



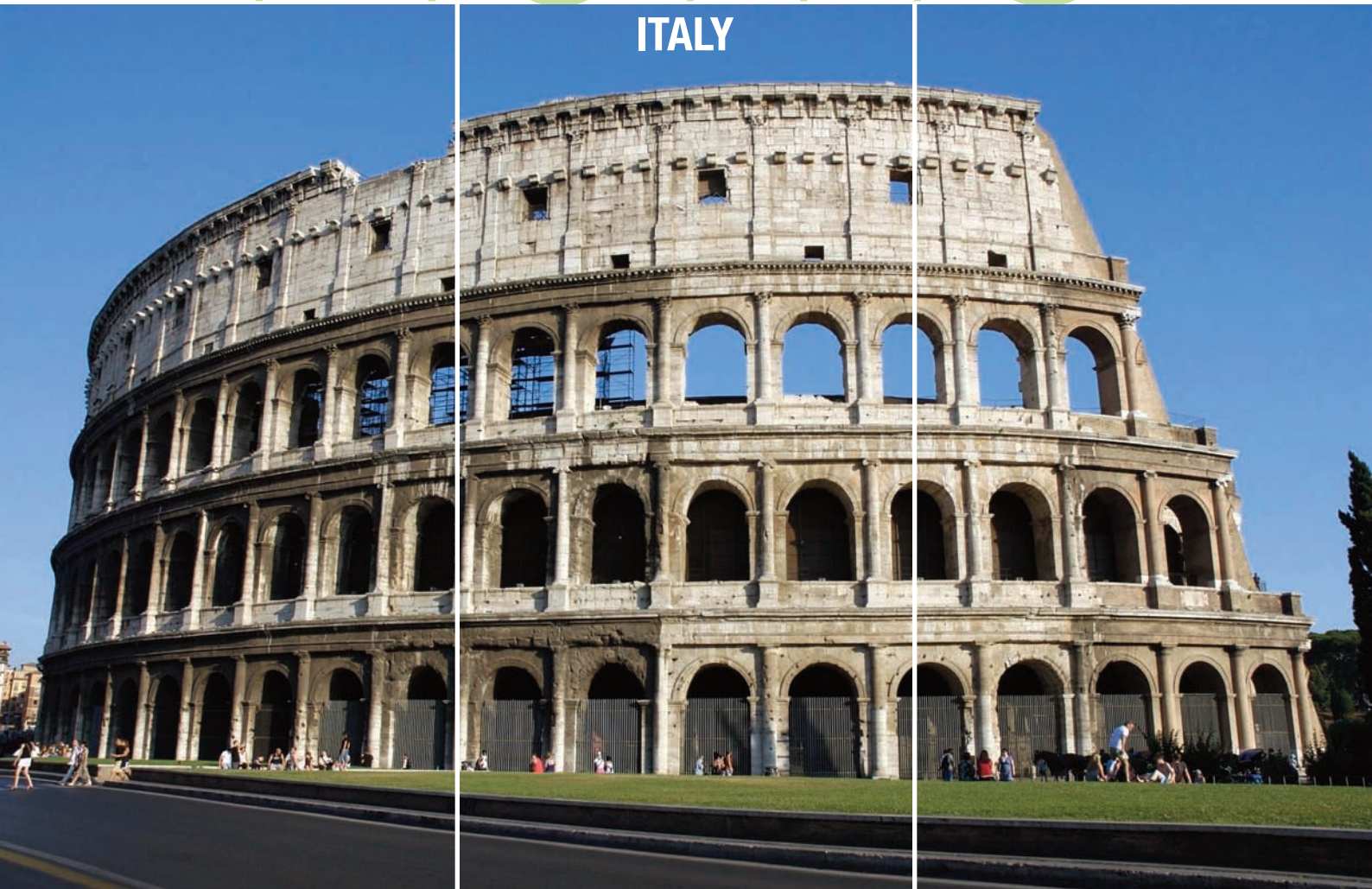
Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados



Rome

Friday, June 18, 2010

ITALY



Summary Proceedings in International Arbitration

Seminar jointly organised by the UIA Arbitration Commission and
Arbit, the Italian Forum for International Arbitration and ADR



Consiglio Nazionale Forense

Introduction

The UIA is proud to present its seminar on summary proceedings in international arbitration, organised in Rome jointly with Arblt, the Italian Forum on International Arbitration and ADR.

The separation of the state courts' and of the arbitrators' respective spheres of competence, which is uncontroversial with respect to the merits of a dispute, is much more problematic in relation to summary proceedings, i.e. proceedings aimed at obtaining a rapid decision on one or more aspects of dispute. Whether, and to what extent, arbitral tribunals and state courts have jurisdiction to hear applications for summary judgments in the presence of an arbitration agreement on merits of the dispute, is one of the major problems of international arbitration, and the solutions adopted differ significantly from one jurisdiction to another.

