

Kluwer Law Conference for In-house Counsel

TURKEY & MIDDLE EAST: 3RD ANNUAL INTERNATIONAL ARBITRATION SUMMIT

(This conference will be conducted in English)

Wednesday, 14 December 2016, 8:50am – 5:30pm

Grand Hyatt, Istanbul



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SPEAKERS



Roger ter Haar QC
Arbitration Barristers,
Crown Office Chambers
Chairman



Jonathan W Blythe
Founder Member, BTLA
Welcome Message



Prof. Dr. Ziya Akinci
Founding Partner, Akinci Law
Office, Istanbul, President,
Istanbul Arbitration Centre
Opening Address



Victor P. Leginsky
Chartered Arbitrator B.Ed.,
J.D., FCI Arb
Moderator – 2nd Grand Panel



Riaz Hussain QC
Barrister, Atkin Chambers
Keynote speaker



Okan Demirkan
Partner,
Kolcuoğlu Demirkan Koçaklı



Jennifer Morrison Ersin
Partner, Jones Swansson



Christopher Grout
Qatar International Court and
Dispute Resolution Centre



Değer Boden
Managing Partner, Boden Law



Jeremy Glover
Partner, Fenwick Elliott



Dr Ali Yesilirmak
Associate Professor at İstanbul
Sehir University Law School



Ismail Esin
Managing Partner,
Esin Attorney Partnership,
a member firm of
Baker & McKenzie



Ergin Mizrahi
Partner, Pekin & Bayar Law Firm



Ravi Shankar
Partner, Head of Arbitration,
Law Senate



Serdar Paksoy
Founder and senior partner,
Paksoy



Huma Muhaddisoglu
Assistant General Counsel,
Coca-Cola İçecek



Sami Huerbi
Director, ICC Dispute Resolution
Services for Eastern, Mediterranean,
Middle-East & Africa and Partner,
Huerbi Law Firm

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Venue: Grand Hyatt, Istanbul

Grand Ballroom, Taskisla Caddesi No.1 34437
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Normal rate: US\$740

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Limited to 1 complimentary seat
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SCHEDULE

8:50 – 9:00	Welcome Speech Jonathan Blythe, Founder Member BTLA	14:40 – 15:10	Section 6 – Cross Border Disputes – In and Out of Turkey Değer Boden, Managing Partner, Boden Law
9:00 – 9:15	Opening Address – Istanbul's Place in International Arbitration – ISTAC Professor Akinci, ISTAC	15:10 – 15:30	Section 7 – Shareholder Disputes in Turkey – Advising Counsels Serdar Paksoy, Co-Head of Disputes, Paksoy
9:15 – 9:45	1st Keynote – Recent Developments Affecting Global International Arbitration	15:30 – 16:00	Short Break & Afternoon Refreshment
9:45 – 10:15	Section 1 – Advising on Contract Disputes for Inhouse Counsels Ergin Mizrahi, Partner, Pekin & Bayar Law Firm	16:00 – 16:20	Section 8 – Enforcement of Foreign Judgements in Turkey and the Middle East
10:15 – 10:45	Section 2 – International Construction Disputes – Best Tips for Counsels Jeremy Glover, Partner, Fenwick Elliott	16:20 – 17:20	2nd Grand Panel – Saving on Costs and Time – Different Regions Different Options? Moderators • Victor Leginsky, International Arbitrator Panellists: • Christopher Grout, Qatar International Court and Dispute Resolution Centre • Professor Akinci, ISTAC • Sami Huerbi, Director, ICC Dispute Resolution • Riaz Hussain QC, Barrister, Atkin Chambers • Ravi Shankar, Partner, Head of Arbitration, Law Senate
10:45 – 11:15	Networking & Morning Refreshment	17:20 – 17:25	Closing Remarks
11:15 – 11:45	Section 3 – Arbitration of M&A Transactions Ismail Esin, Baker & McKenzie	17:30 – 17:40	Lucky Draw
11:45 – 12:15	Section 4 – LNG Energy and Oil Disputes in Turkey & Middle East	17:40 – 19:00	Networking Cocktail Party
12:15 – 12:45	Section 5 – Investment Arbitration – Turkey and the Region		
12:45 – 14:00	Networking Lunch		
14:00 – 14:40	1st Grand Panel – Managing an Effective Arbitration The Use of An Expert Witness for Inhouse Counsels Moderators • TBC Panellists: • Okan Demirkan, Partner, Kolcuoğlu Demirkan Koçaklı • Huma Muhaddisoglu, Assistant General Counsel, Coca-Cola İçecek • Jennifer Morrison Ersin, Partner, Jones Swansson • Dr Ali Yesilirmak, Associate Professor at İstanbul Şehir University Law School		

