

# ASA Annual Conference

# Expert Evidence: Conflicting Assumptions and How to Handle them in Arbitration

2 February 2018

Programme | Participants List | Speakers | Sponsors

Zurich Marriott Hotel Neumühlequai 42, Zurich, Switzerland

Arbitration-ch.org | info@arbitration-ch.org | @ASAArbitration



### ABOUT THE CONFERENCE

### **Conference Topic**

The Use of Experts in International Arbitration – Conflicting Assumptions and Expectations

The conference will explore various aspects relating to the presentation of expert evidence and specifically address the issue of conflicting assumptions and expectations that parties may have and how an arbitral tribunal could deal with them.

### Schedule at a Glance, 2 February 2018

<b>COFFEE &amp; REGISTRATION</b>
CONFERENCE
LUNCH
CONFERENCE

### CONFERENCE PROGRAMME

9:00 - 9:10	WELCOME ADDRESS AND INTRODUCTION TO THE CONFERENCE TOPIC	<b>Sébastien Besson</b> Lévy Kaufmann-Kohler, Geneva
		<b>Harold Frey</b> Lenz & Staehelin, Zurich
9:10 - 10:20	PANEL 1 – CONFLICTING ASSUMPTIONS AND EXPECTATIONS ON THE ROLE OF EXPERT EVIDENCE IN ARBITRATION	MODERATION:
		<b>Michael E. Schneider</b> LALIVE, Geneva
	The general role of experts and the scope of expert evidence	SPEAKERS:
	Duties of the expert to the tribunal (and-) or to	<b>Christopher Harris</b> 3VB, London
	the client	Dr. Christopher Boog
	Power and duty to investigate the facts	Schellenberg Wittmer, Zurich
	Ethical duties of experts and those interacting with them	<b>James Nicholson</b> FTI Consulting, Inc., Paris
10.00 10.15		

10:20 – 10:45 **Coffee Break** 



#### 10:45 - 13:00 PANEL 2 - INSTRUCTING EXPERTS

#### **MODERATION:**

Markus Wirth Homburger, Zurich

Instructions to party-appointed experts

Instructions to tribunal-appointed experts

**SPEAKERS:** 

**Eda Cerrahoğlu Balssen** Cerrahoğlu, İstanbul

Michael Young Quinn Emanuel, Paris

**Doug Hall** Smith & Williamson LLP, London

#### 13.00 –14:00 Lunch

#### 14.00 - 15:15 PANEL 3 - MANAGING EXPERTS DURING THE ARBITRAL PROCEEDINGS

Conflicting assumptions and expectations regarding the management of experts in the pre-hearing phase

Conflicting assumptions and expectations regarding the management of experts during the hearing

Specific issues relating to legal experts

#### 15.15 –15:45 **Coffee Break**

15:45 – 17:00 PANEL 4 –THE ASSESSMENT OF EXPERT EVIDENCE

Assessing opinions of tribunal appointed experts: how much room for the arbitrators?

What can be done in case of irreconcilable / conflicting opinions from the party appointed experts?

17:00 – 17:10 CLOSING REMARKS

#### MODERATION:

Wolfgang Peter Peter & Partners, Geneva

#### SPEAKERS:

Amanda Lees Simmons & Simmons, Singapore

Karsten Kristoffersen Bruun & Hjejle, Copenhagen

Bernhard Berger Kellerhals Carrard, Bern

#### MODERATION:

Natalie L. Reid Debevoise & Plimpton LLP, New York

#### **SPEAKERS**:

**Mélanie van Leeuwen** Derains & Gharavi, Paris

**Prof. Pierre Tercier** Fribourg

**Sophie Nappert** 3VB, London

Elliott Geisinger ASA President, Schellenberg Wittmer Ltd., Geneva



# ABOUT THE CONFERENCE

### Who should attend?

All professionals involved in dispute resolution: lawyers, arbitrators, corporate counsel, and academics.

### Sponsorship Opportunities

The ASA Conference and ASA Gala Dinner provides a meaningful opportunity to gain visibility and build partnerships within the global arbitration business network. For further information, please contact <u>alex.mclin@arbitration-ch.org.</u>

### **CPD/CLE** Credits

England/Wales, France (CNB), New York CLE and California MCLE credit may be available upon request. If applicable, please enquire at <u>info@arbitration-ch.org</u>.

### Join the ASA Conversation

ASA is becoming more active on LinkedIn and Twitter, and our network is growing, but we need your help. Use social media to network and stay in touch with ASA's activity. See who is attending the 2018 ASA Conference by searching the hash tag **#ASAConf2018** and even post your own thoughts or photos. Just use the handles **@ASAArbitration** (Twitter) and **@ASA - Swiss Arbitration Association** (LinkedIn) and follow, like and share.

## ABOUT THE ORGANIZERS

### ASA – Swiss Arbitration Association

The Swiss Arbitration Association (ASA) has over 1000 members, practitioners and academics engaged and/or interested in domestic and international arbitration, from Switzerland and abroad. ASA contributes to the development of arbitration law and practice through regular conferences and workshops, including this Annual Conference; the Arbitration Practice Seminar; ASA Local Group meetings; ASA below 40 events for young practitioners, and the publication of the ASA Bulletin, a renowned arbitration quarterly, and of the ASA Special Series. For more information and membership enquiries, see <u>www.arbitration-ch.org</u>.

### **Conference Organisation**

**Sébastien Besson**, Lévy Kaufmann-Kohler, Geneva **Harold Frey**, Lenz & Staehelin, Zurich