

# Piotr Bytnerowicz, FCIArb

Piotr Bytnerowicz, FCIArb, is counsel in the White & Case International Arbitration Practice. He is a Polish-qualified advocate based in Warsaw with significant experience in cross-border disputes (including working at the W&C London office during a half-year secondment). For 14 years, Piotr has represented clients in a variety of disputes in the energy, construction, telecommunications, media, insurance, IT and industrial sectors. His experience includes acting as counsel in post-M&A and other transaction-related disputes, as well as serving as arbitrator in commercial and construction cases. Piotr is a Fellow of the Chartered Institute of Arbitrators and a member of the Society of Construction Law. He is listed as an arbitrator at the "Lewiatan" Court of Arbitration in Warsaw and a mediator at the International Mediation Centre (IMC). Piotr is also a member of the Working Group for Trainings of the Arbitration Commission of ICC Poland and of the ICC CEE Arbitration Group, as well as an alumnus of the ICC Advance Arbitration Academy for CEE. Chambers Global and Chambers Europe list Piotr as "Up and Coming" in the Dispute Resolution category. Piotr has also been recognized by the latest edition of the Legal 500 EMEA ranking in the Dispute Resolution category. Who's Who Legal listed Piotr in the 2019 Arbitration Future Leaders - Non-partners ranking. In 2014 he was also honored as a "Rising Star" in the legal professionals rankings published by WoltersKluwer and Dziennik Gazeta Prawna. Chambers praised Piotr for "the clarity and aptness of his conclusions and arguments," as well as "his creativity in solving problems." Piotr is the author of a number of articles relating to dispute resolution and international arbitration in particular. He also frequently speaks at conferences and seminars and conducts trainings relating to international arbitration. Piotr graduated from the Law Faculty of the University of Warsaw and the British Centre for English and European Legal Studies (University of Warsaw, in association with the Centre for European Legal Studies of the Law Faculty at the University of Cambridge).

## 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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11:40

- 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

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12:10

12:10

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

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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

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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**

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Michał Jochemczak, Dentons, Poland

Dominika Karsznia, ValueMind, Poland

14:00

## **Lunch**

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15:00

15:00

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

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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**

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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, Suciu Popa, Romania

Alexander Demuth, , Germany

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

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

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

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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

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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

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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

Judith Mulholland, Baker McKenzie, UK

12:45

## **Closing of the conference**

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12:50

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

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

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14:00

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

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16:30

[Register](#)