Roger ter Haar QC, Arbitration Barristers, Crown Office Chambers

Roger ter Haar QC is recognised as a leading Silk in the fields of Construction & Engineering disputes (including related Professional Negligence), Energy and general commercial contract disputes. Roger has an extensive domestic and international practice as lead advocate, adjudicator and arbitrator. He sits as a Deputy High Court Judge in the Queen's Bench Division, Administrative Court and Technology and Construction Court. He has twice been nominated as Chambers & Partners Construction Silk of the year and once as Professional Negligence Silk of the Year. In 2012 he was awarded Chambers & Partners International Arbitration Silk of the Year.

Jonathan W Blythe, Founder Member, BTLA

Jonathan is one of the founder members of the BTLA and is currently adviser to the board. He is a qualified Scottish and English solicitor, but for the majority of his professional life he has been located in Turkey. Having completed an MA (Law) at Istanbul University, in 1995 he set up and ran the Istanbul office of the Scottish oil and gas law firm Ledingham Chalmers. A veteran of the BTC pipeline deal, he has acted for a number of State and Private Entities. Following an MBO in 2004 he has been 12 years with the successor firm Senguler law office. Besides energy and project work, Jonathan advises foreign investors setting up in Turkey across a range of sectors.

Being fluent in Turkish but having a common law background he and his team at Senguler assist clients as they seek to navigate the sometimes uncertain waters of Turkish local regulation. Jonathan is a qualified Arbitrator, and a member of CI Arb, he has sat in a number of ICC cases involving multinational parties under both Turkish and English law.

Prof. Dr. Ziya Akinci, Founding Partner, Akinci Law Office, Istanbul, President, Istanbul Arbitration Centre

Ziya Akinci, is the founding partner of Akinci Law Office, carries out his duty as the President of Istanbul Arbitration Centre (ISTAC). Dr. Akinci is a member of the ICC International Court of Arbitration since 2006 and he is also head of the International Private Law Division of Galatasaray University Faculty of Law.

Dr. Akinci focuses primarily on dispute resolution and has acted as counsel, expert, sole arbitrator and co-arbitrator in many international and domestic proceedings including international construction projects, energy projects, investment disputes, mergers and acquisitions, international commercial disputes.

Dr. Akinci was admitted to the Bar in 1986. In 2003 he became a professor of Private International Law in Galatasaray University. He has authored numerous publications on topics including but not limited to international arbitration, international construction law, applicable law to the contracts, international family law and the international carriage of goods by road.

Victor P. Leginsky, Chartered Arbitrator B.Ed., J.D., FCI Arb

Victor P. Leginsky, Canadian citizen, is an experienced international arbitrator and Barrister & Solicitor, resident in Dubai, UAE since April 2007. Victor has prior high-level mediation experience having been appointed by the Attorney General of British Columbia, Canada, to be the Chair of the Manufactured Home Park Dispute Resolution Committee. He brings over 25 years of arbitration experience in Canada. Victor has earned the internationally-recognized designations of Chartered Arbitrator and Fellow from the Chartered Institute of Arbitrators. He is a committee member of the International Court of Arbitration (ICC) – UAE and member of ICC-Canada. He is alternate regional chapter co-ordinator of the Association of International Petroleum Negotiators (AIPN) and launched its seminar on oil & gas dispute resolution in the Middle East. He co-instructs, with Prof. Dr. Klaus Peter Berger a practical course in International Commercial Arbitration in Dubai. He is registered as a Barrister with the Dubai International Financial Centre (DIFC) Courts and is a member in good standing of the Law Society of British Columbia, Canada.

