



Capítulo
de Rumanía

New Ways, Old Topics

Innovation and M&A Disputes in International Arbitration

5 March 2020

Venue: CMS Bucharest, 11-15, Tipografilor Street, B3-B4, 4th Floor,
Bucharest

Register at: administracion@clubarbitraje.com

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PROGRAM

13:30–14:00

Registration

14:00–14:10

Introduction from CEA Romania

Alexandru Stanescu (President, CEA Romania) and Ioana Knoll-Tudor (Vice-president, CEA Romania)

14:10–14:30

Keynote address

Jesús Almoguera (Partner, J. Almoguera Abogados, Madrid)

14:30–16:00

Innovation panel

Anne-Karin Grill (Partner, Vavrovsky Heine Marth Rechtsanwälte, Vienna)

Johannes Landbrecht (Counsel, Gabriel Arbitration, Zürich)

Marily Paralika (Partner, Fieldfisher, Paris)

Adrian Iordache (Partner, Iordache Partners, Bucharest)

Moderator: Dharshini Prasad (Senior Associate, WilmerHale, London)

16:00–16:30

Coffee break

16:30–18:00

M&A panel

Sirshar Qureshi (Forensic Partner, PwC, Prague)

Horia Drăghici (Partner, CMS, Bucharest)

Hjordis Hjartardottir (Counsel, ICC)

Jonathan Barnett (Senior Case Manager, Nivalion, Vienna)

Moderator: Ioana Knoll-Tudor (Partner, Jeantet, Budapest, Paris)

18:00–19:00

Networking and cocktail reception

ABOUT CLUB ESPAÑOL DEL ARBITRAJE

The Spanish Arbitration Club (the "CEA") is an international non-governmental organization dedicated to promoting the use of arbitration as a method of conflict resolution throughout the world, as well as to develop arbitration in Spanish and Portuguese or with Ibero-American component. It was established in 2005 by a group of professionals specialized in international arbitration.

CEA is chaired by Juan Fernández-Armesto and brings together more than **1000 members from 43 countries**, all experts in arbitration, who have contributed to the consolidation of an international arbitration community in Spanish and Portuguese. The main objectives of the Spanish Arbitration Club are the following:

1. Promote the use of arbitration between Spanish and Portuguese speaking entrepreneurs or with interests in Ibero-America.
2. Serve as a forum for the exchange of ideas and knowledge among professionals.
3. Collaborate with judges and magistrates in the study, development and application of arbitration.
4. Prepare reports, working documents, recommendations of good arbitration and mediation practices, as well as codes of conduct, which constitute guidance guidelines.
5. Organize conferences on arbitration and mediation periodically and an annual congress that serve as a meeting point for specialists in the field.

The CEA promotes the achievement of its objectives through its **30 International Chapters in Europe, America and Asia**: in Germany, Austria, Argentina, Belgium, Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Ecuador, El Salvador, United States (Florida and New York-Washington DC), France, Guatemala, Holland, Honduras, Italy, Mexico, Nordic-Baltic, Panama, Paraguay, Peru, Poland and Ukraine, Portugal, United Kingdom, Dominican Republic, Romania, Switzerland and Venezuela. Also, new Chapters are formalizing their constitution in different continents. The **Romanian Chapter** of the CEA was founded with the purpose of serving as a platform to promote a high level of arbitration practice on the Romanian market and to increase the visibility and profile of the practitioners in the field.

You can find out more about the Club Español del Arbitraje here: <https://www.clubarbitraje.com/es>.

KEYNOTE SPEAKER

JESÚS ALMOGUERA

Partner, J. Almoquera Abogados, Madrid
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Specialised in Complex Litigation and Arbitration; Complex Corporate Finance and Restructuring and Insolvency.

Has served as co-arbitrator and president of the arbitral tribunal in numerous domestic and international arbitrations (including Swiss Arbitration Association and LCIA), mainly on disputes relating to M&A, joint-ventures, gas, construction, hotels, ICT, financial derivatives, etc.

