

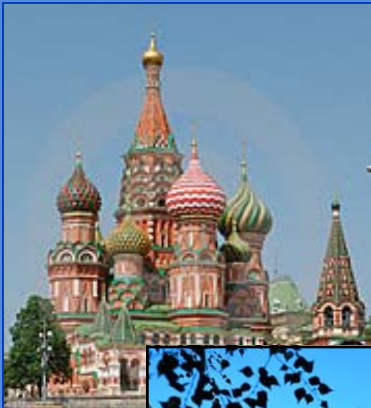


ABA Section of
International Law
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CROSS-BORDER DISPUTE RESOLUTION: THE PERSPECTIVE FOR RUSSIA AND THE CIS

The Lotte Hotel, Moscow | 8 bld.2, Novinskiy Boulevard

SEPTEMBER 14, 2010



- Judicial Assistance and Enforcement Proceedings
- International Asset Recovery
- Business and Corporate Raiding
- Disputes Involving Russian State and State Entities
- Late-Breaking Developments

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ЗАКОНОДАТЕЛЬСТВО

Cross-Border Dispute Resolution: The Perspective for Russia and the CIS

PROGRAM AGENDA

All events to be held at the Lotte Hotel, Moscow located at 8 bld.2, Novinskiy Boulevard, unless otherwise indicated.

7:30 AM Registration and Breakfast

8:30 AM Opening Session

Welcome:

Glenn P. Hendrix, Immediate Past Chair, American Bar Association Section of International Law, Arnall Golden Gregory LLP, Atlanta, Georgia USA

Introductions:

Andrew Somers, President and Chief Executive Officer, American Chamber of Commerce in Russia, Moscow, Russia

Opening Remarks:

The Honorable Aleksander Vladimirovich Konovalov, Minister of Justice of the Russian Federation, Moscow, Russia (*Invited*)

Alexey Kostin, President, International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation (MKAS), Moscow, Russia

The Honorable John Beyrle, U.S. Ambassador to the Russian Federation, Moscow, Russia

9:00 AM – 10:30 AM
Judicial Assistance and Enforcement Proceedings in Cross-Border Litigation and Arbitration: A Little Help, Please?

Proceedings that are ancillary to the main case are a mainstay of modern cross-border litigation and arbitration, as in the following situations:

- The claimant in a Russian lawsuit or arbitral proceeding is concerned that the defendant will dispose of its assets prior to the conclusion of the case. Where those assets are located overseas, it will be necessary to petition a foreign court for interim relief, such as an attachment or garnishment of property or injunction.
- A successful claimant may need to have a final court judgment or international arbitral award recognized by a foreign court in order to recover against assets of the defendant located outside of Russia.
- A party may need evidence or information from a foreign country in order to prosecute or defend a case pending in Russia. This will often require the assistance of a foreign court.

Likewise, parties involved in litigation or arbitration proceedings outside Russia may require such assistance of a Russian court.

The panel will discuss judicial assistance and enforcement proceedings from both perspectives – Russian parties seeking such relief abroad and foreign parties seeking such relief in Russia.

Speakers:

Rupert D'Cruz, Littleton Chambers, London, United Kingdom
Dmitry Dyakin, Magisters, Moscow, Russia
Varvara Knutova, Pepeliaev Group, Moscow, Russia

Maxim Kulkov, Goltsblat BLP, Moscow, Russia
Charles D. Schmerler, Fulbright & Jaworski LLP, New York, New York USA

Moderator & Program Chair:

Glenn P. Hendrix, Arnall Golden Gregory LLP, Atlanta, Georgia USA

10:30 AM Networking Break

11:00 AM – 12:30 PM
Show Me the Money: Recovering Assets Abroad

"Winning" the case is great, but did you prepare upfront for the hard part -- actually collecting the money? While never easy against a recalcitrant debtor, recovery is especially difficult if the assets are tucked away offshore. The use of offshore vehicles and banks has long been common among businesses in Eastern Europe (and also serves as a means of mitigating tax and political risks), but with the advent of the financial crisis, an understanding of the pitfalls, challenges and techniques of cross-border asset recovery has become even more critical.

An experienced panel of international and domestic experts will cover some of the basics, as well as advanced lessons on piercing the corporate veil, pursuing beneficial owners of trusts and other offshore vehicles, and other tools in this area.

