

Exceptionalism in International Commercial Arbitration

Wednesday,
April 24, 2024
FH 900, 245
Sullivan St.,
New York

Arbitrability, Arbitration Clauses in Adhesion Contracts, Competence-Competence, Constitutional Review of Arbitral Awards, Deference to Decisions Annulling an Award, Deference to Decisions Upholding an Award, Duty of Disclosure, Extension of Arbitration Agreements to Non-Signatories, Resort to the forum non conveniens doctrine at the Enforcement Stage, and Pre-Arbitration Requirements

4.30 pm – 8:00 pm NY

This in-person conference will focus on issues which characterize certain arbitration regimes and distinguish them from other ones, thus rendering them "exceptional". The issues to be addressed include, but are not limited to, the ones listed above.

MODERATOR

Franco Ferrari

BIOS

SPEAKERS

Rafael Alves is an independent arbitrator and a Professor of Practice at Brooklyn Law School, where he teaches courses on international commercial arbitration and international litigation and coaches the Brooklyn Willem C. Vis International Commercial Arbitration Moot team. He retired from Sidley Austin LLP in December 2020, where he had been a partner and a co-leader of the firm's global international arbitration practice. During his years of practice, Mr. Kimmelman acted as lead counsel in international commercial arbitration and investor-state disputes and served as an arbitrator in international disputes. He currently serves as Chair of the New York International Arbitration Center

Jessica Beess und Chrostin is a Partner in the International Disputes group of King & Spalding LLP based in New York. Jessica's practice focuses on complex international dispute resolution, with particular expertise in high-stakes commercial and investor-state disputes, and global award enforcement. She regularly represents clients in disputes in the infrastructure, oil and gas, mining, and renewable energy sectors, and has significant experience in real estate, construction, and telecommunications disputes. Jessica is a prolific author and often speaks on topics relating to international dispute resolution and has been recognized, inter alia, by IFLR Americas as a Rising Star in Commercial Arbitration, and by WWL as a Future Leader in International Arbitration.

Caroline Kleiner is Professor of Law at Université Paris Cité (ex Paris Descartes), specialising in international commercial arbitration law, private international law and international banking and finance law. She is the scientific director of the Banking and Financial Law Encyclopedia Jurisclasseur. Caroline's research focuses on international commercial arbitration, crypto-currencies and central bank digital currencies, and the impact of international sanctions on international contracts and litigation. Caroline, a prolific author, is a member of various expert groups on topics relating to international finance, and two expert groups of the HCJP (Haut Comité Juridique de la Place financière de Paris) on the legal nature of money and on crypto-assets and conflict of laws).

Julio Rivera Jr. is a partner in the complex litigation and arbitration department of Marval O'Farrell Mairal in Buenos Aires. Julio's practice focuses on complex cross-border disputes, international arbitration and insolvency law. Julio has represented clients in a wide array of complex international commercial arbitrations under ICC, UNCITRAL and ICSID Rules, involving the oil & gas industry, M&A transactions, construction disputes and electricity-related matters. He has been recognized by Chambers & Partners Latin America as a leading lawyer in Dispute Resolution in Argentina. Julio is also a Professor at the University of San Andres and a Global Adjunct Professor at NYU. He is the author of several books and articles on international arbitration

Friedrich Rosenfeld is a Partner at Hanefeld, a dispute resolution boutique with offices in Hamburg and Paris. He acts as counsel in international arbitrations with a focus on construction, post-M&A, commercial and investment disputes. In addition, he has been arbitrator in cases involving a range of applicable substantive laws and seats (e.g. Austria, Denmark, England, France, Germany, Greece, Israel, Northern Macedonia, Switzerland, and the United States). His expertise is recognized in international rankings. Friedrich is also Global Adjunct Professor of Law at NYU Paris, Lecturer at Bucerius Law School in Hamburg as well as Honorary Professor at the International Hellenic University in Thessaloniki. He has authored various books on international arbitration, which have been published in English, French, Spanish and Portuguese. Friedrich holds a PhD in international law (summa cum laude).

mel leads the International Litigation & Arbitration practice of Foley Hoag's New York office. Daniel has served as Chair, Sole Arbitrator, Co-Arbitrator, Emergency Arbitrator, Appellate Arbitrator, and counsel in international arbitrations arising from a broad range of contracts and transactions. He has served as Chair and emergency arbitrator in disputes in excess of \$350 million. He has served as arbitrator in six expedited arbitrations, international monetary, banking and financial law. He also acts as legal expert in international proceedings and as arbitrator in commercial cases.

Dennis Solomon is Professor of Civil Law, Private International Law and Comparative Law at the University of Passau Faculty of Law, Germany, and the Managing Director of its Institute for International and Foreign Law. Dennis studied Law in Passau and Berkeley and obtained tenure as Professor of Law at the Eberhard Karls Universität Tübingen, Germany, in 2005. He later joined the Faculty of Law of the University of Passau in 2008. Professor Solomon holds an honorary doctorate from the University of Kragujevac, Serbia. Professor Solomon's main areas of research, teaching and publication are private international law, international civil procedure, and arbitration. He regularly advises German courts on the application of foreign law.