

30 OCTOBER - 4 NOVEMBER 2011

DUBAI

INTERNATIONAL BAR ASSOCIATION ANNUAL CONFERENCE



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the legal profession®



Final programme

OFFICIAL CORPORATE SUPPORTERS



Tuesday All Day 0930 - 1730

Renewable energies – technical, tax, commercial and legal issues

Joint session with the Power Law Committee, Taxes Committee, Technology Law Committee and the Water Law Committee.

Session Co-Chairs

Jack Bernstein *Aird & Berlis, Toronto, Ontario, Canada*

Thomas Heymann *Heymann & Partner Rechtsanwälte, Frankfurt, Germany*

Michelle de Rijke *Bird & Bird, The Hague, the Netherlands; Senior Vice-Chair, Power Law Committee*

Gerardo Varela *Cariola, Díez, Pérez-Cotapos Santiago, Chile*

This full-day session will give an overview of latest contractual, regulatory and tax developments affecting the production, distribution and consumption of renewable energies throughout the world. A special emphasis will be put on a short description of each of the underlying technologies and business models. In addition the session will cover how different countries have been promoting the development of renewable sources of energy. Speakers will discuss markets and regulatory regimes in China, Arabia, USA and Europe. Feed-in tariffs, emissions reductions, tax incentives and other mechanisms will be addressed for different jurisdictions in anticipation of what may be next in connection with renewables.

The Masdar Project – renewable energies in the Middle East

Speaker

Robert L Nelson Jr *Akin Gump Strauss Hauer & Feld, San Francisco, California, USA*

Tax incentives and developments in different jurisdictions

Speakers

Aseem Chawla *Amarchand Mangaldas, New Delhi, India*

Glauca Maria Lauletta *Mattos Filho, São Paulo, Brazil*

Daniel Luchsinger *Covington & Burling, Washington DC, USA*

William Thompson *Minter Ellison, Brisbane, Queensland, Australia; Scholarship Officer, Taxes Committee*

Photovoltaic – technologies, industry and contract structures

Speaker

Cecilia Carrara *Legance Studio Legale Associato, Rome, Italy*

Wind – technologies, industry and contract structures

Speaker

Marc Baltus *Heuking Kühn Lüer Wojtek, Düsseldorf, Germany; European Forum Liaison Officer, Young Lawyers' Committee*

Hydropower – technologies, industry and contract structures

Speaker

Nestor Loizaga *Ferrere Abogados, Asunción, Paraguay; Publications Officer, Water Law Committee*

Smart grids and smart metering

Speakers

Björn Gustavsson *Advokatfirman Vinge, Stockholm, Sweden; Chair, Outsourcing and Shared Services Subcommittee*

Chris Holder *Bird & Bird, London, England; Vice-Chair, Outsourcing and Shared Services Subcommittee*

The market and regulations in Europe (EU)

Speaker

Wolfram Rehbock *Arzinger, Kiev, Ukraine*

The market and regulations in the US

Speaker

Paige Crewson *Baker Botts, Dubai, UAE*

The market and regulations in China

Speaker

Richard Keenan *Chadbourne & Parke, Dubai, UAE*

The market and regulations in the Arab region

Speaker

Michael N Webb *Hadef & Partners, Abu Dhabi, UAE*

DUBAI A+B, FIRST FLOOR

The re-trial of a fixed case: the Edmond Safra affair

Presented by the Criminal Law Committee.

Session Chair

Michael Griffith *International Legal Defense Counsel, Amagansett, New York, USA; Corporate Counsel Forum Liaison Officer, Criminal Law Committee*

In 1999, billionaire banker Edmond Safra died in a fire that raged through his Monaco home. He was asphyxiated along with his nurse in the bathroom while firefighters and police rushed to the scene. Although another nurse on his staff was ultimately convicted of arson by a Monaco court in a highly controversial trial that gained worldwide publicity, numerous questions about the case persist to this day. Central to the controversy were doubts that surfaced after the trial about the impartiality of the trial judge. In a mock trial session, the Criminal Law Committee will restage the trial with leading jurists and lawyers from across the globe, as in Monaco, there will be a jury consisting of three professional judges and three lay jurors.

Speakers

Michael Berkow *Altegrity Risk International, New York, USA*

Peter Binning/Jessica Parker *Corker Binning, London, England*

Lady Colin Campbell *London, England*

Midwin Charles *Midwin Charles & Associates, New York, USA*

Jerome Froelich *McKenney & Froelich, Atlanta, Georgia, USA*

Mark Kuzmann *Kuzmann Law Offices, Pearl River, New York, USA*

Ted Maher *Connecticut, USA (The Actual Defendant)*

Christopher Murray *Kingsley Napley, London, England*

Meg Strickler *Conaway & Strickler, Atlanta, Georgia, USA;*

Vice-Chair, Criminal Law Committee

SHEIKH RASHID HALL C, GROUND FLOOR

Tuesday 0930 - 1230

Advocacy in commercial litigation – what do judges want from advocates and what do advocates want from judges?

Joint session with the Forum for Barristers and Advocates, the Judges' Forum, the Litigation Committee and the Young Lawyers' Committee.

Session Co-Chairs

Chantal Aimée Doerries QC *Atkin Chambers, London, England; Co-Chair, Forum for Barristers and Advocates*

Judge Henrik Rothe *Retspræsident, Bredgade, Denmark; Co-Chair, Judges' Forum*

What does a commercial court judge look for in an advocate? What does a commercial court advocate want from a judge? This session aims to discuss the issues facing judges and advocates in the conduct of commercial litigation. The panel will consist of leading commercial court judges and litigators. It aims to map out practical ways in which the desire of courts for efficiency and cost containment can be reconciled with the desire of parties and advocates for a full opportunity to advocate their cases. It will consider the use of written legal submissions and witness statements, the role of technology and the importance of oral advocacy. This session should be seen as complimentary to the session on advocacy in commercial motions and appeals.

