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LITIGATION & ARBITRATION CONFERENCE

2017



About The Workshop

The last decade has seen arbitration in India flourish, with more and more users turning to **arbitration** rather than **litigation** as a means to resolving their commercial disputes.

Parties' desire quicker, cheaper and private alternatives to the courts, and **arbitration** is increasingly being adopted as the method of choice where disputes concern land, property and the built environment.

Mediation and Negotiation skills will be core competencies of the next generation of managers and lawyers.

Achromic Point is holding this workshop with a renewed focus on a number of strategic dispute resolutions issues, including the impact of civil justice reform on commercial clients, choice of court agreements and specialist sessions on conjoined regulatory, civil and criminal fraud claims.

The theme of this one day workshop, will relate to the business that the courts hear daily from the convergence of regulation, criminal law and commercial **litigation** in major industries, to the growing importance of data protection, privacy and cyber security issues.

This workshop provides expert guidance on some of the most recent developments and current trends in the area of International and Domestic **Arbitration**.

This workshop offers the opportunity to build relationships, knowledge, understanding and commercial awareness of the key developments in the fast moving field of law.



Benefits of Attending

- ✓ Learning about recent trend and update in the area of International Arbitration
- ✓ Topical Discussion with leading arbitration experts
- ✓ Provides the tools necessary to combat the changes and challenges in this ever expanding field.
- ✓ Provides a global perspective on current key issues in cross-border litigation and commercial dispute resolution.
- ✓ Ideal platform for practitioners to exchange thoughts and ideas on arbitration.

Who should attend

- ✓ Head Legal
- ✓ In House Counsel
- ✓ General Counsel/Legal Counsel
- ✓ Company Secretary
- ✓ Advocates & Attorneys
- ✓ Corporate Lawyers/Legal Practitioners

Drafting Arbitration Clauses

How to draft a good arbitration clause
Pitfalls to be aware of

Arbitration: Procedure

Overview of the key procedural steps in an arbitration (to the issue of an award), including:

- ✓ Commencing the arbitration
- ✓ Constituting the tribunal
- ✓ Interim relief
- ✓ Conduct of the proceedings

The role of arbitration institutions

Enforcing your rights

How, when and where to challenge an award
The impact of challenging an award
How, when and where to enforce an award
The grounds for opposing enforcement, including the concept of public policy

Litigation: Including the impact of the Commercial Courts Act on arbitration

Part I: Litigation v. Arbitration (Pros and Cons): Factors to consider in the choice between litigation and arbitration

Part II: Overview of litigation procedure (up to the appellate stage)

- ✓ Timeframe for litigation (time consuming)
- ✓ Execution of judicial orders

Part III: Introduction to Commercial Courts (jurisdiction, objective of the courts, timelines, etc) and impact on arbitration

Judicial Intervention in Arbitral Proceedings

Introduction to investment treaty rights and investor-state dispute settlement

(Panel Discussion/Seminar)

Discussion on the evolving nature of arbitration in India (including institutionalization of arbitration, formation of an arbitration bar, Justice Srikrishna report)

SPEAKER PROFILE



Shreyas Jayasimha is an Advocate at Aarna Law. He read law at National Law School of India University and was a Chevening Scholar at the University of Warwick and enrolled as an Advocate in 2000. Shreyas has conducted several complex trials, has appeared before several High Courts and the Supreme Court and

international and domestic arbitral tribunals and mediation fora. He is also trained as a mediator and has been appointed arbitrator.

Shreyas is a member of the LCIA Asia Pacific Users Council and is one of five Asia regional representatives for the ICC Young Arbitrators Forum. Shreyas' practice areas include litigation and dispute resolution, company law, constitutional law, intellectual property, real estate and technology law amongst others.

SHREYAS JAYASIMHA

*Advocate
Aarna Law*



Mr. M.R. Prasanna (Pras), a native of Mysore, holds a Master's Degree in Law from the University of Mysore and is a Gold Medalist.

After being an independent Counsel for about 7 years he worked as Head of the Legal function for over 28 years with

different organizations like Alfa Laval, Brooke Bond India Limited (now part of Hindustan Unilever).

He was the Chief Legal Officer of Larsen & Toubro Limited, Mumbai for seven years.

For about 12 years, Pras was the General Counsel of the Aditya Birla Group, spearheading mergers and acquisitions.