The focus of the seminar will be on the various procedural tools available to parties who seek summary relief in international arbitration and on the distinction between the respective jurisdictions of state courts and arbitral tribunals with respect to each of these procedural tools.

The programme will be sub-divided in four sessions. In each session three experienced practitioners will present their point of view on the topics discussed.

The first session will be devoted to provisional and conservatory measures in international arbitration. Are arbitrators empowered to order interim relief? If so, what measures can they order? Can state courts issue provisional and conservatory measures when parties have entered into an arbitration agreement? How can arbitral interim

measures be enforced before state courts? Are the rules and principles applicable to international commercial arbitration also applicable to investment arbitration between States and private parties, or does a specific regime exist for this type of arbitration? These, among others, will be the issues debated during this session.

The second session will deal with the situation in the few jurisdictions which prevent arbitrators from ordering interim relief. This is notably the case of Italy, where interim relief is still reserved to the judiciary. Italian experts will discuss the effects and the precise scope of this prohibition.

In the third session procedural aspects of summary proceedings will be examined. International practitioners will deal with the nature and content of the rules governing summary proceedings before an arbitral tribunal. The availability of ex parte relief and of the summary disposition of claims will also be in the focus.

The concluding session will be devoted to the experience of several arbitral institutions which have adopted specific rules to govern summary proceedings (the "Pre-Arbitral Referee Procedure" of the International Chamber of Commerce, the summary arbitral proceedings of the Netherlands Arbitration Institute, and the procedure for the adoption of interim measures under the Code of the Court of Arbitration for Sport).

This programme is intended to be interactive and focused on practical issues. At the end of each session participants will have an opportunity to express their point of view and to discuss the various topics with the panellists.

The seminar will afford participants a unique opportunity to enjoy the Eternal City during one of the best periods of the year.



19:00

WELCOME COCKTAIL

Hosted by **Bonelli Erede Pappalardo Studio legale**

Via Salaria 259

00199 Rome



Friday, June 18

08:30 - 09:15

REGISTRATION OF PARTICIPANTS

Cassa Nazionale Forense
Auditorium, Via G.G. Belli 3
00193 Rome

09:15 - 09:30

Welcome and Opening of the Seminar

Corrado DE MARTINI, *UIA President, Rome, Italy*
Domenico DI PIETRO, *Co-Chair of Arblt, Rome, Italy*

SESSION 1: Provisional and Conservatory Measures in International Arbitration

09:30 - 09:40

Introduction

Moderator:
Peter TURNER, *Freshfields Bruckhaus Deringer LLP, Paris, France*

09:40 - 10:00

The Concurrent Jurisdiction of Arbitral Tribunals and State Courts

Sébastien BESSON, *Python & Peter, Geneva, Switzerland*

10:00 - 10:20

The Enforcement of Arbitral Interim Measures

Andrea CARLEVARIS, *Bonelli, Erede, Pappalardo Studio Legale, Rome, Italy*

10:20 - 10:40

Interim Measures in Investment Arbitration

Luis PARADELL, *Freshfields Bruckhaus Deringer, Rome, Italy*

10:40 - 11:00

Question Round

11:00 - 11:30

COFFEE BREAK

SESSION 2: State Courts' Exclusive Jurisdiction to order Conservatory and Provisional Measures: The Italian Experience

11:30 - 11:40

Introduction

Moderator:
Cecilia CARRARA, *Legance Studio Legale Associato, Rome, Italy*

11:40 - 12:00

The Prohibition to order Interim Relief and its Effects

Andrea BANDINI, *Rome, Italy*

12:00 - 12:20

Arbitration and Judicial Summary Proceedings: Conflict of Jurisdictions

Angelo ANGLANI, *Ughi e Nunziante, Rome, Italy*

12:20 - 12:40

The Enforcement of Foreign Summary Decisions in Jurisdictions that forbid Arbitral Summary Decisions

