@fiaa.com](mailto:info@fiaa.com).



FIAA's Advocacy Workshop:  
Questioning of Expert Witnesses in International Arbitration

Graduate Institute of International and Development Studies, Maison de la Paix, chemin  
Eugene Rigot 2, 1211 Geneva

24 - 26 January 2017

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**(Please print IN BLOCK CAPITALS)**

Last name: \_\_\_\_\_

First name: \_\_\_\_\_

Employer: \_\_\_\_\_

Annual Income: \_\_\_\_\_

Please explain why you wish to participate in this FIAA Program:

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Please explain why you need a scholarship in order to be able to attend and participate in this FIAA Program:

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I confirm that the information provided in this Scholarship Application is complete and true:

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

In addition to this Scholarship Application, please remember to provide:

- a letter from your employer confirming their support for your attendance at this program and that they will release you for the relevant period;
- the completed registration form; and
- payment of CHF 175 (25% of the registration fee).