Riaz Hussain QC, Barrister, Atkin Chambers

Riaz is a Barrister and Queen's Counsel in England with a significant international arbitration practice. Riaz has appeared as counsel in a wide range of commercial, investment treaty and construction arbitrations under the LCIA, ICC, ICSID, DIAC, DIFC and UNCITRAL rules amongst others. He also frequently appears as an advocate in the English High Court. He has acted in a wide variety of building and professional negligence disputes including process plants, oil and gas refineries, PFI Projects in the health sector and waste management, oil and gas pipelines, transport systems, scientific buildings and residential disputes, delay and disruption and general final account claims. He also acts in general commercial disputes including; conflict of laws issues, bonds and guarantees, international sale of goods cases, large value ICSID claims, joint venture agreement and shareholder disputes, business consultancy agreements, enforcement of arbitral awards under the New York Convention and cases involving allegations of corruption. Riaz is recommended as a leading practitioner in Construction, Professional Negligence and International Arbitration in both the Legal 500 and in Chambers and Partners.

Okan Demirkan, Partner, Kolcuoğlu Demirkan Koçaklı

After spending ten years at a major Istanbul-based law firm, Mr. Demirkan joined what is now Kolcuoğlu Demirkan Koçaklı. Mr. Demirkan has significant experience in energy and infrastructure, arbitration and litigation. He currently leads the Firm's dispute resolution and energy practices.

Mr. Demirkan has been heavily involved in several arbitration proceedings, concerning disputes arising from major infrastructure projects including build-operate-transfer (BOT) model investments; share purchase agreements, shareholders agreements; asset transfer agreements; and licensing contracts. In 2002, Okan Demirkan was a member of the team that acted in the first (published) arbitration that was pursued under the then new International Arbitration Law of Turkey. He has represented several clients in all stages of arbitration proceedings, as well as in post-arbitration litigation such as enforcement and setting aside lawsuits. In addition to international arbitration, Okan represents many clients in their local litigation proceedings.

Jennifer Morrison Ersin, Partner, Jones Swansson

Ms. Morrison Ersin is an international arbitration attorney with more than 10 years experience representing private and sovereign entities in international commercial and investment arbitrations conducted under the arbitration rules of the International Chamber of Commerce (ICC), United Nations Commission on International Trade Law (UNCITRAL), American Arbitration Association (AAA), and International Centre for Settlement of Investment Disputes (ICSID). She has successfully represented clients in disputes in all sectors, including natural resources, agribusiness, and construction with a particular emphasis on disputes arising from large-scale infrastructure projects. Her current focus is in representing claimants with meritorious arbitration claims who seek alternative funding arrangements. Ms. Morrison Ersin has also been involved in numerous disputes involving Turkish or Turkish-owned entities.

Christopher Grout, Qatar International Court and Dispute Resolution Centre

Christopher has been based at the QICDRC in Doha for just over three years. As Registrar, he is head of the Registry that services both the Qatar International Court and the Qatar Financial Centre Regulatory Tribunal. He also manages the Dispute Resolution Centre which, over the past year, has played host to a number of arbitrations and mediations where, in the case of arbitrations, the seat has been the State of Qatar. In addition, the Qatar International Court exercises judicial oversight where the seat of the arbitration is the Qatar Financial Centre and so this too falls within Christopher's remit. More specifically, Christopher is responsible for the management aspects of the Centre and in particular the case management of cases that come before the Court and Tribunal. Where required, Christopher will provide procedural directions in relation to cases and, along with his team, will be available to assist parties with any queries they may have in relation to the workings of the Centre. Amongst other things, he chairs a number of QICDRC-user committees, actively engages with the development of legal and judicial education and training in the State of Qatar and provides ad-hoc lectures at a number of universities both in Qatar and the United Kingdom. Furthermore, Christopher is a practicing barrister in England and Wales at 15 New Bridge Street, the Chambers of David Aarongberg QC and James Mulholland QC, having been called to the Bar (Inner Temple) in 2007. Christopher's main specialism is in the field of crime where he regularly defends across a broad spectrum of criminal offences.

Değer Boden, Managing Partner, Boden Law

Değer Boden has significant experience in energy, infrastructure and arbitration matters. She is listed in Legal 500, Chambers & Partners and Who's Who Legal for her energy and natural resources' practices. She assists clients in avoiding or resolving disputes and regulatory issues (including energy regulations) through negotiation, mediation, arbitration and litigation. Her experience embraces international commercial and investment treaty arbitration. She was a member of the team in representation of the Republic of Turkey in the first ICSID arbitration case pursued against the Republic of Turkey. She also advises clients in relation to the structuring of their overseas investments to benefit from investment treaty protection. Her commercial arbitration experience includes disputes arising from shareholders agreements, construction agreements and EPC contracts. She also represents clients in enforcement proceedings. She publishes, teaches and speaks extensively on arbitration and energy matters. She has lectured on Legal and Regulatory Aspects of Energy Markets at Yeditepe University. She received her law degree (LL.B) from Galatasaray University, School of Law (2000). She is a member of Istanbul Bar since 2001. She holds an LL.M. degree in International Business Law from the University of Minnesota, School of Law (2005) and another LL.M. degree in Law of Economics from Istanbul Bilgi University, School of Law (2004). She speaks Turkish, English and French.

