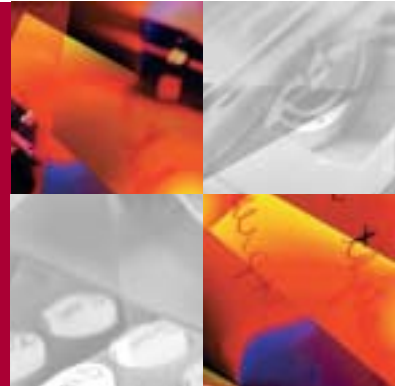


International Commercial Arbitration: Natural Resources, Environment and Technology Disputes



Presented by the Canadian Bar Association's National International Law Section and the Continuing Legal Education Committee

In collaboration with:
INTERNATIONAL CHAMBER OF
COMMERCE (ICC) INTERNATIONAL COURT OF
ARBITRATION

June 26, 27, and 28, 2005
Four Seasons Hotel
Vancouver B.C.



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The Canadian Bar Association is pleased to present the 5th Annual International Commercial Arbitration Conference in Canada, in collaboration with the International Court of Arbitration of the International Chamber of Commerce.

Natural resources, environment, and technology are three major business sectors in today's global market. Whilst each sector has its own characteristics, distinctions and challenges, all three share a common threat - complicated multi-party disputes. Businesses cannot afford to ignore these key sectors and the tools available for dealing with the disputes that are an inevitable part of international commercial transactions. This year's International Commercial Arbitration Conference will inform the Canadian and international business world of issues and developments in dispute resolution relating to these important sectors. For this purpose, the Canadian Bar Association has joined hands with the world's leading international arbitration institution, the ICC International Court of Arbitration. During its 80-year history, the ICC International Court of Arbitration has acquired unrivalled experience in administering international arbitrations, many of which concern the above sectors.

The conference program offers comprehensive coverage of disputes in the mining, environmental and technology sectors, by distinguished international lawyers, including speakers with expertise in these sectors. The program will be of relevance to all commercial lawyers, in-house counsel, industry representatives, insurers and their representatives and anyone interested in international dispute resolution.



Program

SUNDAY, June 26, 2005

6:00 p.m. – 7:30 p.m. **Cocktails** for all registered delegates and speakers
 sponsored by *Davis & Company*
Event to be held in the Oak Room of the Four Seasons Hotel, Vancouver

MONDAY, June 27, 2005

7:45 a.m. – 8:30 a.m. **Registration**

7:45 a.m. - 8:30 a.m. **Continental Breakfast** for all registered delegates and speakers
 sponsored by *Baker & McKenzie*

8:30 a.m. – 9:00 a.m. **Welcome and Introductions**

Babak Barin, *Osler, Hoskin & Harcourt LLP, Montreal*
Lorraine M. Brennan, *ICC International Court of Arbitration, New York*
Henri Alvarez, *Fasken Martineau DuMoulin LLP, Vancouver*
Edward C. Chiasson Q.C., *Borden Ladner Gervais LLP, Vancouver*

9:00 a.m. – 9:20 a.m. **An Overview of the ICC Dispute Resolution System**

Lorraine M. Brennan, *ICC International Court of Arbitration, New York*

9:20 a.m. – 9:30 a.m. **Questions & Answers**

9:30 a.m. – 10:15 a.m. **Distinctive Features of Disputes Involving Natural Resources, the Environment and Technology**

Moderator – **Earl A. Cherniak, Q.C.**, *Lerners LLP, Toronto*

M. Scott Donahey, *Tomlinson Zisko LLP, Palo Alto, California*
J. Brian Casey, *Baker & McKenzie LLP, Toronto*
Gerry Ghikas Q.C., *Borden Ladner Gervais LLP, Vancouver*
R. Doak Bishop, *King & Spalding LLP, Houston*

10:15 a.m. – 10:30 a.m. **Questions & Answers**

10:30 a.m. – 10:45 a.m. **Refreshment Break**

10:45 a.m. – 11:30 a.m. **Drafting the Dispute Resolution Clause**

Moderator – **Geoffrey Cowper Q.C.**, *Fasken Martineau DuMoulin LLP, Vancouver*

Mark Kantor, *Washington, D.C.*
Louis B. Kimmelman, *O'Melveny & Myers LLP, New York*
Stephen L. Drymer, *Ogilvy Renault LLP, Montreal*
Randy Pepper, *Osler, Hoskin & Harcourt LLP, Toronto*

11:30 a.m. – 11:45 a.m. **Questions & Answers**

11:45 a.m. – 1:45 p.m. **Lunch** for all registered delegates and speakers
 sponsored by *Torys LLP*
Event to be held in the Seasons Room of the Four Seasons Hotel, Vancouver

Guest Speaker – To be determined

1:45 p.m. – 2:30 p.m.

