Judith Mulholland

Judith is a partner in the Baker McKenzie Dispute Resolution team based in London and a Fellow of the Chartered Institute of Arbitrators. Judith has considerable experience in international commercial and investor-state arbitration, including under the ICC, LCIA, SCC, ICSID, and UNCITRAL Rules, as well as ancillary and enforcement proceedings before the English Courts. Judith also regularly advises clients on managing risk and resolving disputes in complex and high-value litigation and other forms of Alternative Dispute Resolution. Judith advises clients across a range of industries, but has a particular focus on the energy sector and post-M&A and joint venture disputes.

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

Session I: Hot topics in M&A arbitration

10:20

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

_____ 12:30

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

Drew Naylor, Howden, United Kingdom

Edward Copeman, Howden, United Kingdom

12:30

13:40

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

- 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

14:00

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

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

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

Morning coffee

10:00

Opening & Welcome

10:05

10:00

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

10:35 10:55

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

Jake Lowther, SCC Arbitration Institute, Sweden

10:55 -----11:15

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

Adelina Prokop, Clifford Chance, Poland

Moritz Keller, Clifford Chance, Germany

11:15 12:45

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

- 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

Closing of the conference

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

...and yes, bubbles and strawberries!!

14:00 16:30 ICC YAAF: Decoding the ESG: Passing Buzzword or Future Frontier for Dispute Lawyers?

Register