Jeremy Glover, Partner, Fenwick Elliott

Jeremy has specialised in construction energy and engineering law and related matters for most of his career. He advises on all aspects of projects both at home and abroad, from initial procurement and strategic project advice to dispute avoidance and resolution. He acts across a wide range of construction sectors in the UK and internationally, including general construction, transport, communications, process plant, oil, gas, nuclear and renewables.

Recommended in the area of International Arbitration in Chambers UK and The Legal 500 UK, Jeremy is described as “extremely committed and hard-working”, he “has great attention to detail and can always see the bigger picture, and he keeps really calm under pressure”. Jeremy is listed as a leader in his field in The Who’s Who Legal: Construction 2016.

Jeremy has particular expertise in advising clients in international arbitrations under ICC, UNCITRAL and ad hoc rules. He is also an accredited adjudicator and regularly advises on both the conduct of adjudication and the enforcement of adjudicator’s decisions.

Jeremy is the co-author of Understanding The FIDIC Red Book: A Clause by Clause Commentary, the second edition of which was published in 2012, and lead editor of Building Contract Disputes: Practice and Precedents. Jeremy organises and regularly addresses Fenwick Elliott hosted construction law update seminars. He also edits Fenwick Elliott’s monthly legal bulletin, Dispatch.

Dr Ali Yesilirmak, Associate Professor at İstanbul Şehir University Law School

Ali Yesilirmak holds an LLB from Dokuz Eylül University, an LLM from the University of Texas at Austin and a PhD from Queen Mary, University of London. He is an Associate Professor at İstanbul Şehir University Law School. He is a Counsel at Baker & McKenzie in İstanbul. Ali is a Fellow of the Chartered Institute of Arbitrators. He was/is a member of the Committee attached to the Ministry of Justice and entrusted with the drafting the new Code of Civil Procedure (2011), of the Committee entrusted with the drafting of the Law on Conciliation in respect of Civil Matters (2011) and its Regulation (2012); and of the draft Law on İstanbul Arbitration Centre. He published various books and articles on arbitration, litigation, mediation, execution and bankruptcy. He is a general editor on international dispute resolution series in which six books have been published in Turkish. He was awarded with Schmitthoff scholarship; did internships at the International Chamber of Commerce and the American Arbitration Association, was a research assistant to HE Judge Professor Dr Carl Baudenbacher of the EFTA Court.

Ismail Esin, Managing Partner, Esin Attorney Partnership, a member firm of Baker & McKenzie

Ismail Esin has more than 15 years of experience advising clients in arbitration and mergers and acquisitions matters. He is listed in The International Who’s Who for mergers and acquisitions and commercial arbitration and in Chambers & Partners and Legal 500 for Corporate/M&A and Dispute Resolution. He has lectured on law of obligations and mergers and acquisitions law at Marmara, Galatasaray, Yeditepe and Bilgi universities in İstanbul, and writes extensively on these topics. Ismail advises banks, multinational companies, governments and private equity funds on investments and major projects in Turkey, the Middle East and the CIS. His work focuses primarily on the energy, infrastructure, construction, telecom and healthcare industries. He also acts as an arbitrator and as counsel in arbitration matters, especially focusing on arbitration of M&A transactions. He recently co-edited Arbitration in Turkey published by Kluwer Law International, the first comprehensive guide to arbitration in Turkey published by Kluwer. He was also recently appointed as an advisory board member for the İstanbul Arbitration Center.

Ergin Mizrahi, Partner, Pekin & Bayar Law Firm

Ergin Mizrahi is a partner at Pekin & Bayar Law Firm. Pekin & Bayar is a top-tier full-service law firm with its head office in İstanbul (Turkey) established in 1946.