Vice-president of the Spanish Court of Arbitration (Corte Española de Arbitraje). Member of the board of directors of the Club Español del Arbitraje (CEA), the ICC Institute of World Business Law, the London Court of International Arbitration, the CIMA Court of Arbitration, the Court of Arbitration of the Madrid Chamber of Commerce and the Arbitration Centre of the Portuguese Chamber of Commerce and Industry (Centro de Arbitragem Comercial da Câmara de Comércio e Indústria Portuguesa).

Member of the Academic Council of Fundación para la Investigación sobre el Derecho y la Empresa (FIDE).

Professor of Corporate Law, ICADE, Universidad Pontificia Comillas, Madrid, Spain (until 2016-2017).

Professor of Insolvency Law, Fundación para la Investigación sobre el Derecho y la Empresa (FIDE) (2008-2014).

National Fellow and Visiting Scholar, Rock Center for Corporate Governance, School of Law, Hoover Institution, CDDRL and SIEPR, Stanford University, California, USA (2007-2008).

Member of the group of legal experts that drafted to the EU Commission “Study on the conditions of claims for damages in case of infringement of EC competition rules” (2004) and of the ICC Task Force on Court Proceedings in Antitrust Damages Actions (2019-2020).

Degree in European Legal Studies, College of Europe, Bruges, Belgium.

Degrees in Law and Economics, ICADE, Universidad Pontificia Comillas, Madrid, Spain.

INNOVATION PANEL



ANNE-KARIN GRILL

Partner, Vavrovsky Heine Marth Rechtsanwälte,

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Anne-Karin Grill is a partner at Vavrovsky Heine Marth Rechtsanwälte in Vienna. She is an experienced international arbitration lawyer and well-versed in other forms of alternative dispute resolution (ADR), especially commercial mediation. Anne-Karin advises clients in arbitration proceedings in accordance with the rules of key arbitral institutions and has an excellent track-record in advising international clients in investor-state arbitrations. In addition to her advocacy work in arbitration before international tribunals, Anne-Karin serves as (sole) arbitrator and acts as CEDR accredited mediator in multi-jurisdictional commercial disputes.

Who's Who Legal (2020) ranks Anne-Karin among the leading Austrian arbitration practitioners and describes her as "one of the top picks for international law and investment cases". The publication also emphasizes her personal dedication in defending her clients' interests ("she always helps secure a positive result"). In 2017, Anne-Karin was part of the team named "Arbitration Practice that Impressed the Most" by Global Arbitration Review.

Anne-Karin is member of the ICC International Court of Arbitration and member of the Board of the Austrian Arbitration Association (Arb|Aut). She is a lecturer at the University of Vienna and a sought-after speaker at international conferences on current dispute resolution topics. She is also the author of a number of publications on the subject.



JOHANNES LANDBRECHT

(Counsel, Gabriel Arbitration, Zürich)

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Johannes Landbrecht is an international arbitration practitioner and academic. Before joining Gabriel Arbitration in 2017, he learned his trade, during more than nine years, at leading international arbitration practices in Frankfurt am Main, Paris, Geneva, and Singapore, advising and representing, among others, several Fortune 500 companies, in proceedings involving a few hundred thousand US dollars up to several billions of US dollars of amount in dispute. Experienced in a wide variety of commercial disputes, under most of the leading arbitration rules and involving more than a dozen different legal systems from around the globe, Johannes Landbrecht has developed particular expertise in energy- and IP-related disputes. In the context of his prior practice, Johannes Landbrecht has managed very complex disputes and large teams. He has also served as an administrative secretary to arbitral tribunals.

Admitted to practise as Rechtsanwalt in Germany (2008) and Switzerland (2018), as well as admitted to the bar in England & Wales (Barrister, 2014, non-practising), Johannes Landbrecht also holds a Ph.D. from the University of Geneva (2011). He regularly publishes and appears as speaker in the fields of arbitration, transnational dispute resolution, conflict of laws and alternative dispute resolution. Since 2017, Johannes Landbrecht has furthermore served as a co-editor of the ASA Bulletin, the quarterly journal of the Swiss Arbitration Association



MARILY PARALIKA

Partner, Fieldfisher, Paris

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Marily represents parties in the construction, engineering, energy and infrastructure sectors, both in commercial arbitrations and investor-state disputes, and assists with every step of the arbitral process, including pre-arbitral strategic advice. She also acts as an arbitrator in international arbitration proceedings.

