

Michelangelo Cicogna

Michelangelo Cicogna is a partner in De Berti Jacchia's Milan office. His practice over the last 25 years has mainly focused on arbitration and ADR and compliance/anti-bribery. As counsel, Michelangelo has acted in both ad hoc and institutional arbitrations, mainly under the rules of ICC, ICSID, UNCITRAL, Milan Chamber of Arbitration, AIA, the Madrid Arbitration Court, the Chamber of Arbitration of Bucharest, Lebanon and MKAS, handling numerous complex arbitrations including multiparty disputes and parallel proceedings. As arbitrator, he has served as chairman, sole arbitrator or co-arbitrator in a number of arbitrations under the ICC, DIS, Milan Chamber of Arbitration, A.I.A., Swiss Chambers and the UNCITRAL rules as well as in *ad hoc* arbitrations. He sits as president of the supervisory board for compliance of several multinational companies. His work predominantly relates to construction or infrastructure projects, insurance coverage issues, IT and telecoms, joint ventures and consortia and general commercial matters. He also regularly serves as mediator in international and domestic mediations. Michelangelo has written extensively on arbitration and ADR matters. He teaches Advocacy at Luigi Bocconi University. He is a member of the ICC commission on arbitration, officer of the IBA Arbitration Committee, vice chair of the international arbitration committee of the ABA SIL, past-president of the AIJA international arbitration commission and an AIJA honorary member. He is co-founder and co-chair of ArbIt, the Italian Forum for Arbitration and ADR. He is admitted before the Supreme Court. He is fluent in Italian, English and French.

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

11:30

- 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

Dr. Ioana Knoll-Tudor, Addleshaw Goddard, France

Annet van Hooft, van Hooft , France

11:30

Howden M&A Case study

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

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

14:00

14:00

Dentons M&A Case study

14:20

Michał Jochemczak, Dentons, Poland

14:20

Keynote speech: The paradigm of arbitration -

15:00

yesterday, today and tomorrow - Yves Derains in conversation with Beata Gessel

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

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

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

11:15

11:15

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

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

12:55

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

...and yes, bubbles and strawberries!!
