



THE SINGAPORE INSTITUTE OF ARBITRATORS
Train Arbitrators and Promote the use of Arbitration for Dispute Resolutions

Mock Arbitration Workshop 2013

27 September 2013, Friday, 9.00am to 5.45pm
Level 3, 146 Robinson Road, Singapore 068909

The Singapore Institute of Arbitrators (SI Arb) is pleased to announce that the Mock Arbitration Workshop 2013 is now open for registrations.

SYNOPSIS OF THE WORKSHOP

SI Arb will be conducting a one-day Mock Arbitration Workshop based on a series of videos produced by the Institute of Transnational Arbitration, a division of the Center for American and International Law. SI Arb trainers will guide participants through scenes from the videos, which follow a fictional dispute from selection of arbitrators, through tactical deliberations and hearings, to an award. Each segment will be followed by live presentations by the trainers and discussions of the issues that are played out in the videos. This Workshop is designed to give those with some theoretical knowledge of arbitration a demonstration of how procedural and substantive controversies can arise and are dealt with in the real world of arbitration.



Practice Area : **Alternative Dispute Resolution**

Training Level : **Intermediate**

Public CPD Points : **6** (Based on 100% attendance)



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SI Arb Mock Arbitration Workshop 2013 Programme Structure

09:00 – 9:15	Introduction to Course
9:15 – 10:10	<p>Challenging a Party-Appointed Arbitrator</p> <ul style="list-style-type: none"> • Scene 1: Deciding Whether to Challenge a Party-Appointed Arbitrator • Scene 2: LCIA Court Deliberations on the challenge <p>Discussions</p>
10:10 – 10:25	Morning Break
10:25 – 12:15	<p>Coalescence and Divergence in Procedure</p> <ul style="list-style-type: none"> • Scene 1: Strategy on Preliminary Issues • Scene 2: The Directions Hearing- Argument on Preliminary Procedural Issues • Scene 3: The Directions Hearing- Tribunal Deliberations on Preliminary Procedural Issues <p>Discussions</p>
12:15 – 1:30	Lunch
1:30 – 3:30	<p>Presenting Technical Evidence and Dealing with Tribunal- Appointed Experts</p> <ul style="list-style-type: none"> • Scene 1: Presentation of Expert Witnesses • Scene 2: Argument on Whether an Expert Should be Appointed by the Tribunal • Scene 3: Tribunal Deliberations on Whether to Appoint an Expert <p>Discussions</p>
3:30 – 3:45	Afternoon Break
3:45 – 5:30	<p>Closing Argument and Deliberations</p> <ul style="list-style-type: none"> • Counsel for U.S. Oil Deliver closing Argument on Legal Issues- Procedural Default, Confidentiality of Arbitral Awards and Precedential Effect of Arbitral Awards <p>Discussions</p> <ul style="list-style-type: none"> • Tribunal Deliberations- Consideration of the Arbitrators' Own Understanding of Governing Law Beyond the Parties' Legal Arguments, Dissenting Opinions and Award of Costs and Interest <p>Discussions</p>
5:30 – 5:45	Closing Remarks



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ABOUT WORKSHOP COORDINATOR

Mr. Chan Leng Sun SC heads the Dispute Resolution practice in Baker & McKenzie.Wong & Leow. He is qualified in Malaysia, Singapore and England. Leng Sun was appointed Senior Counsel, Singapore's equivalent to the Queen's Counsel, in January 2011.

Apart from being counsel, Leng Sun is an arbitrator and adjudicator on the panel of leading arbitral institutions such as SIAC, SCMA, ICDR, KLRCA, CIETAC and CMAC. He also sits in ICC, LMAA as well as ad hoc arbitrations. He is President of the Singapore Institute of Arbitrators (SI Arb) and Chairman of the Singapore Law Society ADR Committee. He serves on statutory tribunals such as the Income Tax Review Board, the Maintenance of Parents Tribunal and as a President of the Disciplinary Tribunal. He is on the Advisory Panel of the Singapore Maritime Foundation.