Marily is a member of the ICC International Court of Arbitration for Greece and a member of the ICC Commission on Arbitration and ADR. She is also a member of the Board of Directors of ArbitralWomen.

Marily holds a Master's degree in International Economic Law from the University Paris II Panthéon-Assas and an LLM in European and International Law from the University of Athens. She has authored numerous articles and publications and is a regular speaker at conferences on international arbitration. Marily teaches at the Faculty of Law of the University of Athens (Master of Civil Law and Energy).

Marily is recognized among her peers and clients for her exceptional expertise. Since 2017, she has been on the list of Future Leaders in the Who's Who Legal – Arbitration guide, which considers her to be outstanding in the field of international arbitration.

Marily is a member of the Athens and Paris Bars. A native Greek speaker, she is also fluent in French and English.



ADRIAN IORDACHE

Partner, Iordache Partners, Bucharest

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Adrian has a broad legal background and demonstrated expertise in business and commercial law, corporate financing, and transactional structuring. He has a solid aviation transactional portfolio, catering to the local Romanian and wider European market. Adrian is a founder of Bucharest International Arbitration Court (BIAC). He is licenced to practice in New York State and Bucharest. Adrian is fluent in English and French.



DHARSHINI PRASAD

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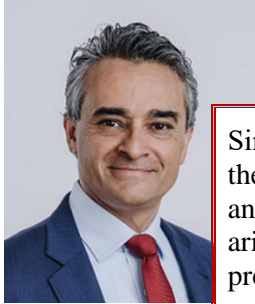
Dharshini Prasad is a triple qualified lawyer in the International Arbitration practice at Wilmer Cutler Pickering Hale and Dorr LLP in London where she focuses on complex multi-jurisdictional disputes. She has advised governments, government entities and multinational corporations on commercial, investment and public international law issues, and has represented clients in institutional and ad hoc arbitrations in Asia, Europe, Africa and the Americas under most leading rules. She has experience with disputes in a number of industries, including oil and gas, mining, manufacturing, automotive, pharmaceuticals, private equity and technology licensing. Dharshini also has a developing practice as arbitrator.

Apart from her work as counsel, Dharshini has served as the executive secretary to the Commonwealth Secretariat's study on the challenges and solutions to accessing international arbitration across the 53 Commonwealth Member States. She contributes to industry publications and is an assistant editor for the Journal of International Arbitration. She also speaks on issues of international arbitration and has taught at New York University (Paris), National Law University (Jodhpur) and at the Austrian, SIAC and London School of Economics arbitration academies.

M & A P A N E L

SIRSHAR QURESHI

Forensic Partner, PwC, Prague
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Sirshar leads PwC's Dispute Advisory Center of Excellence in CEE, Russia and the CIS. He has 27 years of experience which covers many aspects of accounting and financial matters, including loss of profits claims, construction claims, claims arising following acquisitions and sales of businesses, insurance claims, fraud prevention, integrity due diligence and financial investigation.

He has prepared many expert reports for local arbitration, courts and for international arbitration cases involving issues in Belarus, Bosnia, Bulgaria, Croatia, Czech Republic, Georgia, Slovakia, Kazakhstan, Hungary, Romania, Kosovo, Serbia, Macedonia, Poland, Russia and Turkmenistan. He has been instructed to act as an expert on behalf of claimants, respondents, the prosecutor's office and for Tribunals; has been involved in commercial and investor-state disputes and in criminal proceedings; and has been asked to act as an expert determinant on share purchase agreement disputes. Sirshar regularly testifies in international arbitration cases having testified in London, Paris, Bucharest, Belgrade, the Hague, Zagreb and Washington DC and has been instructed by many of the top international law firms.

