



Association Suisse de l'Arbitrage  
Schweiz. Vereinigung für Schiedsgerichtsbarkeit  
Associazione Svizzera per l'Arbitrato  
Swiss Arbitration Association



## **ASA Conference**

### **Shaping Arbitral Proceedings to Best Examine Quantum**

**3 February 2017**

**Hotel Président Wilson  
47, Quai Wilson  
1211 Geneva**

**PROGRAMME**

## Schedule at a glance

8:00-9:00	<b>COFFEE &amp; REGISTRATION</b>
9:00-12:30	<b>CONFERENCE</b>
12:30-13:45	<b>LUNCH</b>
13:45-17:10	<b>CONFERENCE</b>

## Conference Programme

9:00 – 9:10	<p><b>WELCOME ADDRESS</b></p> <p><b>INTRODUCTION TO THE CONFERENCE TOPIC</b></p>	<p><b>Elliott Geisinger</b> President of ASA – Swiss Arbitration Association, Schellenberg Wittmer Ltd, Geneva</p> <p><b>Marc Veit</b> LALIVE SA, Zurich</p>
9:10 – 10:20	<p><b>PANEL 1</b></p> <p><b>THE FUNCTION OF MONETARY RELIEF: ECONOMICS AND THE LAW</b></p> <p>Monetary Relief from a Law &amp; Economics Perspective</p> <p>The Impact of Applicable Law</p> <p>The Impact of Contract Terms</p> <p>Discussion (Panel and Floor)</p>	<p><b>Moderation:</b> <b>Christopher Boog</b> Schellenberg Wittmer Ltd, Singapore / Zurich</p> <p><b>Lukas Müller</b> Institute of Public Finance, Fiscal Law and Law and Economics, University of St. Gallen</p> <p><b>Georges Affaki</b> AFFAKI Avocats, Paris</p> <p><b>Nadja Jaisli Kull</b> Bär &amp; Karrer AG, Zurich</p>
10:20 – 10:45	<b>COFFEE BREAK</b>	

<p>10:45 – 12:30</p>	<p><b>PANEL 2</b></p> <p><b>MAKING GOOD WHAT SHOULD HAVE HAPPENED: “BUT-FOR” CLAIMS</b></p> <p>Typology of Cases and Typical Difficulties with “But-For” Claims</p> <p>Shaping Arbitral Proceedings to Deal with “But-For” Claims in Commercial Arbitration: the Lawyer’s View</p> <p>Shaping Arbitral Proceedings to Deal with “But-For” Claims in Investor-State Arbitration: the Lawyer’s View</p> <p>The Expert’s View on these Issues</p> <p>Discussion (Panel and Floor)</p>	<p><b>Moderation:</b> <b>Andrea Menaker</b> White &amp; Case, Washington, D.C.</p> <p><b>Gaëtan Verhoosel</b> Three Crowns LLP, London</p> <p><b>Klaus Reichert SC</b> Brick Court Chambers, London</p> <p><b>Isabelle Michou</b> Quinn Emanuel Urquhart &amp; Sullivan LLP, Paris</p> <p><b>Alexander Demuth</b> Alvarez &amp; Marsal, Munich</p>
<p>12.30 – 13:45</p>	<p><b>LUNCH</b></p>	
<p>13:45 – 15:15</p>	<p><b>PANEL 3</b></p> <p><b>MAKING GOOD ACTUAL EXPENSES</b></p> <p>Typology of Cases and Typical Difficulties when Dealing with Recovery of Actual Expenses</p> <p>Shaping Arbitral Proceedings to Deal with Recovery of Actual Expenses: the Lawyer’s View</p> <p>Shaping Arbitral Proceedings to Deal with Recovery of Actual Expenses: the Expert’s View</p> <p>Discussion (Panel and Floor)</p>	<p><b>Moderation:</b> <b>Vera Van Houtte,</b> Leuven</p> <p><b>Melissa Magliana</b> Homburger AG, Zurich</p> <p><b>Daniel Busse</b> Allen &amp; Overy, Frankfurt</p> <p><b>Ian Osbaldeston</b> Blackrockpm, London / Dubai</p>
<p>15.15 – 15:45</p>	<p><b>COFFEE BREAK</b></p>	

<p>15:45 – 17:00</p>	<p><b>PANEL 4</b></p> <p><b>WHERE QUANTUM DEPENDS ON INFORMATION POSSESSED ONLY BY THE RESPONDENT</b></p> <p>Typology of Cases and Typical Difficulties where Quantum Depends on Information Possessed Solely by the Respondent</p> <p>Shaping Arbitral Proceedings to Deal with Claims where Quantum Depends on Information Possessed Solely by the Respondent: the Lawyer's View</p> <p>Shaping Arbitral Proceedings to Deal with Claims where Quantum Depends on Information Possessed Solely by the Respondent: the Expert's View</p> <p>Discussion (Panel and Floor)</p>	<p><b>Moderation:</b> <b>Andrea Meier</b> Wartmann &amp; Merker, Zurich</p> <p><b>David Roney</b> Sidley Austin LLP, Geneva</p> <p><b>Bernd Ehle</b> LALIVE SA, Geneva</p> <p><b>John Biggart</b> Deloitte AG, Zurich</p>
<p>17:00 – 17:10</p>	<p><b>CLOSING REMARKS</b></p>	<p><b>Elliott Geisinger</b> Schellenberg Wittmer Ltd, Geneva</p>