Advocacy in International Commercial Arbitration

Moderator – **Babak Barin**, *Osler, Hoskin & Harcourt LLP, Montreal*

John J. Buckley, Jr., *Williams & Connolly LLP, Washington, D.C.*

Paul D. Friedland, *White & Case LLP, New York*

John Lorn McDougall, Q.C., *Fraser Milner Casgrain, Toronto*

John Keefe, *Goodmans LLP, Toronto*

2:30 p.m. – 2:45 p.m.

Questions & Answers

2:45 p.m.– 3:00 p.m.

Refreshment Break

3:00 p.m. – 3:45 p.m.

**Resolution of Natural Resources, Environmental and Technology Disputes:
Corporate Counsel Perspective (Part I)**

Moderator – **Henri Alvarez**, *Fasken Martineau DuMoulin LLP, Vancouver*

Michael Macdonald, *Methanex Corporation, Vancouver*

Dean M. Moesser, *Duke Energy Corporation, Houston*

Deborah E. Nesbitt, *Raytheon Canada Limited, Vancouver*

3:45 p.m. – 4:00 p.m.

Questions & Answers

4:00 p.m. – 4:45 p.m.

**Resolution of Natural Resources, Environmental and Technology Disputes:
Corporate Counsel Perspective (Part II)**

Moderator – **Edward C. Chiasson, Q.C.**, *Borden Ladner Gervais LLP, Vancouver*

J. Donald Rose, *Placer Dome Inc., Vancouver*

Representative from **Powerex** (invited)

Representative from **Teck-Cominco** (invited)

4:45 p.m. – 5:00 p.m.

Questions & Answers

5:00 p.m. – 6:30 p.m.

Cocktails for all registered delegates and speakers
sponsored by **McCarthy Tétrault LLP**

Event to be held in the Garibaldi Room of the Four Seasons Hotel, Vancouver

7:00 p.m.

(Boarding at 6:30 p.m.)

Dinner/Cruise - for ticket holders only.

It's like dining in a restaurant which looks out onto all of Vancouver's finest views. Enjoy a 2.5 hour leisurely cruise past the downtown skyline, the cruise ship terminal of Canada Place, the Mountains behind the North Shore, the West Vancouver shoreline and more. Take in the sights and sounds of the city as you enjoy live music and delicious West Coast-themed cuisine. You'll have the best spot in Vancouver to watch the sun slowly disappear into the Pacific Ocean.

Please refer to the registration form to purchase your ticket.

(Tickets must be purchased in advance and are non-refundable)

Program

TUESDAY, June 28, 2005

8:30 a.m. - 9:00 a.m. **Continental Breakfast** for all registered delegates and speakers
sponsored by *Baker & McKenzie*

9:00 a.m. – 9:45 a.m. **Obtaining Interim Relief**

Moderator – **M. Christie Helmer, P.C.**, *Miller Nash LLP, Portland*

David B. Wilson, *Holme Roberts & Owen, LLP, Denver*

Barry H. Garfinkel, *Skadden, Arps, Slate, Meagher & Flom LLP, New York*

Kent E. Thomson, *Davies Ward Phillips & Vineberg LLP, Toronto*

Sally A. Harpole, *Hong Kong*

9:45 a.m. – 10:00 a.m. **Questions & Answers**

10:00 a.m. – 10:45 a.m. **Special Considerations When a State is a Party**

Moderator – **The Honourable Marc Lalonde, P.C., O.C., Q.C.**, *Stikeman Elliott LLP, Montreal*