Sirshar is a regular speaker at International Arbitration conferences on the topic of damages; is a member of the Institute of Chartered Accountants in England and Wales (ICAEW).

The PwC Dispute Advisory Center of Excellence was set to co-ordinate efforts of the 12,000 Partners and staff across CEE and CIS region; and globally to ensure consistent high quality of dispute related services to ultimately offer a "one-stop-shop".

HORIA DRĂGHICI

Partner, CMS, Bucharest
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Horia Drăghici is a partner in CMS Bucharest's Dispute Resolution Team.

With over 15 years' experience, Horia has a great deal of experience in commercial litigation for both multinational clients and significant domestic companies in Romania, including experience with the International Centre for Settlement of Investment Disputes (ICSID).

Horia has a natural ability to understand and explain cases in detail and inspire high levels of confidence in clients. His practice deals extensively with

commercial litigation and arbitration, insolvency matters, disputes with public authorities and international investments disputes. Horia is qualified to plead before all national courts (including the High Court of Romania) and is a skilled negotiator, familiar with several alternative dispute resolution techniques.



HJORDIS HJARTARDOTTIR

Counsel, ICC

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Hjordis Birna Hjartardottir is an Icelandic qualified lawyer (2010) and a MIDS-graduate (2016) who worked as a law firm associate for a period of 6 years before joining the ICC in early 2017. She was a Deputy Counsel in the German-speaking case management team for approximately 3 years before joining the Eastern European case management team in December 2019, where she is currently the team's Counsel.



JONATHAN BARNETT

Senior Case Manager, Nivalion, Vienna

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Jonathan Barnett is admitted to the Courts of England and Australia, and Senior Case Manager / Head of the Vienna office at Nivalion, a Swiss-based disputes funder. He was previously an Investment Manager with an established Australian disputes funder, focusing on arbitration in Singapore, Hong Kong and Australia. Before funding, Jonathan was in private practice for over 15 years specialising in international arbitration and litigation in leading law firms in London, Paris, Sydney, Vienna and Zurich, as well as Counsel at the ICC Court Secretariat and a Researcher at UNCITRAL.

ORGANIZERS



ALEXANDRU STĂNESCU

International Lawyer

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Alexandru Stănescu is a Partner with SLV lawyers. He focuses on international arbitration and commercial & corporate aspects of deep tech - such as blockchain, crypto, AI and online marketplaces. As part of SLV, Alexandru helps Romanian and regional innovative to internationalize their business in Europe and world major financial hubs.

He was formerly the Chief Legal Officer of GIN Platform, first automatized masternodes enabler for more than 100 blockchains. He worked and studied in a wide span of legal areas from banking, capital markets.

Alexandru also worked as visiting lawyer in the London office of Baker Botts, he was employed by the World Bank in Trade and Competitiveness, covering competition, institutional change management, insolvency and ease of doing business policies.

He clerked for the European Court of Justice and European Investment Bank. Alexandru was a Fulbright scholar and Wien Corporate Responsibility Fellow, holding a LL.M from Columbia Law School.

He also holds a tri-lingual MBA from Deusto University, Bilbao, Spain and a LLM and JD from University of Bucharest, Romania. Alexandru speaks Romanian, English, French, Spanish and Italian. He is attorney at law in New York, USA.



IOANA KNOLL-TUDOR

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Ioana Knoll-Tudor, Vice-president of CEA - Capítulo Rumania, advises and represents French and international clients in the field of international arbitration and complex cross-border transactions with a focus on Central and South-Eastern Europe. She also seats as arbitrator (sole and co-arbitrator). Ioana is part of the Dispute Resolution practice of Jeantet and in charge of Jeantet's Budapest office.

Before joining Jeantet in 2015, Ioana worked in the Warsaw and Budapest offices of a major international law firm. She is a member of the Paris and Madrid bars and registered as European lawyer in the Budapest bar.