Leng Sun has taught at the law schools of the National University of Singapore and the Singapore Management University. He has also served as a legal officer of the United Nations Compensation Commission in Geneva and was a SIAC-CIAC Observer to the UNCITRAL Working Group on Arbitration. Leng Sun has published widely in international journals and is the author of the book Singapore Law on Arbitral Awards, which has been cited with approval by Courts in Singapore and Australia.

ABOUT TRAINERS

Mr. Johnny Tan Cheng Hye, BBM is the founding partner of LT&T Architects. He is a Past President of the Singapore Institute of Arbitrators (SI Arb) having served as the President from 2007 to 2011. Johnny is a member of the panel of arbitrators of SIAC, KLRCA, HKIAC, DIAC, SCIA, SI Arb, and SIA. Johnny is an accredited adjudicator with the Singapore Mediation Centre (SMC) where he also sits on the Construction Adjudicator Accreditation Committee (CAAC). Johnny has also held various positions in the Singapore Institute of Architects and served as its Vice-President from 1998 to 2000. He has been extensively involved in the drafting of the SIA Standard Conditions of Contract (5th to 9th Edition) including making it SOPA compliant. Johnny has been appointed as arbitrator in both institutional and ad hoc arbitration in Singapore, Brunei and Dubai. He has also been appointed as adjudicator as well as review adjudicator in several adjudication applications. In addition to an active practice in architecture and alternative dispute resolution, Johnny also sits on the Board of Governors of the Singapore Polytechnic and chairs its School of Architecture and the Built Environment Advisory Committee and the Admin and Development Committee. He is also Chairman of SP International Board. Johnny is a frequent speaker on construction and arbitration subject at both local and international conferences.

Mr. S. Sharma is a consultant at ATMD Bird & Bird LLP. He is qualified in Singapore and England & Wales. Sharma has been legal advisor and counsel for more than 25 years, including as State Counsel at the Attorney-General's Chambers and the Inland Revenue Department, and as partner in the law firms of Rajah & Tann and KhattarWong. He was formerly District Judge at the Subordinate Courts. In addition to work as counsel, Sharma's private practice in alternative dispute resolution (ADR) covers arbitration, adjudication and mediation. He holds appointments as arbitrator, adjudicator and mediator on various panels of arbitral and mediation institutions in Singapore and Malaysia, including the Singapore International Arbitration Centre (SIAC) and the Kuala Lumpur Regional Centre for Arbitration (KLRCA). He is a Fellow and Council Member of the Singapore Institute of Arbitrators, a Fellow of the Chartered Institute of Arbitrators and a Fellow of the Malaysian Institute of Arbitrators. Sharma is Member of the Singapore Law Society ADR committee, and chaired the recent well-attended Seminar on Dispute Resolution Through Arbitration held on 14 August 2013.

Sharma is a member of the International Bar Association (Arbitration and Taxes sections), the International Fiscal Association and is on the Executive Committee of the Society of Trust and Estate Practitioners. He is also



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an International Tax Affiliate of the Chartered Institute of Taxation, an Accredited Tax Advisor (Income Tax & GST) with the Singapore Institute of Accredited Tax Professionals (SIATP) and a member of the Society of Construction Law. Sharma has taught at the Singapore Management University as Adjunct Faculty in the School of Business and delivered seminars as Guest Lecturer at the Nanyang Technological University's College of Business. Sharma has published variously in local and international journals and other publications. He has volunteered his service as arbitrator at the annual Willem C Vis (East) International Commercial Arbitration Moot.

Mr. Chia Ho Choon is a partner in the KhattarWong Litigation & Dispute Resolution Department, heads the Construction and Engineering Department and a member of its International Arbitration Practice Group.

Having more than two decades of experience in civil and commercial litigation, he has acted for and advised developers, main contractors, subcontractors, architects, engineers, insurers, management corporations, subsidiary proprietors and suppliers in disputes involving construction contracts. He has been involved in trials in the High Court, appeals before the Court of Appeal, arbitrations, mediations and adjudications. Many of his cases have been reported in the Singapore Law Reports.