Since May 2010, Pras has relocated to Bangalore as an Independent Consultant primarily for corporates, advising them on a variety of corporate transactions, mergers and acquisitions.

Pras has been and continues to be a Director on the Boards of many of the Aditya Birla Group Companies both in India and abroad. He also serves as a Director on the Boards of Indian Companies.

M. R. PRASANNA

*Formerly Group General Counsel
Aditya Birla Group &
Independent Consultant*

Sheila Ahuja is Of Counsel in Allen & Overy's Global Arbitration group based in the Hong Kong office. She has advised on a wide range of arbitration matters involving various jurisdictions such as Hong Kong, Singapore, England and Wales, the Philippines, the PRC and, in particular, India.

She has also advised on various arbitration-related litigation proceedings, particularly in India. Her recent experience includes appearing as an advocate in Singapore-seated arbitration proceedings in respect of refund guarantees worth USD95 million issued by two semi-nationalised Indian banks.

Sheila spent six months working at a leading International Indian Law Firm in 2011, working closely with their dispute resolution team on various India-related arbitration matters.

SHEILA AHUJA

*Of Counsel - Global Arbitration group
Allen & Overy*



Shreya Aren is an associate in Allen & Overy's International Arbitration group based in the London office. She studied law at the National Law School of India University, Bangalore and is admitted to practice in England & Wales and India.

She has acted for a range of banking, corporate and State clients in cross-border commercial and investment treaty arbitrations under the ICSID, UNCITRAL, ICC and LCIA rules as well as under the English Arbitration Act 1996.

Shreya also spent six months in Allen & Overy's Abu Dhabi Finance practice working with clients in the projects sector.

SHREYA AREN

*Associate – International Arbitration
Allen & Overy, London*



SPEAKER PROFILE



Arun Mal is a Registered Foreign Lawyer in Allen & Overy's International Arbitration group based in the Hong Kong office. He studied law at the West Bengal National University of Juridical Sciences, Kolkata and is admitted to practice in England & Wales and

India.

He has acted in cross-border commercial and investment treaty arbitrations under the ICSID, UNCITRAL, ICC and HKIAC rules and has experience in disputes in the automobiles, finance and energy sectors. He has worked on disputes involving various jurisdictions including England & Wales, India, the Philippines and Taiwan.

Arun also spent six months at the International Swaps and Derivatives Association's London office.

ARUN MAL

*Registered Foreign Lawyer (England & Wales)
International Arbitration
Allen & Overy, Hong Kong*



Rick Gal is a London-based Senior Associate in Allen & Overy's International Arbitration Group. He specialises in international commercial and investment treaty arbitration and has acted for a range of corporate and State clients in cross-border commercial and investment

treaty arbitrations under the major institutional rules, including the ICC, LCIA, UNCITRAL, CIArb and ICSID Arbitration Rules.

Rick also has experience of litigation before the English and Indian courts, acting in administrative proceedings and providing advice to transactional colleagues. He obtained his higher rights in 2015.

Rick is currently advising two corporate clients in a London seated commercial arbitration with an Indian nexus and has recently advised a Southern Asian State in separate ICSID, ICC and CIArb arbitrations against two separate investors.

Rick spent one year on secondment to the Singapore office of Allen & Overy and six months on secondment at an Allen & Overy associated office in Romania. He studied law at Fitzwilliam College, Cambridge University.

RICK GAL

*Senior Associate – International Arbitration
Allen & Overy, London*

Kirtan Prasad is an associate in Allen & Overy's international arbitration practice and is qualified to practice in Singapore and New York. Kirtan practiced in Singapore for a number of years and has been on long-term secondment to the London office since June 2016.



Kirtan graduated in law from the National University of Singapore and has a masters in International Legal Studies from New York University.

She primarily works on cross-border commercial disputes, but also has experience in the investment treaty sphere. Kirtan has significant experience working on India related matters, in particular in the finance and automobile industry sectors. In addition, she has experience in disputes involving jurisdictions including Japan, England, Indonesia, the UAE, Myanmar, the Netherlands and Croatia, under the ICC, SIAC, SCMA, DIAC and ICSID Rules.

KIRTAN PRASAD

*Associate – International Arbitration
Allen & Overy, London*

REGISTRATION

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