

# Agnieszka Ason

Agnieszka Ason is an independent energy disputes lawyer and a Visiting Research Fellow at the Oxford Institute for Energy Studies. Agnieszka has extensive experience (as counsel and expert) in liquefied natural gas (LNG) disputes, including major LNG price reviews in European and Asian markets. She is an Honorary Lecturer at the Queen Mary University of London and frequently guest lectures in energy law and international dispute resolution, most recently at the Humboldt University of Berlin and the London School of Economics. Agnieszka has published extensively and provided press comments on LNG contracting. Her recent speaking engagements focus on the impact of decarbonisation on long-term energy contracts and include presentations for the Institute of Energy Economics Japan (IEEJ), United States Energy Association (USEA), the International Group of Liquefied Natural Gas Importers (GIIGNL), and S&P Global Platts. Agnieszka is the editor of the Oil, Gas and Energy Law (OGEL) Special Issue on Changing LNG Markets and Contracts (2020) and co-editor (with Professor Kim Talus) of the upcoming OGEL Special Issue on Carbon-neutral Energy.

## 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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11:30

- 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'
- 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

11:30

## Howden M&A Case study

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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

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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

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14:00

14:00

## Dentons M&A Case study

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14:20

Michał Jochemczak, Dentons, Poland

14:20

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

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15:00

Yves Derains, Derains & Gharavi, France

15:00

16:10

## **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

16:10

## **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

## **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**

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11:15

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

12:45

### **Closing of the conference**

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12:55

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

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

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