Speakers:

Andrew Durant, FTI Consulting, London, United Kingdom
Bryan Earl, Federal Bureau of Investigation, Embassy of the United States, Moscow, Russia
John B. Quinn, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, California USA
Jeremy Scott, Withers LLP, Tortola, British Virgin Islands

Moderator & Program Chair:

Ilya Nikiforov, Egorov Puginsky Afanasiev & Partners, St. Petersburg, Russia

12:30 PM Luncheon

1:45 PM – 3:15 PM
"Terrorization" of Business and Corporate Raiding

President Medvedev has called for an end to the "terrorization of business." What does this mean? What is the government doing to protect businesses? How can businesses protect themselves against corporate raids? To what extent can international arbitration and litigation be used as remedies in cases of corporate raiding? Is U.S. civil RICO an option? How can businesses victimized by raids seek compensation through the Russian legal system?

This panel will address these and other questions related to the risks of conducting business in contemporary Russia. Panelists will include a Russian expert on corporate raiding, a representative of Russian law

enforcement with experience in raiding cases, and lawyers with experience litigating issues related to raiding in international fora.

Speakers:

Kirill Kabanov, National Anti-Corruption Committee, Moscow, Russia

Ivan Marisin, Dechert LLC, Moscow, Russia

Nick Marsh, DLA Piper, London, United Kingdom

Pavel Sichev, Department of Especially Serious Economic Crimes Investigative Committee, Ministry of Internal Affairs, Moscow, Russia

Moderator:

Gene Burd, Marks & Sokolov, LLC, Philadelphia, Pennsylvania USA

Program Chair:

Thomas A. Firestone, Law Enforcement Section, Embassy of the United States, Moscow, Russia

3:15 PM

Networking Break

3:45 PM – 5:00 PM

Is Bad Peace Better Than a Good Quarrel? The Do's and Don'ts of Disputes Involving the Russian State and State Entities

The bankruptcy of Yukos Oil exploded in a myriad of proceedings involving the Russian State and state-owned enterprises. The Energy Charter Treaty arbitration, the European Court of Human Rights proceedings, parallel arbitrations under bilateral investment treaties brought by the Spanish and UK investors in Yukos, and numerous commercial arbitrations and domestic litigations keep the story alive and the Russian government busy. Unparalleled in its magnitude, Yukos remains only an example in a growing pool of disputes where Russia itself or a Russian enterprise claims or defends its interests. GAZPROM, ROSNEFT, RUSAL and other major players increasingly resort to arbitration, often facing foreign governments and state entities as respondents. What are the pros and cons of arbitration and litigation from Russia's perspective? Does a claim against Russia mean the end of the game for a foreign investor? Is arbitration the dispute settlement method of choice for major Russian companies investing abroad? This panel will discuss the critical challenges faced by Russia and Russian companies, on the one hand, and those opposing them in courts and tribunals, on the other, from filing a claim to procedural tactics by the sovereign, to counterclaims against foreign investors, and to executing an award or judgment against state assets.

Speakers:

Marya Baranova, Ministry of Economic Development of the Russian Federation, Moscow, Russia

Graham Coop, Energy Charter Secretariat, Brussels, Belgium

Alexander S. Komarov, International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation (MKAS), Moscow, Russia

William R. Spiegelberger, Rusal Global Management, B.V., Moscow, Russia

Peter Wolrich, Curtis, Mallet-Prevost, Colt & Mosle LLP, Paris, France

Moderator & Program Chair:

Yulia Andreeva, Debevoise & Plimpton LLP, New York, New York USA

5:00 PM – 6:00 PM

Fresh Off the Press! An Open Mike Debate About Hot Topics in Litigation and Arbitration

What are the most pressing issues on today's legal agenda? Which cases are making the headlines? Who is calling the tune for the tomorrow

of legal practice? This panel will identify and discuss new developments in litigation and arbitration as they happen, today and now. It will engage the audience in an interactive debate about the most troubling and promising topics on our minds, from the signs of crisis in the legal profession to alternative dispute resolution. The debate will conclude with electronic voting that will put to test the most critical questions that will emerge in the course of the day. Don't miss your chance to contribute, support, disagree, vote, and make a difference.

