

5<sup>th</sup> ICC International Commercial Mediation Conference

# PLAN TO SUCCEED

Preparing for settlement in complex commercial disputes

**Date** 18 September 2014

**Venue**

**ICC Headquarters**

33-43 avenue du Président Wilson  
75116 Paris, France

## About the Conference

In economically challenging times, it is paramount to protect a company's business interests and reduce the risk, time and costs of possible dispute resolution. To achieve these goals, companies usually have an interest in exploring settlement options of any disagreements and disputes.

Settlement is possible in many ways: through direct party negotiations, during settlement-focused proceedings such as mediation or through discussions taken place during formalized dispute resolution proceedings such as arbitration or litigation.

Most advantageous settlements are achieved by parties which prepare effectively. This Conference therefore aims to provide practical advice and tested tools for companies to prepare internally in order to achieve the settlement they want.

## Topics include

- The five keys to successfully negotiate a settlement
- How to make a good offer: Get the value you need
- Being prepared: How your company can best prepare for your case at an internal level
- The do's and don'ts of preparing for mediations: Lessons learned from 1000 mediated cases
- The tools offered by ICC for settlements: Learn more about rules, practices and guidelines

## Conference Format

The Conference will include presentations by speakers as well as roundtable discussions, interactive group exercises and direct exchange among the participants.

All exercises will be followed by reflections of experienced in-house counsel on their use of the acquired tools in their daily life.

After each session, the main points will be summarized on the traditional "ICC Mediation Conference Mind Map" which will be further developed with the participants' input throughout the day. This mind map will be a take home document and tool that participants can use to implement what they have learned at the Conference.

## Audience

This Conference will be of particular interest to in-house counsel and corporate management representatives. Lawyers in private practice, as well as other dispute resolution specialists are also invited to attend, but places are limited.

## Language

English

“ **Great conference - the annual ICC Mediation Conference is as innovative in its presentation as it is in its subject matter. This is one of the few conferences where corporate counsel can converse with corporate counsel on matters that concern them regarding conflict management and dispute resolution. A truly original and worthwhile event.** ”

— Ute Joas A Quinn, Associate General Counsel, Exploration & Production Europe, Middle East, CIS, North Africa, Hess Services UK Ltd

# PROGRAMME

**8:15-9:00** Registration and Welcome Coffee

**9:00-9:15**

## **Words of Welcome and Introduction to the Conference**

**9:15-9:35**

## **The 5 Keys to Successfully Negotiate the Settlement You Need**

This introductory session will provide participants with an overview of the latest research on effective settlement negotiation and remind them of some of the main principles and pitfalls.

**9:35-9:50** Debriefing and Development of Conference Mind Map

**9:50-10:50**

## **Claiming Value (Part 1): How a First Offer Can Help You Achieve What You Need**

Expert in-house counsel will moderate a session focusing on practical tools which company representatives can use to ensure they get what they need out of settlement negotiations. Special attention will be given to help define, make and frame companies' first settlement offer. The session will include an interactive group exercise.

**10:50-11:00** Debriefing and Development of Conference Mind Map

**11:00-11:20** Coffee Break

**11:20-11:50**

## **Claiming Value (Part 2): Lessons Learned from Effective Offers**

Two settlement specialists will discuss their views and lessons learned on effective offers: an expert in-house counsel will share with participants the lessons learned on how to make and prepare for an effective first offer, while an international commercial mediator will illustrate how effective or ineffective first offers can shape subsequent negotiation.

**11:50-12:00** Debriefing and Development of Conference Mind Map

**12:00-12:20**

## **Mediation 2014: The Real Added Value of Commercial Mediation**

This session provides participants with a concise, practice-oriented and experience-based overview of how mediation can be used as a practical tool to resolve complex commercial disputes. The session will focus on what companies can and should expect and when their input and careful preparation is needed. Emphasis will be placed on the best timing to introduce mediation proceedings to get to settlement.

**12:20-12:30** Debriefing and Development of Conference Mind Map

**12:30-14:00** Lunch Break in Historical Parisian Venue

**14:15-14:45**

## **Coordination Value (Part 1): Being Ready for a Settlement-How Companies Can Define their own Interests and Prepare Realistic Options**

In-house counsels from Asia, Europe and the USA who are active in different industries will share their first-hand experience on how to efficiently prepare with the audience a company's case. Special tips on how to minimize surprises at the negotiation table will be shared with participants.

