

# Geoffrey Burgess

Geoffrey Burgess is a partner at Debevoise & Plimpton. He has a broad international practice that ranges from private equity and cross-border mergers & acquisitions to joint ventures and intricate financing transactions. Mr. Burgess joined the firm in 1997 and has been resident in the London office since 1999. He is a member of the Legal and Regulatory Committee of the Africa Venture Capital Association and recently served on a UN/WTO committee for the preparation of a model joint venture agreement. Mr. Burgess has been a member of the board of advisors of the Survey of East European Law, Columbia University School of Law since 1993. Mr. Burgess is recommended for Private Equity and M&A by *IFLR1000* (2019). *Chambers Asia-Pacific* (2017) notes Mr. Burgess for leading the firm's India group, which is ranked as a leading international firm for India-related M&A. He is further recommended in *The Legal 500 Asia Pacific* (2018) and *Chambers Global* (2017) for his work in India. The guide describes him as "highly accomplished and very innovative."

## 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

## **Coffe break**

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12:10

12:10

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

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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**

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14:00

Michał Jochemczak, Dentons, 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

16:50

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

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- 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

16:50

## **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

10:00

## **Morning coffee**

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10:00

10:05

## **Opening & Welcome**

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

10:05

10:35

## Special Guest

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**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

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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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