Moderators:

Vladimir Khvalei, Baker & McKenzie LLP, Moscow, Russia

Irina Paliashvili, RULG-Ukrainian Legal Group PA, Kiev, Ukraine and Washington, DC USA

Noah Rubins, Freshfields Bruckhaus Deringer LLP, Paris, France

6:00 PM

Closing Session

Introduction:

Salli A. Swartz, Chair, American Bar Association Section of International Law, Phillips Giraud Naud & Swartz, Paris, France

Closing Remarks:

Stephen N. Zack, President, American Bar Association, Boies, Schiller & Flexner LLP, Miami, Florida USA

7:00 PM

Spaso House Reception
No. 10 Spasopeskovskaya Square

Spaso House has been the residence of American ambassadors in Moscow since the establishment of diplomatic relations between the United States and the former Soviet Union in 1933. The Spaso House stands one mile west of the Kremlin and not far from the Arbat, an ancient region of Moscow. It was completed in 1914 for Nikolay Aleksandrovich Vtorov, a wealthy merchant and manufacturer. The reception will be held in the main hall, which features a soaring domed ceiling and reputedly the largest house chandelier in Moscow, said to be the handiwork of the famous silversmith Mishakov. Russian writer Mikhail Bulgakov attended a party at the main hall in 1935, which inspired the scene of the Devil's Ball in *The Master and Margarita*. The event promises to be a memorable opportunity to network with new friends and old.

NOTE: Simultaneous translation in Russian and English will be provided for all sessions.

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2010 MOSCOW DISPUTE RESOLUTION CONFERENCE REGISTRATION FORM

Online registration is strongly encouraged. Pre-registration closes on Friday, August 27, 2010.

I. Registrant Information

ABA ID # (if applicable): _____
 Name: _____
 (TYPE or PRINT your name CLEARLY as you wish it to appear on badge.)
 Firm/Organization: _____
 Address: _____
 City: _____
 State/Province/Region: _____
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 Telephone: _____ Fax: _____
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II. Conference Registration Fees

Fees include admission to the Closing Reception at Spaso House (subject to availability on a first come, first served basis), the luncheon and to all CLE/CPD program sessions.

Check one of the following:

	Early Bird by 8/13	After 8/13
<input type="checkbox"/> ABA Member	\$ 495	\$ 550
<input type="checkbox"/> Young Lawyer (35 years and under)	\$ 325	\$ 350
<input type="checkbox"/> Full-time Law Student	\$ 95	\$ 100
<input type="checkbox"/> Full-time Government / Academics / NGOs	\$ 95	\$ 100
<input type="checkbox"/> CIS-only Practitioners *	\$ 395	\$ 450
<input type="checkbox"/> Non-Member **	\$ 595	\$ 650

* Practitioners practicing only in the Commonwealth of Independent States (CIS) and not licensed as a member of the Bar of any non-CIS country.

** Non-members of the ABA who are licensed to practice law in a jurisdiction outside the CIS.

IMPORTANT DEADLINE

Due to security reasons, only those registered before **August 27, 2010** will be admitted to the Closing Reception at Spaso House.

NOTE: A VISA is necessary for entry into Russia from the United States and many other countries. Further information can be obtained from the Russian Embassy (<http://www.russianembassy.org/>) or through a commercial VISA service.

III. Guest Social Events Fees

Guest Social Events include all coffee breaks, the luncheon, and the Closing Reception at Spaso House, but not CLE/CPD programming sessions. Only one guest is allowed per regular conference registrant. The deadline for guest registration is **August 27, 2010**. Security procedures for entry to the Spaso House do not permit any exceptions to this deadline.

Name of Guest: _____
 Firm/Organization: _____
 Guest Social Events Registration @ \$140.00 each Qty _____

IV. Purchase Extra Conference Materials

Conference Materials will be provided to registrants on CD-ROM at no extra cost. If you would like to purchase an additional CD-ROM or are unable to attend the meeting but would like to purchase the CD-ROM, please indicate the number below and submit payment.

Additional CD-ROM @ \$80 each Qty _____

V. Make Your Payment

Refunds will not be issued for cancellations received after August 27, 2010.

PAYING BY CREDIT CARD:

Please include the following information when making payment via credit card. Return this form by mail, fax (202.662.1669) or email to smithj@staff.abanet.org.

