Conference program

DAY 1

09:00 10:00	## Registration & Morning coffee

10:00 10:10	## Opening & Welcome Beata Gessel-Kalinowska vel Kalisz, Conference Chair, GESSEL, Poland Cezary Wiśniewski, ICC Poland, Linklaters, Poland

10:10 10:20	## ICC Court Welcome Address Alexander G. Fessas, ICC International Court of Arbitration, France

10:20 11:40	## Session I: Hot topics in M&A arbitration

■ 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	

12:10 Coffee break

12:10 **12:30** **Howden M&A Case study: Insuring Known Legal Risks in M&A Transactions**

Drew Naylor, Howden, United Kingdom

Edward Copeman, Howden, United Kingdom

12:30 **13:40** **Session II: Dialogue between counsel on legal nature of M&A award**

- 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 **14:00** **Dentons M&A Case study: From the transaction closing party to the post closing hangover**

Michał Jochemczak, Dentons, Poland

Dominika Karsznia, ValueMind, Poland

14:00 **15:00** **Lunch**

15:00 **15:40** **Keynote speech: The paradigm of arbitration – yesterday, today and tomorrow – Yves Derains in conversation with Beata Gessel**

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**

- 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

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

DAY 2

09:00
10:00 Morning coffee

10:00
10:05 Opening & Welcome

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

10:05
10:35 Special Guest

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

Jake Lowther, SCC Arbitration Institute, Sweden

| 10:55 |
| 11:15 |

Clifford Chance Case Study: Is it a case for an expert or arbitrator? Financial disputes under M&A contracts

Adelina Prokop, Clifford Chance, Poland

Moritz Keller, Clifford Chance, Germany

| 11:15 |
| 12:45 |

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

- 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 |
| 12:50 |

Closing of the conference

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

...and yes, bubbles and strawberries!!

| 14:00 | **ICC YAAF: Decoding the ESG: Passing Buzzword or Future Frontier for Dispute Lawyers?** |
| 16:30 | |

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