Ioana holds a Doctorate in Law from the European University Institute in Florence (2006), a Law Degree from the Autonomous University of Barcelona (2006), a

Master's Degree in European Law from the College of Europe (2002) and Master's Degree in Law from Paris II-Assas University (2001). Her book « The Fair and Equitable Treatment Standard in International Foreign Investment Law » published by Oxford University Press, is a reference in the field of international investment arbitration.



CRINA BALTAG

Senior Lecturer in Law, University of Bedfordshire, London

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Dr Crina Baltag is Senior Lecturer in Law at the University of Bedfordshire, Director of the Center for Research in Law and LLM Course Coordinator at the same University. Crina also teaches the LLM courses on Alternative Dispute Resolution at the School of International Arbitration, Queen Mary University of London. She is regularly sitting as arbitrator in international commercial arbitration cases and acting as counsel and expert in investment arbitration cases.

Crina is member of the Academic Council of the Institute for Transnational Arbitration (ITA), The Center for American and International Law (CAILAW), and the Thought Leadership Chair of Young ITA. Crina is member of the ISDS Academic Forum, Geneva Center for International Dispute Settlement. Crina received her Ph.D. from the School of International Arbitration, Queen Mary University of London and holds an LL.M. in International Commercial Arbitration Law from Stockholm University and an M.Sc. in International Business from the Academy of Economic Studies, Romania.

She is the acting Editor of the Kluwer Arbitration Blog and she regularly publishes on international commercial and investment arbitration. Her publications include the following books: 'ICSID Convention after 50 Years: Unsettled Issues' (ed.), and 'The Energy Charter Treaty. The Notion of Investor', both with Wolters Kluwer.



IULIANA IANCU

Partner, Hanotiau & van den Berg, Brussels

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Iuliana Iancu has over ten years of experience in arbitration, having acted as counsel in commercial arbitrations, and as arbitral secretary or assistant to tribunals in several dozen high-stakes, high-value and complex international investment and commercial arbitrations, both *ad hoc* and under a variety of arbitration rules. These spanned various industry sectors (banking, insurance, telecommunications, energy and natural resources, construction, pharmaceutical and M&A). Recent cases include an ICSID arbitration initiated against a European State as a result of a series of measures implemented during the Eurozone financial crisis and an ICC arbitration concerning a telecommunications operator in a Central European State.

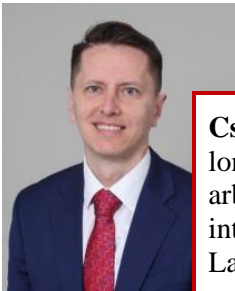
A Romanian national, Ms. Iancu joined Hanotiau & van den Berg in 2012, after

obtaining an LL.M. degree from Columbia University, New York (Harlan Fiske Stone Scholar). Ms. Iancu is a founding member of the Romanian Chapter of the Spanish Arbitration Club and is involved in several other international arbitration groups (Young ICCA, ICC YAF, YITA). Ms. Iancu regularly speaks on topics related to arbitration and is a guest lecturer at the University of Bucharest's LL.M. program in international arbitration. She is admitted to practice in Bucharest and is registered with the Brussels Bar. She speaks English, French and Romanian.

CSABA KOVACS

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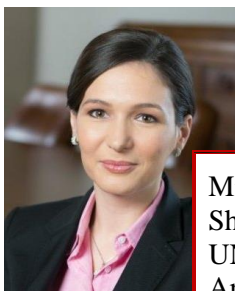


Csaba Kovács is an Arbitrator and Solicitor-Advocate in England & Wales with a long-standing practice and expertise in international commercial and investment arbitration. He is the author of the first in-depth study of the uses of attribution in international investment law: *Attribution in International Investment Law* (Kluwer Law International, 2018). He is an editor of the Investor-State Law Guide and regularly publishes on investment arbitration developments. He acted as counsel in arbitrations in a wide variety of sectors, including energy, construction/engineering, telecommunications, real estate and banking. He obtained an LL.M degree in International Business Law from the Central European University in Budapest. He is a founding director of the Romanian Chapter of the Spanish Arbitration Club.

