

Marcin Czepelak

Dr. Hab. Marcin Czepelak is the Secretary General of the Permanent Court of Arbitration (PCA). Prior to his election as Secretary General of the PCA, Dr. Hab. Czepelak was ambassador of the Republic of Poland to the Kingdom of the Netherlands and permanent representative to the Organization for the Prohibition of Chemical Weapons. He represented the Republic of Poland at various international fora, including the Committee on the Election of the Prosecutor of the International Criminal Court, the Working Group on the Rules of Procedure of The Hague Conference on Private International Law, and the First Committee of the United Nations General Assembly. Dr. Hab Czepelak is professor of private international law at Jagiellonian University in Kraków (Poland). He completed his habilitation and doctorate at Jagiellonian University and has published widely in the fields of private international law, international litigation, and arbitration. He is fluent in English, Polish, German and French and has good knowledge of Dutch and Spanish.

DAY 1

09:00

Registration & Morning coffee

10:00

10:00

Opening & Welcome

10:10

Beata Gessel-Kalinowska vel Kalisz, Conference Chair, GESSEL, Poland

Cezary Wiśniewski, ICC Poland, Linklaters, Poland

10:10

ICC Court Welcome Address

10:20

Alexander G. Fessas, ICC International Court of Arbitration, France

10:20

Session I: Hot topics in M&A arbitration

11:40

- Impact of impecunious party on arbitration agreement
- Post M&A ESG disputes - sources; is the arbitration a fitting forum?
- Interim relief around M&A: emergency arbitrators limiting state courts?
- W&I Insurance: procedural challenges in arbitration dealing with 'insurance towers'
- Share Transfer Agreement + Shareholders' Agreement + Accession Agreement - How does Cour d'appel de Paris interpret the parties' agreement to arbitrate in the case of multiple arbitration clauses.

Moderator:

Alicja Zielińska-Eisen, YAAF, Queritius, Poland/Germany

Panellists:

Christian Borris, Borris Hennecke Kneisel, Germany

Joanna Kisielińska-Garncarek, GESSEL, Poland

Joanna Kolber, Strelia, Belgium

Dr. Ioana Knoll-Tudor, Addleshaw Goddard, France

Annet van Hooft, van Hooft, France

11:40

Coffee break

12:10

12:10

Howden M&A Case study: Insuring Known Legal Risks in M&A Transactions

12:30

Drew Naylor, Howden, United Kingdom

Edward Copeman, Howden, United Kingdom

12:30

Session II: Dialogue between counsel on legal nature of M&A award

13:40

- Price adjustment made by the tribunal
- Is the award declaratory or constitutive and what are its practical effects?
- Interests computation

Moderator:

Mary Mitsi, Queen Mary University of London, United Kingdom/Greece

13:40

Dentons M&A Case study: From the transaction closing party to the post closing hangover

14:00

Michał Jochemczak, Dentons, Poland

Dominika Karsznia, ValueMind, Poland

14:00

Lunch

15:00

15:00

15:40

Keynote speech: The paradigm of arbitration - yesterday, today and tomorrow - Yves Derains in conversation with Beata Gessel

Yves Derains, Derains & Gharavi, France

15:40

16:50

Session III: Voice of reason or hired gun? The independence and impartiality of party-appointed experts in M&A disputes

- The difference between party-appointed and tribunal-appointed experts
- The role of geography
- The role of soft laws
- Expectations of the parties and the tribunal

Moderator:

Mark Kantor, , USA

Panellists:

Folashade Alli SAN, Folashade Alli and Associates, Nigeria

Luminita Popa, Suciu Popa, Romania

Alexander Demuth, , Germany

Renato Nazzini, King's College London, United Kingdom/Italy

19:30

Gala Dinner

Venue - Look Up! Skyliner building, 67 Prosta Street (upon separate registration)

DAY 2

09:00

10:00

Morning coffee

10:00

10:05

Opening & Welcome

Beata Gessel-Kalinowska vel Kalisz, Conference Chair, GESSEL, Poland

10:05

Special Guest

10:35

Special Guest's address: The Permanent Court of Arbitration: 125 years of Peace through Justice

Marcin Czepelak, Permanent Court of Arbitration, Netherlands

10:35

Presentation: M&A Arbitration in Wartime under the SCC Rules

10:55

Jake Lowther, SCC Arbitration Institute, Sweden

10:55

Clifford Chance Case Study: Is it a case for an expert or arbitrator? Financial disputes under M&A contracts

11:15

Adelina Prokop, Clifford Chance, Poland

Moritz Keller, Clifford Chance, Germany

11:15

Session: M&A Arbitration in Wartime - Breaking up is never easy

12:45

- M&A disputes risks when exiting high-risk jurisdictions
- Case studies from jurisdictions in the Middle East, Eastern Europe and Africa

Moderator:

Bartosz Krużewski, Clifford Chance, Poland

Panellists:

Timur Bondaryev, Arzinger, Ukraine

Joshua Kelly, Freshfields Bruckhaus Deringer, United Kingdom

Steven Finizio, Wilmer Hale, United Kingdom/USA

Jacob Enoch, M. Firon&Co. Advocates, Israel

Judith Mulholland, Baker McKenzie, UK

12:45

Closing of the conference

12:50

Beata Gessel-Kalinowska vel Kalisz, Conference Chair, GESSEL, Poland

...and yes, bubbles and strawberries!!

14:00

ICC YAAF: Decoding the ESG: Passing Buzzword or Future Frontier for Dispute Lawyers?

16:30

[Register](#)