Ergin specializes in cross-border dispute resolution. He has represented mainly foreign clientele in major corporate disputes in Turkey and before the ICC International Court of Arbitration. The disputes in which he has provided representation include contract claims, tort claims, wrongful death claims, bankruptcy and insolvency actions and labor claims. He also regularly advises clients on matters involving private international law, competition law, intellectual property law, corporate law and labor law.

Ergin is a graduate of Koc University and holds an LL.M. degree from the University of Cambridge.

Ravi Shankar, Senior Partner, Lawsenate

S. Ravi Shankar is an International arbitration lawyer practising in the field of arbitration and corporate dispute resolution. He is a Senior Partner in the New Delhi based Lawsenate law firm. He is a qualified Advocate on Record in the Supreme Court of India. He is also the President of “Arbitration Association of India” which is a national body of practitioners, arbitrators and users. He is holding a Post graduate degree in Business Administration and a degree in the field of law. He is having about 20 years of experience in the field of dispute resolution and has travelled across the globe on various assignments. He has published various publications in the field of law particularly in the field of Arbitration. He also has addressed various international and domestic conferences in the field of Dispute resolution. He has handled various high value arbitrations and litigations in India and outside India. He is an active member of various international professional organisations including IBA, ICCA, IAA, IAI, AAI etc.

Serdar Paksoy, Founder and senior partner, Paksoy

Serdar Paksoy is the founder and senior partner of the firm. For over 30 years, he has been actively advising foreign investors and assisting them in their transactions and also disputes work in Turkey and abroad. Serdar’s practice focuses on corporate governance, mergers and acquisitions, white collar crimes, investigations and dispute resolution. He extensively advises clients on matters involving cross-border acquisitions, joint ventures, private equity investments, strategic investments, investigations and litigation across a wide range of sectors from financial services, banking, retail, transportation, logistics and manufacturing to energy, insurance, health care and pharmaceuticals. Serdar is the head of Paksoy’s litigation and dispute resolution practice and an active trial lawyer in arbitration. He has extensive experience in matters acting for many clients as an advocate in court actions including commercial litigation, administrative lawsuits, corporate governance, insolvency, investigations, white-collar crimes and crisis advisory.

Huma Muhaddisoglu, Assistant General Counsel, Coca-Cola İçecek

Hüma Muhaddisoğlu is the Assistant General Counsel for Coca-Cola İçecek A.Ş (CCI), the sixth largest bottler in the Coca-Cola system in terms of sales volume. She is mainly responsible for the mergers and acquisitions, banking, finance and capital markets transactions, cross-border investments and disputes covering a region of Central Asia, Middle East and Pakistan, based in the headquarters in İstanbul, Turkey. Before joining CCI, she worked with two different eminent law firms, namely ELIG and Herguner Bilgen Ozeke, with primary practice areas of mergers and acquisitions, corporate law and international commercial arbitration. She is a graduate of Ankara University School of Law and holds an LL.M. degree from Georgetown University Law Center. She is admitted to İstanbul and New York Bars.

Sami Houerbi, Director, ICC Dispute Resolution Services for Eastern, Mediterranean, Middle-East & Africa and Partner, Houerbi Law Firm

Sami Houerbi is the Director of the ICC Eastern Mediterranean, Middle-East and Africa ICC Dispute Resolution Services, where he is in charge of raising awareness about Alternative Dispute Resolution mechanisms throughout the region and promoting ICC Arbitration and ADR Rules. Prior to that, he was member of the Secretariat of the International Court of Arbitration in Paris, where he was directly involved in the administration and managing ICC arbitration proceedings. Mr. Houerbi is a registered lawyer of the Tunis Bar Association and the Head of the Arbitration Department at Boussayene Knani Houerbi Law firm(www.bkhassociates.com), which areas of practice include mainly: Corporate Law, Arbitration and Litigation. He holds a post-graduate degree in international law from the University of Paris II and an LL.M in German Law from the Ludwig-Maximilian University in Munich.

Turkey & Middle East: 3rd Annual International Arbitration Summit

For enquiries and registration, please contact **Alma Lam**

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Wolters Kluwer offers opportunities for our delegates to receive business critical information and timely insight and analysis from our expert presenters. Our events also provide a platform for discussion to allow delegates to explore the intricacies of the information presented while interacting and exchanging news and experiences with peers. Our programmes are conducted by industry experts, practitioners and academics who are able to provide participants a well-balanced blend of theoretical fundamentals and practical applications.