

# Beata Gessel-Kalinowska vel Kalisz, D.Sc.

**Founding and senior partner at GESSEL** Beata Gessel is an expert practitioner in arbitration, M&A, private equity and commercial law. She has acted as an arbitrator or counsel in cases under rules of ICC, FCC, SCC, IAA, SCAI, VIAC, UNCITRAL, Lewiatan, KIG, SIDiR and National Depository for Securities. She is an adjunct professor in international commercial arbitration as well as M&A Transactions in the Polish Legal System at the Cardinal Stefan Wyszyński University. Former Member of the ICC International Court of Arbitration (2015-2021); Honorary President of the Lewiatan Court of Arbitration. Member of the ICDR/AAA Rules Revision Task Force. She chairs the audit committee of the Polish Private Equity Association. Beata Gessel is an originator and a chair of the “Dispute Resolution in M&A Transactions” biannual conference, which binds experiences of M&A and arbitration specialists. Author of numerous legal publications on M&A and commercial arbitration, including the recent book ‘Legal, Real and Converged Interest in Declaratory Relief’ published by Kluwer Law International, which focuses on declaratory relief in litigation and arbitration. For many years, distinguished in numerous rankings including Who’s Who Legal, Chambers Global and Chambers Europe in the field of Dispute resolution: Most in Demand Arbitrators. In 2021 she has been ranked among most esteemed European arbitrators in International Arbitration: Most in Demand Arbitrators Europe-wide category.

## Day 1 - 26 May 2022

09:00

### Registration and morning coffee

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10:00

10:00

### Opening and welcome

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10:10

Cezary Wiśniewski, PhD, ICC Poland, Poland

Beata Gessel-Kalinowska vel Kalisz, D.Sc., GESSEL, Poland

10:10

### Welcome address

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10:20

Claudia Salomon, President of the ICC International Arbitration Court, USA/France

10:20

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

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11:30

**Moderator:**

Prof. Dr. Kasper J. Krzeźmiński, NautaDutilh, Netherlands

**Panellists:**

Tunde Ogowewo, King's College London, UK

Edward Poulton, BakerMcKenzie, UK

Dr Nicolas Wiegand, CMS Hasche Sigle, Hong Kong/Germany

Dr. Galina Zukova, ZUKOVA Legal, Latvia/France

11:30

## Coffee break

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11:45

11:45

## Case study I: White&Case „Can an emergency arbitrator help you finalize your transaction?”

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12:05

### Speaker

Piotr Bytnerowicz, FCIArb, White & Case, Poland

12:05

## Session II: Consolidation and de-consolidation in M&A arbitration

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13:35

### Moderator:

Justyna Szpara, FCIArb, Łaszczuk & Partners, Poland

### Panellists:

Rostislav Pekař, Squire Patton Boggs, Czech Republic

Nikolaus Pitkowitz, M.B.L.-HSG, Pitkowitz & Partners, Austria

Anna Guillard Sazhko, Shearman & Sterling's International Arbitration Group in Paris, France / Ukraine

Ioana Knoll-Tudor, Jeantet, France

13:35

## Lunch

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14:35

14:35

## Session III: How much principles of equity colour M&A arbitration jurisprudence? Between procedural and substantive justice

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16:05

### Introductory lecture and a moderator

Beata Gessel-Kalinowska vel Kalisz, D.Sc., GESSEL, Poland

### Panellists:

Ilias Bantekas, LLB, LLM, BA/Dip Theology, FCIArb, Hamad bin Khalifa University (Qatar Foundation), Qatar

Prof. Dr. Stefan Kröll, Bucerius Law School, Germany

James Menz, rothorn legal AG, Switzerland

16:05

## Coffee break

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16:25

16:25

## Case study II: Dentons „Surprise, Surprise!”

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16:45

### Speaker

Michał Jochemczak, Dentons, Poland

16:45

## Keynote speech

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17:35

Bernard Hanotiau, Hanotiau & van den Berg, Belgium

19:30

## Reception

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Venue: Restaurant Baczewskich, 17/19 Szucha Ave.

## Day 2 - 27 May 2022

09:00

## Morning coffee

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10:00

10:00

## Opening and welcome

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10:05

10:05

## Case study I: Quantuma “Who serves best to help resolve a post-M&A dispute: an advisor, an expert witness or an expert determiner? Tales from the accounting battlefield.”

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10:25

### Speaker

Adam Markiewicz, Quantuma, Poland

10:25

## **Session I: Investment arbitration: Recoverability of reflective loss**

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11:30

### **Session Introduction**

Agnieszka Zarówna, White & Case LLP, UK

### **Moderator:**

Marcin Kałduński, The General Counsel to the Republic of Poland, Poland

### **Panellists:**

Christina Beharry, Foley Hoag, USA

Dr Crina Baltag, Stockholm University, Sweden

11:30

## **Coffee break**

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12:00

12:00

## **Case study II: Queritius “Arbitrating with a sanctioned entity - a case study”**

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12:20

### **Speakers**

Alicja Zielińska-Eisen, Queritius, Poland

Daniel Dózsa, Queritius, Hungary

12:20

## **Session II: The new type of M&A investment arbitration: emerging energy transition disputes.**

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13:50

### **Session Introduction**

Agnieszka Ason, Oxford Institute for Energy Studies, UK

### **Moderator:**

Prof. Dr. Yarik Kryvoi, LL.M., British Institute of International and Comparative Law, UK

**Panellists:**

Steven Finizio, WilmerHale, UK

Boaz Moselle, Compas Lexecon, UK

13:50

**Closing**

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14:00

14:00

**...and yes, a flute of champagne and strawberries!!!**

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