Ho Choon obtained a Diploma in International Commercial Arbitration in 2004 and was on the panel for the Plenary Session on Enforcing Arbitration Awards in Asia and Contesting Arbitral Rulings at the Asia Pacific Dispute Resolution Summit. He has conducted a seminar for the Bar Council of Ho Chi Minh City, Vietnam on International Arbitration and the Benefits of Arbitration. Ho Choon has presented papers on Dispute Resolution in Asia - Arbitration v Litigation for the In-House Legal Counsel Asia Seminar organised by IBC, International Arbitration Law of Singapore and Enforcement of Foreign Awards at the International Conference on Construction Arbitration in Philippines, Expert Evidence for a Building and Construction Law Seminar, and on Loss and Damage Claims at a seminar organised by the Law Society of Singapore.

Ho Choon organised and taught at the Arbitration Law & Practice course in Ho Chi Minh City, Vietnam, from 31 October 2009 to 1 November 2009, jointly organised by the Law Society of Singapore, the Singapore Institute of Arbitrators and KhattarWong. He taught at an Arbitration Course in Cambodia on 3rd to 4th July 2010, an Intermediate Arbitration Course in Cambodia on 4th and 15th July 2012, and at an Arbitration Workshop in Cambodia on 11 August 2012 organised by the Singapore Institute of Arbitrators and funded by the International Finance Corporation of the World Bank Group. He also teaches arbitration at the Fellowship Assessment Course organised by SI Arb and Part B course for Singapore Institute of Legal Education.

Ho Choon is a Fellow and Council Member of the Singapore Institute of Arbitrators, a Fellow of The Chartered Institute of Arbitrators, and a Fellow of the Malaysian Institute of Arbitrators.

Ho Choon is an accredited Adjudicator under the Building and Construction Industry Security of Payment Act and an Associate Mediator. He is also a member of the General Committee and Secretary of the Automobile Association of Singapore, and is on the Panel of Arbitrators of the Law Society Arbitration Scheme.

Mr. Steven Lim is the Managing Director of Clasis LLC and a Partner with Clyde & Co Clasis Singapore. Steven has more than 18 years' experience in disputes, particularly in arbitration, construction, shipbuilding, energy and oil and gas cases. He has represented clients in large and complex international arbitrations before several arbitral institutions, including the ICC, LCIA and SIAC and under the UNCITRAL rules. Steven also sits as an arbitrator. He is a member of the ICDR's International Panel of Arbitrators, the SIAC Panel of Arbitrators and the KLRCA Panel of International Arbitrators and sits as an arbitrator for ICC cases. Steven has been appointed an emergency arbitrator by the SIAC. He is a fellow of the Singapore Institute of Arbitrators.



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Steven has experience with a broad range of commercial disputes covering private equity investments and M&A, banking, insolvency, hotel management, trading contracts, oil and gas and energy, offshore services and engineering, ship building and construction. In the construction field, he has worked on building and engineering cases, including power, petroleum and petrochemical, road and rail and water management projects.

Steven has received recognition as a leading individual in international arbitration and in international dispute resolution in Singapore, Hong Kong and Asia-wide in the Chambers Global and Chambers Asia directories where he has been described as "a prominent counsel in arbitration", "is well known as high quality individual", "a pragmatic international arbitration professional who turns out quality work every time", "an excellent communicator - he identifies the salient issues to pursue and lets you know what the game plan is. He focuses people's minds on those issues", "meticulous, technically minded and excellent at assessing the merits of a client's position", and "well known for energy disputes, and commended as a lawyer who strives to better his understanding of client needs", and also in Asia Pacific Legal 500 and Global Arbitration Review.

Mr. Edmund Kronenburg is the Managing Partner of Braddell Brothers LLP, Singapore's third-oldest law practice (established 1883).