Ferdinando EMANUELE, *Cleary Gottlieb Steen & Hamilton LLP, Rome, Italy*

12:40 - 13:00

Question Round

13:00 - 14:30

LUNCH at Alle Due Fontanelle

Via F. Cesi 23, Rome

SESSION 3: The Summary Procedure

14:30 - 14:40

Introduction

Moderator:
Félix MONTERO, *Perez Llorca, Madrid, Spain*

14:40 - 15:00

The Rules Applicable to the Summary Procedure

Eduardo SILVA ROMERO, *Dechert LLP, Paris, France*

15:00 - 15:20

Ex Parte Interim Measures

Joachim KUCKENBURG, *Kuckenburg Bureth, Paris, France*

15:20 - 15:40

Summary Disposition of Claims in International Arbitration

Patricia Ann PETERSON, *Linklaters, Paris, France*

15:40 - 16:00

Question Round

16:00 - 16:30

COFFEE BREAK

SESSION 4: Summary Proceedings under Institutional Rules

16:30 - 16:40

Introduction

Moderator:
Stefano AZZALI, *Secretary-General, Milan Chamber of National and International Arbitration, Milan, Italy*

16:40 - 17:00

The ICC Rules for Pre-arbitral Summary Proceedings

Denis BENSUADE, *Paris, France*

17:00 - 17:20

The NAI (Netherlands Arbitration Institute) Summary Arbitral Proceedings

Filip DE LY, *Erasmus University School of Law, Utrecht, The Netherlands*

17:20 - 17:40

Provisional Measures under the CAS Code

Massimo COCCIA, *Coccia De Angelis & Associati, Rome, Italy*

17:40 - 18:00

Question Round

18:00

END OF THE SEMINAR

20:00

Optional Dinner

Restaurant Gusto

Piazza Augusto Imperatore, 7
00186 Rome

Organising Committee

Peter TURNER

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General Information

VENUE OF THE SEMINAR

Cassa Nazionale Forense

Auditorium
Via G.G. Belli 3
00193 Rome

REGISTRATION FEES

	UIA Member	Non Member
Standard Registration	240 €	280 €
Young Lawyers (<35)*	200 €	240 €
Italian Lawyers	200 €	

* Please attach proof of age to the registration form to benefit from young lawyers fee.

These fees cover participation in the seminar, coffee breaks, lunch on Friday, June 18, 2010, as well as seminar papers on CD-Rom. The Welcome Reception on Thursday night, June 17, 2010 is complimentary as it is sponsored by Bonelli, Erede, Pappalardo Studio legale. The dinner is optional and at additional charge. Please note that the number of places at the seminar is limited. The organisers reserve the right to refuse registrations in the event of excess applications.

CONTINUING LEGAL EDUCATION

Every participant attending the seminar will receive a "Certificate of Participation" at the end of the event, that may be used for obtaining "Credits" for "Continuing Legal Education" - "Continuing Professional Development" purposes, depending on national rules. For more information, please contact the UIA Paris office.

LANGUAGES

The working language will be English. There will be no simultaneous translation.

HOTEL ROOM RESERVATION

A limited number of rooms have been pre-booked, at a preferential rate at the hotels listed below. Reservations should be made directly through the hotel. Please download the hotel reservation form from our website: www.uianet.org. Credit card details must be given in order to secure your reservation. Please note that room numbers are limited, we recommend that you proceed with your reservations as soon as possible.

Hotels		Rates
Grand Hotel Plaza (5*) 00186 Rome – Italy T + 39 06 699 211 11 F + 39 06 699 41575 E plaza@grandhotelpiazza.com	Single Room Double Room	219 € 308 €
breakfast and taxes included Please download the hotel reservation form from our website: www.uianet.org		
Hotel Farnese Roma (4*) Via A. Farnese, 30 Rome – Italy T +39 06 321 25 53 F +39 06 321 51 29 E info@hotelfarnese.com	Single / Double Room	210 €
breakfast and taxes included Please download the hotel reservation form from our website: www.uianet.org		
Hotel Arcangelo Roma (3*) Via Boezio, 15 Rome – Italy T +39 06 687 41 43 F +39 06 689 30 50 E info@hotelarcangeloroma.it	Single Room Double Room	120 € 180 €
breakfast and taxes included Please download the hotel reservation form from our website: www.uianet.org		

NOTE

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the seminar, change its venue or any other published details.

UIA

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R o m e

Summary Proceedings in International Arbitration

Friday, June 18, 2010

ITALY

REGISTRATION FORM

Register online at:

www.uianet.org

Please complete and return this form **before June 4, 2010**, by fax, post or email, to:

UNION INTERNATIONALE DES AVOCATS

25, rue du Jour 75001 Paris, France ♦ Tel: +33 1 44 88 55 66 ♦ Fax: +33 1 44 88 55 77 ♦ Email: uiacentre@uianet.org

UIA INDIVIDUAL MEMBERS

Please specify your membership number (Please check your membership card or membership fees):

MI _ _ _ _ _

Family Name :

First Name :

Firm :

Address :

Post Code :

City :

Country :

Tel : Fax :

E-mail :

Date of Birth :

A. SEMINAR REGISTRATION FEES

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