**14:45-15:00** Debriefing and Development of Conference Mind Map

**15:00-16:45**

## **Coordinating Value (Part 2): Ensuring Efficient Settlement Preparation in Complex Cases and Scenarios — An Interactive Exercise**

When preparing for settlement proceedings, may it be negotiations or mediation, companies need to coordinate different internal players and partially divergent interests and perspectives. Experienced in-house counsel will lead participants through an interactive exercise which will sharpen each participant's tools to deal with such situations.

**Including 20 minutes Coffee Break**

**16:45-17:00** Debriefing and Development of Conference Mind Map

**17:00-17:45**

## **Bringing it into the Real World-An Exchange of Lessons Learned**

A roundtable discussion with experienced in-house counsel from all parts of the world about the takeaways from the day, lessons learned, and the steps they will bring to their company to further develop their business-wise conflict management policies and practices.

**17:45-18:00** Closing Remarks

**18:00-19:30** Cocktail, generously sponsored by Taylor Wessing

**The ICC's International Mediation Conference is the forum in Europe where companies and their in-house counsels can share best practices and lessons learned in order to keep in control over managing their claims and disputes.**

— Alexander Steinbrecher,  
Director, Contracts & Legal Affairs,  
Bombardier

# SPEAKERS

- **Teresa Garcia-Reyes**  
Senior Counsel, Litigation, GE Oil&Gas (USA)
- **Genevieve Helleringer**  
Associate Professor, Essec Business School; Fellow, University of Oxford (France, Singapore, UK)
- **Emmanuel Jolivet**  
General Counsel, International Chamber of Commerce (France)
- **Kai Uwe Karl**  
Senior Counsel, Litigation, GE Oil & Gas; Member of the Task Force on the Revision of the ICC ADR Rules (Italy)
- **Dr. Simon Manner**  
Legal Counsel Nordex SE (Germany)
- **Jonathan B. Marks**  
Mediator and Arbitrator, MarksADR LLC (USA)
- **Abhijit Mukhopadhyay**  
President (Legal), Hinduja Group London (India)
- **Christopher Newmark**  
Arbitrator and Mediator; Partner, Spenser Underhill Newmark; Chair of the ICC Commission on Arbitration and ADR (UK)
- **David Parker**  
Group Executive Director, Chinachem Group (Hong Kong)
- **Hannah Tümpel**  
Senior Counsel and Manager, ICC International Center for ADR; Member of the Drafting Group of the ICC Mediation Rules (France)

# SPONSORS

## SILVER SPONSORS

TaylorWessing

## BRONZE SPONSORS

Bird & Bird

THE JOHN HARDY GROUP

## CONFERENCE SUPPORTERS | MEDIA PARTNERS

ACC EUROPE  
Association of Corporate Counsel



mediationworld  
international mediation resources





## LOGISTICAL NOTE

**Date** 18 September 2014

**Venue** International Chamber of Commerce  
33-43 avenue du Président Wilson  
75116 Paris, France

### Registration fees

The registration fee includes all conference documentation, coffee breaks, lunch and cocktail reception. Travel and hotel expenses are not included.

#### Early Bird Special until 13 August 2014

Regular Registration Fee	<b>€600</b>
ICC Members & Sponsors Fee	<b>€550</b>
Corporate Attendees Fee*	<b>€470</b>

#### After 14 August 2014

Regular Registration Fee	<b>€750</b>
ICC Members & Sponsors Fee	<b>€700</b>
Corporate Attendees Fee*	<b>€620</b>

\* *Corporate attendees include representatives such as managers and in-house counsel of companies other than those dedicated to dispute resolution services. To register as a corporate attendee, please indicate your company name and position.*

### How to register

Please return the registration form to [adr@iccwbo.org](mailto:adr@iccwbo.org)

Registration will be confirmed upon receipt of the registration form and registration fees.

### Cancellation of registration

50% of the registration fee will be refunded if notice of cancellation is received in writing before 13 August 2014. Cancellations after this date are not refundable. Subject to agreement from the ICC International Centre for ADR prior to the event, the registration may be transferred at no extra charge to another person from the same company or organization as the original participant. Updated registration material will be required.