He began his career at Drew & Napier in 1996, after graduating from the National University of Singapore where he won the Advocacy Cup, was a Mallal Moots finalist, served on the editorial board of the Singapore Law Review and represented his varsity at the Philip C Jessup International Moot Court competition, ALSA witness examination competition and various international debating competitions.

Edmund has over 16 years of experience in trials and appeals before the Singapore courts, as well as in international commercial arbitrations under *inter alia* the SIAC, ICC and UNCITRAL Rules. Today, he and his team are noted for representing clients in complex, high-stakes and difficult cases ordinarily regarded as the private reserve of Singapore's largest law firms and specialist dispute resolution practices.

Between 2010 and 2012, Edmund was instructed on no less than five worldwide Mareva (Freezing) Injunctions, the largest involving assets totalling over US\$400 million. In 2013, Edmund and his team (instructing Toby Landau QC) represented a prominent Indonesian client in resisting enforcement of a US\$300 million arbitral award in Singapore.

Edmund is privileged to appear frequently against Senior Counsel. In 2012, he successfully appeared against Queen's Counsel in an appeal before the Singapore High Court.

In addition to his work as counsel, Edmund also sits as an Arbitrator. He is a Fellow of the CI Arb, SI Arb, MI Arb, AMINZ and HKI Arb. He is admitted to the Panel/List of Arbitrators of the KLRCA, BANI (Indonesian National Board of Arbitration), HKIAC, CAA Taipei and the VIAC.



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REGISTRATION FORM

REGISTRATION CLOSING DATE: <u>20 September 2013</u>	FEES (includes refreshments & materials, if any)
Membership	Fee
SI Arb Members / Full Time Students	\$400.00
MOOGAS Members; RAIF Members; SCL Members	\$430.00
Others	\$470.00

REGISTRATION FOR SiArb MEMBERS (Please use 1 form per Member)

Name: _____ SiArb Membership No.: _____

Tel: _____ Fax: _____ E-mail: _____

Check if CPD points are required AAS no. _____ (for practicing lawyers requiring CPD points)

REGISTRATION FOR Non-SiArb MEMBERS (Please use 1 form per Member)

I am a: (please select as appropriate)

SI Arb Member / Full Time Students RAIF Member SCL (S) Member Others

Name (*Prof / Dr / Mr / Mrs / Ms): _____

Company: _____

Address: _____

Primary Profession: _____

Check if CPD points are required AAS no. _____ (for practicing lawyers requiring CPD points)

Tel: _____ Fax: _____ E-mail: _____

Mode of Payment: *Cheque / Cash / Credit Card

Please return the registration form below, together with your cheque or cash, if applicable, made payable to "Singapore Institute of Arbitrators" and mail to 32 Maxwell Road, #02-07 Maxwell Chambers, Singapore 069115" or **Fax to (65) 3151 5797 (no 6 prefix required)**

Credit Card (Visa / Master) No.: _____ Card Expiry Date: _____ (MM/YY)

Cardholder's Name: _____ Signature: _____

(A surcharge of 1.75% will be applied to payments made by credit cards)



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Important Notes

1. Acceptance or rejection of an application is at discretion of the Council of the Institute.
2. Closing date is **20 September 2013**. Placement is on a first-come-first-served basis.
3. Registrations received on or before the closing date are confirmed upon **RECEIPT OF FULL PAYMENT**.
4. The Organiser reserves the right to cancel, curtail or change the content of programmes and the names of facilitators without prior notice in the interests of improvements to the Course.
5. The Organiser is committed to staging a successful programme. However, we reserve the right to cancel or postpone the programme in which case refunds will be given, but otherwise, no refunds will be made for cancellations or no-shows by those who registered.
6. The Organiser reserves the right to change the venue or amend any of the other details published.

SILE Attendance Policy

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. This includes arriving punctually, not leaving the activity before it has ended, and signing-in on arrival and signing-out at the conclusion of the activity in the manner required by the organiser. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.org.sg> for more information.