MIHAELA MARAVELA

Founding Partner, MIHAELA MARAVELA LAW OFFICE

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Mihaela Maravela is a founding lawyer of Mihaela Maravela Law Firm in Romania. She is an experienced lawyer in arbitration, acting as counsel under the ICSID, UNCITRAL, ICC Rules and the Rules of the Court of International Commercial Arbitration (CICA) attached to the Chamber of Commerce and Industry of Romania.

Mihaela is also acting as arbitrator with CICA, Romania and as Panelist with the Arbitration and Mediation Center of the World Intellectual Property Organisation (AMC WIPO), Geneva for domain name disputes, where she solved more than 100 cases under the UDRP Rules. Mihaela is listed as arbitrator at the Shenzhen Court of International Arbitration (SCIA) and as practitioner in International Arbitration by the Vienna International Arbitral Center (VIAC).

Mihaela is an Associate Editor with the Kluwer Arbitration Blog, overseeing Europe and Sub-Saharan Africa teams. Mihaela is a reader at the Bucharest University Law School, for the class on 'Intellectual Property and Arbitration' on UDRP disputes

within the School's LLM Programme 'International Commercial Arbitration' (from 2015). She publishes in the field of intellectual property and arbitration. She has co-authored the book "Arbitration in Romania", Wolters Kluwer, 2016, author of the chapter concerning the solving of internet domain name disputes in .ro area. Mihaela is an Associate Member of The Institute for Transnational Arbitration.



PETER BARNA

Counsel at the Madrid Court of Arbitration

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Peter Barna is a counsel of the Madrid Court of Arbitration, in charge of the administration of national and international arbitration proceedings.

He is a lawyer currently enrolled in the Brazilian, Portuguese and Spanish Bar Associations and has participated in several proceedings in civil, commercial and consumers matters in the Brazilian and Spanish Courts. Furthermore, he has collaborated in arbitration proceedings, both *ad hoc* or administered by the major international institutions, dealing with construction/engineering, international sales, banking and foreign direct investment, as counsel and secretary to the tribunal.

He is involved with the VisMoot and the Moot Madrid moot court competitions, is a co-founder of the Madrid Very Young Arbitration Practitioners (MADVYAP) and is a speaker on arbitration related matters. He obtained an LL.M degree in Civil Liability from the University Carlos III of Madrid.



GIOVANNI POMETTI

Secretary General of Italian Chamber of Commerce in Romania

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Giovanni Pometti is an Italian qualified lawyer specialised in international commercial arbitration, cross-border MA, corporate and commercial transactions. He regularly assists Italian and foreign clients in arbitrations concerning contracts involving private parties and different sets of rules (ICC, UNCITRAL, LCIA, CAM).

He also assists Italian companies and foreign groups on the full range of corporate matters, including all major steps of corporate life from setting-up a business to capital increases, acquisitions, spin-offs, mergers and restructurings.

He graduated from University of Pavia (Italy) and hold an LL.M from University of Bucharest in International Commercial Arbitration. Giovanni is also Secretary General of Italian Chamber of Commerce in Romania.



ANDREEA NICA

International Arbitration Lawyer, Geneva
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Andreea Nica is a Romanian qualified lawyer focusing her practice on international commercial and investment arbitration at Sidley Austin LLP in Geneva, Switzerland. She has 5 years of work experience representing business clients and governments in complex disputes, particularly in international commercial and investment arbitration proceedings and cross - border and domestic commercial and administrative litigations in a wide range of sectors (e.g., energy, retail, life sciences, construction).

Andreea pursued both the LL.M. in International Dispute Settlement (MIDS) in Geneva and the International Academy for Arbitration Law in Paris on a full scholarship basis. She also graduated in the top 1% both her LL.B. and LL.M. in Advanced Private Law from Faculty of Law, University of Bucharest and passed the Romanian bar exam with the highest national grade in 2013.

She is a member of Young ICCA, Young ITA, Young ICSID and ASA below 40, as well as an ELSA alumnus. She speaks Romanian, English, French and Spanish.