Speakers

Judge Frank Clarke *Irish Commercial Court, Dublin, Ireland*
Sir Anthony Colman *Dubai International Financial Centre, Dubai, UAE*
Olivier Cousi *Avocat Associé Département IP-TMT, Paris, France*
Ulrike Gatenberg *Heuking Kühn Lüer Wojtek, Dusseldorf, Germany*
Ira Nishisato *Borden Ladner Gervais, Toronto, Ontario, Canada; Treasurer, Litigation Committee*
Judge Jon Stokholm *Supreme Court of Denmark, Copenhagen, Denmark*
Michael Todd QC *Bar of England and Wales, London, England*
Rashid Vahed SC *General Council of the Bar of South Africa, Sandton, South Africa; Vice-Chair, Forum for Barristers and Advocates*

SHARJAH A, FIRST FLOOR

Buying and selling distressed commercial real estate assets – issues relating to hotels, office buildings and other commercial properties

Joint session with the Enforcement of Creditors' Rights Subcommittee, Insolvency, Restructuring and Creditors' Rights Section (SIRC) and the Real Estate Committee.

Session Co-Chairs

Martin Holler *Giese & Partner, Prague, Czech Republic; Chair, Real Estate Committee*
Richard Joseph Mason *McGuireWoods, Chicago, Illinois, USA; Vice-Chair, Enforcement of Creditors' Rights Subcommittee*

The recent crisis has fundamentally affected investment in the real estate market. Opportunistic investment is now on the rise. New property funds and other tailor-made structures are expected to absorb distressed properties, either individually or at the portfolio level, through many different means, whether in a foreclosure, through an insolvency proceeding, or by another distressed acquisition method. These processes require specific legal expertise, providing an interesting opportunity for both restructuring and real estate lawyers to assist clients in adding value to their business. A panel consisting of experienced investors, bankers, lawyers and real estate consultants will discuss these issues and share their techniques and insights for taking advantage of these opportunities.

Speakers

William A Brandt Jr *President, Development Specialists Inc; Chairman, Illinois Finance Authority, Chicago, Illinois, USA*
Brendan Cahill *William Fry, Dublin, Ireland*
Fergal Harris *Standard Chartered Bank, Dubai, UAE*
Tara Marlow *Al Tamimi & Company, Abu Dhabi, UAE*
Gaurav Shivpuri *Jones Lang LaSalle MENA, Dubai, UAE*
David Stark *Deloitte Corporate Finance Limited, London, England*

ABU DHABI A, FIRST FLOOR

Cartel investigations and enforcement before agencies and criminal courts

Joint session with the Antitrust Committee and the Business Crime Committee.

Criminal cartel immunity – the fault lines

Session Co-Chairs

Elizabeth Morony *Clifford Chance, London, England; Website Officer, Antitrust Committee*
Michael O'Kane *Peters & Peters, London, England; Co-Chair, Business Crime Committee*

This session will examine the various approaches taken by competition authorities to immunity applicants, the issues that are thrown up in an internal investigation, dealing with the regulator and the public policy in blanket immunity. The panel will consider, among other questions:

- What threshold is required to achieve immunity?
- Is it necessary to go to every NCA?
- What level of cooperation is required on an ongoing basis?
- Is a waiver of privilege a pre-condition?
- Will the NCA allow the applicant to conduct its own internal investigation or become proactively involved at an early stage?
- What is required of individuals to qualify for immunity?

Speakers

Adam Fanaki *Davies Ward Phillips & Vineberg, Toronto, Ontario, Canada*
Sharon Henrick *Mallesons Stephen Jaques, Sydney, New South Wales, Australia*
Ali Nikpay *Office of Fair Trading, London, England*
Christof Swaak *Stibbe, Amsterdam, the Netherlands*
John Terzaken *US Department of Justice – Antitrust, Washington DC, USA*
Kimitoshi Yabuki *Yabuki Law Offices, Tokyo, Japan*

RAS AL KHAIMAH, SECOND FLOOR

Dealing with stakeholders – from cradle to the grave

Presented by the Corporate and M&A Law Committee.

Session Co-Chairs

Finn J Lerno *Plesner, Copenhagen, Denmark; Scholarship Officer, Corporate and M&A Law Committee*
Sergio Sánchez Solé *J&A Garrigues, Barcelona, Spain; Vice-Chair, Corporate and M&A Law Committee*

This session will review relationships with stakeholders from when a company is first set up (family and friends), as it grows (venture capital and private equity) through its listing (institutions and sovereign wealth funds) to its demise (banks and administrators).

Speakers

Harvey Cohen *Dinsmore & Shohl, Cincinnati, Ohio, USA; Conference Coordinator, Closely Held and Growing Business Enterprises Committee*
Ezra Davids *Bowman Gilfillan Inc, Johannesburg, South Africa; Vice-Chair, African Regional Forum*
Aslesha A Gowariker *Desai & Diwanji, Mumbai, India; Secretary, Current Legal Developments Subcommittee*
Sameer Huda *Hadef & Partners, Dubai, UAE; Website Officer, Corporate and M&A Law Committee*
Perry Li *AllBright Law Offices, Shanghai, China*
Gisèle Rosselle *White & Case, Brussels, Belgium*
Andrew R Thompson *Cravath Swaine & Moore, New York, USA*
Paul White *A&L Goodbody, Dublin, Ireland*

SHEIKH MAKTOUM HALL D, GROUND FLOOR