Professor Jack J. Coe, Jr., *Pepperdine University, California*

Eduardo Silva Romero, *Coudert Frères, Paris*

Barry A. Leon, *Torys LLP, Toronto*

The Honourable Benjamin J. Greenberg, Q.C., *Stikeman Elliott LLP, Montreal*

10:45 a.m. – 11:00 a.m. **Questions & Answers**

11:00 a.m. – 11:15 a.m. **Refreshment Break**

11:15 a.m. – 12:00 p.m. **Recent Developments and Future Trends**

Moderator – **Julie Bedard**, *Skadden, Arps, Slate, Meagher & Flom, LLP, New York*

Claus von Wobeser, *Von Wobeser y Sierra SC, Mexico*

Lorraine M. Brennan, *ICC International Court of Arbitration, New York*

Simon V. Potter, *McCarthy Tétrault LLP, Montreal*

Frank S. Borowicz Q.C., *Davis & Company, Vancouver*

12:00 p.m. – 12:15 p.m. **Questions & Answers**

12:15 p.m. – 12:30 p.m. **Closing Remarks**

Nancy M. Thevenin, *ICC International Court of Arbitration, New York*

Henri Alvarez, *Fasken Martineau DuMoulin LLP, Vancouver*

Edward C. Chiasson Q.C., *Borden Ladner Gervais LLP, Vancouver*

Babak Barin, *Osler, Hoskin & Harcourt LLP, Montreal*



This program has been accredited by the Specialty Committee of the Law Society of Upper Canada towards the professional development requirements for certification : 11 hours.

For more information please consult the link below to Law Society web page relating to the Certified Specialist Program/CLE Accreditation.
www.lsuc.on.ca/services/services_specialist_intro_en.jsp

Registration Form

ACCOMMODATION

Four Seasons Hotel
791 West Georgia Street, Vancouver V6C 2T4
Tel.: (604) 689-9333
Fax: (604) 844-6744
E-mail: vcr.reservations@fourseasons.com
Web-site: <http://www.fairmont.com/hotelvancouver/>

HOTEL RESERVATION

Cut off date for convention rate: May 23, 2005
Please contact the hotel directly and refer to the CBA Arbitration Conference to obtain the preferred rate.

TRAVEL

Air Canada is the official carrier for all our CBA meetings. For travel assistance, please call the CBA's travel agent, Algonquin Travel at 1-866-216-1251 or Air Canada at 1-800-361-7585, and quote CBA Account # CV053441. By ensuring that this Special CBA Account Number appears on your ticket, regardless of the fare purchased, you will help support your organization financially, and we thank you.

TO REGISTER

BY MAIL: Send cheque or money order made payable to the Canadian Bar Association or pay by credit card (Visa or MasterCard) together with this registration form to:

Carole Roussel, CLE Program Coordinator,
Canadian Bar Association
865 Carling Avenue, Suite 500
Ottawa, Ontario, K1S 5S8 or

BY FAX: (613) 237-0185.

PAYMENT MUST BE RECEIVED WITH THE COMPLETED REGISTRATION FORM.

REFUND POLICY:

There will be an administrative charge of \$53.50 (\$50.00 + GST) for any cancellation received in writing prior to **May 18th, 2005**. No refund will be given after **May 18th, 2005**. There will be no refunds for "no shows". The program material will be shipped within 10 days after the program to those unable to attend.

INFORMATION

For further information about this programme, please contact **Carole Roussel** at the CBA National Office by telephone at **613-237-2925** or **1-800-267-8860** or by e-mail caroler@cba.org

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For updates on the program please visit our web-site at www.cba.org/CBA/CLE

YES, Please register me for:

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	FEE	GST	TOTAL
<input type="checkbox"/> CBA Members	\$545.00	\$38.15	\$583.15
<input type="checkbox"/> Students (CBA Members)	\$275.00	\$19.25	\$294.25
<input type="checkbox"/> Non-Members	\$695.00	\$48.65	\$743.65
<input type="checkbox"/> Join the CBA now and pay the member fee to attend this program. (A membership representative will contact you)			
<input type="checkbox"/> Yes, I will be attending the opening reception on Sunday, June 26th.			
<input type="checkbox"/> Yes, I will be attending the dinner/cruise for an additional fee of \$85.00 + \$5.95 GST (tickets must be purchased ahead of time and are non-refundable)			
<input type="checkbox"/> No, I cannot attend but would like to purchase the course material. Please allow 6 to 8 weeks after the conference for delivery.			

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