

# Samantha J. Rowe

Samantha J. Rowe is a partner in the London office of Debevoise & Plimpton. Her practice focuses on international arbitration and public international law. Ms. Rowe has represented private clients and States across multiple jurisdictions (most notably, Latin America, Asia, the Middle East and Eastern Europe) in arbitrations governed by various substantive laws and conducted under the rules of the ICC, LCIA, ICSID, UNCITRAL and SIAC. She has experience across a broad range of industries and sectors, including energy, mining, construction, financial services and pharmaceuticals. She advises clients on a broad range of international law issues, including the international protection of investments, and represents her clients in associated disputes. Ms. Rowe is noted for International Arbitration and Public International Law in The Legal 500 UK (2018). The guide further recommends her for her construction disputes work. Ms. Rowe is a solicitor of the Senior Courts of England & Wales, and is admitted to the New York Bar. She is fluent in French and Spanish and proficient in Portuguese, and frequently handles contentious matters involving these languages.

## DAY 1

09:00

### Registration & Morning coffee

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10:00

10:00

### Opening & Welcome

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10:10

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

Cezary Wiśniewski, ICC Poland, Linklaters, Poland

10:10

### ICC Court Welcome Address

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10:20

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

10:20

### Session I: Hot topics in M&A arbitration

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11:30

- 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'

**Moderator:**

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

## **Panellists:**

Christian Borris, Borris Hennecke Kneisel, Germany

Joanna Kisielińska-Garncarek, GESSEL, Poland

Joanna Kolber, Strelia, Belgium

11:30

## **Howden M&A Case study**

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11:50

Drew Naylor, Howden, United Kingdom

Edward Copeman, Howden, United Kingdom

11:50

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

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13:00

- 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

13:00

## **Lunch**

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14:00

14:00

## **Dentons M&A Case study**

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14:20

Michał Jochemczak, Dentons, Poland

14:20

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

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15:00

Yves Derains, Derains & Gharavi, France

15:00

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

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16:10

- 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 Collage London, United Kingdom/Italy

16:10

## Treats & Meads

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19:30

## Gala Dinner

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

## DAY 2

09:00

## Morning coffee

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10:00

10:00

## Opening & Welcome

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10:05

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

10:05

## Special Guest

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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

10:55

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

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Jake Lowther, SCC Arbitration Institute, Sweden

10:55

## **Clifford Chance Case Study**

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11:15

11:15

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

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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

12:45

## **Closing of the conference**

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12:55

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

**...and yes, bubbles and strawberries!!**

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