

Teresa Giovannini

Teresa Giovannini is a founding partner of LALIVE and specialises in international arbitration. She has acted as counsel or arbitrator in more than 180 international arbitrations, either ad hoc, or administered by institutions including UNCITRAL, AAA/ICDR, ICC, ICHEIC, ICSID, LCIA, SCC, Chamber of Commerce of Milan and Swiss Chambers. Her areas of specialisation include procurement contracts, sales, license, agency, joint venture and shareholder agreements in a variety of sectors: infrastructure projects, aviation, technology transfer, turnkey constructions, pharmaceuticals, insurance, luxury goods and arts. Teresa Giovannini is a member of the ICC Court of Arbitration and of the ICC Institute of World Business Law Council. She was a member and vice-president of the LCIA Court (2006 - 2011) and a member of the Arbitral Council of the Milan Chamber of Arbitration (CAM) (1997-2005). She is also member of the Chartered Institute of Arbitrators (CIarb) panel. She is currently a member of the ICC Swiss Commission of Arbitration and ADR, of the International Center of Dispute Resolution (ICDR) European Advisory Committee, of the American Arbitration Association (AAA) Board of Directors, of the International Law Association (ILA) Committee on Arbitration, of the Institute of Transnational Arbitration (ITA) Advisory Board, of the New York International Arbitration Centre (NYIAC) Advisory Board. She is currently member of several arbitrator panels, including the China International Economic and Trade Arbitration Commission (CIETA), the Cairo Regional Center For International Commercial Arbitration (CRCICA), the Dubai International Arbitration Centre (DIAC), the London Court of International Arbitration (LCIA), and is member of several arbitration associations, including the Swiss Arbitration Association (ASA), the Comité Français de l'Arbitrage (CFA), the International Arbitration Centre (IAC), the Institut pour l'Arbitrage International (IAI). Teresa Giovannini is a frequent lecturer and speaker on international arbitration (e.g. at the International Bar Association (IBA); the Columbia Law School; the Fordham University School of Law and the Harvard Law School; the International Chamber of Commerce (ICC); the London Court of International Arbitration (LCIA); the International Centre for Settlement of Investment Disputes (ICSID), and has authored many publications on the subject. She has been ranked for many years as a leading arbitration practitioner by Chambers & Partners, and a Thought Leader in Arbitration by Who's Who Legal. In addition, Global Arbitration Review considered her among the Best Prepared/Most Responsive Arbitrators worldwide.

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

13:40

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

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

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

15:40

Yves Derains, Derains & Gharavi, France

15:40

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

16:50

- 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, Suci 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

10:00

Opening & Welcome

10:05

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

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

12:45

12:50

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?

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