Please note that we reserve the right to cancel this event or to make minor alterations to the content and timing of the programme or to the identity of the speakers. In the unlikely event of cancellation, delegates will be offered a full refund. We will not, however, be held responsible for any related expense incurred by the participant.

### Travel arrangements and visas

Participants are responsible for making their own travel arrangements and hotel reservations. A list of hotels in Paris, with which ICC has negotiated preferential room rates, will be sent to you upon receipt of the registration form. We are able to dispatch visa invitation letters to support your visa application only after receipt of your registration form and full payment of your registration fees.

### Promotional literature

Please note that no individual or organization may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with ICC. Organizations and companies wishing to discuss promotional opportunities should contact ICC at [adr@iccwbo.org](mailto:adr@iccwbo.org) or by telephone at +33 1 49 53 33 59.

### Accreditation information

ICC is in the process of applying for the credits from the French CNB.

### Sponsorship opportunities

Law firms or companies that choose to become sponsors for the conference are given many opportunities to profile their business. They receive maximum exposure during the event. If your company is interested in sponsoring this event, please contact Sara Debenedetti email: [adr@iccwbo.org](mailto:adr@iccwbo.org).





5<sup>th</sup> ICC International Commercial Mediation Conference

# PLAN TO SUCCEED

Preparing for settlement in complex commercial disputes

**Date** **Thursday 18 September 2014**  
**Venue** **International Chamber of Commerce**  
33-43 avenue du Président Wilson  
75116 Paris, France

Please complete and return to  
**adr@iccwbo.org**  
**Fax: +33 (0)1 49 53 30 49**

**Participant information**  
(Please print or type)

Title (Mr/Dr/Mrs/etc.) \_\_\_\_\_  
Family name \_\_\_\_\_  
First/given name \_\_\_\_\_  
Position \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
City/state \_\_\_\_\_ CEP/postal code \_\_\_\_\_  
Country \_\_\_\_\_  
E-mail \_\_\_\_\_  
Tel ( \_\_\_\_\_ ) \_\_\_\_\_ Fax ( \_\_\_\_\_ ) \_\_\_\_\_

**Registration fees**  
(excluding VAT 20%)

**Early Bird Special until 13 August 2014**

- Regular Registration Fee **€600**  
 ICC Members & Sponsors Fee **€550**  
 Corporate Attendees Fee\* **€470**

**After 14 August 2014**

- Regular Registration Fee **€750**  
 ICC Members & Sponsors Fee **€700**  
 Corporate Attendees Fee\* **€620**

Special code (NC, etc.)

\* Corporate attendees include representatives such as managers and in-house counsel of companies other than those dedicated to dispute resolution services. To register as a corporate attendee, please indicate your company and title. Limited number of places available which will be given on a first-come first-served basis.

A 10% discount will be applied on the Conference fee for the participants attending also the 1<sup>st</sup> ICC Mediation Rules Workshop taking place on 17 September.

**Method of payment**

**By credit card:**  American Express  Euro/MasterCard  Visa

Card number \_\_\_\_\_ Expiry date \_\_\_\_\_

Name of cardholder \_\_\_\_\_

**Data protection information**

The details you provide on this form will be used for registration purposes. They will be stored in ICC's databases for the sole use of ICC (the International Chamber of Commerce and its wholly-owned affiliate ICC Services). Under the French law 'informatique et libertés' of 6 January 1978, you may have access to these details and request deletions and corrections at any time by contacting ICC at [registrations@iccwbo.org](mailto:registrations@iccwbo.org). The details you provide may be used by ICC to keep you informed of developments in your area of activity through publications, subscriptions, events and other commercial offers. Please indicate if you wish to receive such information:

Yes  No

Please tick below if you wish to receive commercial offers from associated organizations, including in particular

**ICC National Committees:**

Yes  No

**Disclaimer**

The pictures and footage taken by ICC staff or photographer at this training may be used, without further notification, at a later date within printing and online materials such as brochures, marketing tools, social media and the ICC website. Registration implies that you accept this disclaimer unless ICC receives written notification from you stating the contrary.

Date \_\_\_\_\_ 2014 Signature \_\_\_\_\_