

Center for Transnational Litigation, Arbitration and Commercial Law

Limits to Party Autonomy in International Commercial Arbitration

A conference organized and moderated by Franco Ferrari

September 17-18, 2015

New York University School of Law
The Lester Pollack Colloquium Room
245 Sullivan Street, 9th Floor
New York, NY 10012

Limits to Party Autonomy in International Commercial Arbitration

Thursday, September 17, 2015

- 3:00 p.m. - 3:15 p.m. **Franco Ferrari**
Introductory Remarks
- 3:15 p.m. - 3:45 p.m. **Andrea Carlevaris**
Limits to party autonomy and consent to arbitration rules
- 3:45 p.m. - 4:15 p.m. **Brian King**
Limits on the 'right' to appoint, and the rise of strategic challenges
- 4:15 p.m. - 4:45 p.m. Break
- 4:45 p.m. - 5:15 p.m. **George Bermann**
Limits to party autonomy in the composition of the arbitral tribunal
- 5:15 p.m. - 5:45 p.m. **Francesca Ragno**
Limits to party autonomy and arbitrability
- 5:45 p.m. - 6:15 p.m. **Stefan Kröll**
Limits to party autonomy in defining Kompetenz-Kompetenz

Friday, September 18, 2015

- 9:45 a.m. - 10:15 a.m. **Diego P. Fernández Arroyo**
Arbitrator's powers: the last frontier of party autonomy?
- 10:15 a.m. - 10:45 a.m. **Kevin Davis/Helen Hershkoff/Nathan Yaffe**
Private preference, public process: U.S. discovery in aid of foreign and international arbitration
- 10:45 a.m. - 11:15 a.m. **Giuditta Cordero-Moss**
The arbitral tribunal's power in respect of the parties' pleading as a limit to party autonomy

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Friday, September 18, 2015 (continued)

- 11:15 a.m. - 11:45 a.m. Break
- 11:45 a.m. - 12:15 p.m. **Luca Radicati di Brozolo**
Limits to party autonomy and the rules governing
the merits of the dispute
- 12:15 p.m. - 12:45 p.m. **Filip De Ly**
Limits to party autonomy and good faith and fair dealing
- 12:45 p.m. - 2:30 p.m. Break
- 2:30 p.m. - 3:00 p.m. **Inka Hanefeld**
Limits to party autonomy imposed by European mandatory law
- 3:00 p.m. - 3:30 p.m. **Friedrich Rosenfeld**
Limits to party autonomy to protect weaker parties
- 3:30 p.m. - 4:00 p.m. **Linda Silberman/Maxi Scherer**
Limits to party autonomy at the post-award stage