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Data Protection Notice - Please sign below: *By submitting this completed 2010 Moscow Dispute Resolution Conference registration form, you are providing us with personal information. By registering and signing this form below, you consent to our use of that information to complete the registration process and to compile data which the Section may use for Section membership and programming purposes only. Your payment information, including credit card information is used only to process payment for your 2010 Moscow Dispute Resolution Conference registration fees and is not retained for any other purposes whatsoever.*

Your signature: _____

Date: _____

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PAYING BY CHECK:

Please make check payments payable to the **American Bar Association in USD.**

PAYING IN RUBLES:

The Section is working with a local partner in Russia – Russian National Committee of The International Chamber of Commerce – the World Business Organization (ICC Russia) to offer the option to make payment in Rubles. Additional information can be found at <http://iccwbo.ru/actions/311/>. If you prefer paying in Rubles, please contact ICC Russia at phone: +7 495 7205080, fax: +7 495 7205081 or e-mail: iccoffice@iccwbo.ru to make all necessary arrangements.

Please note, that if you chose this option, you will be requested to confirm your registration through acceptance of the Addendum to this Registration form provided by ICC Russia, and pay to ICC Russia (acting on our behalf) the Ruble amount equal to appropriate fees stipulated in item II, III, IV of the Registration form at the official exchange rate of the CBR as of the date of payment plus VAT 18%.

VI. Refund Policy

Cancellations must be made in writing and received by the Section office by **August 27, 2010**, for a full refund of fees, less a \$100 administration fee. No refund of registration will be granted after that date *except in the case of medical emergency or extenuating circumstances approved by the Section in its sole discretion.*

When a completed registration form and payment have been submitted to the Section office either by mail, email or fax, the registration is considered to be a firm commitment and you will be expected to pay the registration and any ticketed event fees, unless a written cancellation is received as set forth above. Any refunds issued will be processed to the credit card on file for individuals who made registration payment via credit card.

VII. Travel Information

Please note that a **VISA** is necessary for entry into Russia from the United States and many other countries. Further information can be obtained from the Russian Embassy (<http://www.russianembassy.org/>) or through a commercial **VISA** service.

Should you require overnight hotel accommodations, a block of rooms is being held at the Lotte Hotel, Moscow at a special low per night group rate of **9,500 RUB for single occupancy** and **10,500 RUB for double occupancy**. Rates are subject to VAT of 18%. For additional information about the hotel, visit <http://www.lottehotel.ru/> and to obtain a Hotel Reservation Form to complete your hotel reservations, please contact Jessica Smith via email at smithj@staff.abanet.org.

You are encouraged to make your airline reservations online via the American Bar Association (ABA) travel site where you automatically receive specially negotiated ABA airfare and car rental discounts from a variety of carriers. This site makes it easy to view and purchase low fare options including web fares. Simply visit www.abanet.org/travel to make your travel arrangements. If you have not used this site before, it only takes a few moments to establish a username and password allowing you to immediately book your reservations.

VIII. MCLE/CLE Credit and CPD Hours

MCLE/CLE CREDIT:

You will be required to fill in your **State License Number** on the MCLE/CLE sign in sheet at the 2010 Moscow Dispute Resolution Conference. Please come to the meeting with your license number(s) for those states you will be obtaining MCLE/CLE credit.

MCLE/CLE credit has been requested. For delegates where MCLE/CLE is mandatory, a Certificate of Attendance will be provided onsite.

CPD hours have been requested: For delegates from countries where CPD hours is mandatory, a Conference Certificate of Attendance will be provided onsite.

For questions regarding MCLE/CLE credit and CPD hours please visit the Registration Table at the Meeting.

IX. Let Us Know If You Require Assistance

Please indicate if, under the Americans with Disabilities Act, you require specific aid or service during your attendance at the 2010 Moscow Dispute Resolution Conference: **Audio** **Visual** **Mobile**

Online registration is strongly encouraged.
Pre-registration closes on
Friday, August 27, 2010.
Please allow up to three (3) weeks for processing.

Mail to:
ABA Section of International Law
2010 Moscow Dispute Resolution Conference
Attention: Jessica Smith
740 Fifteenth Street, NW
Washington, DC 20005 USA
or fax to 202.662.1669

If you are completing the hard copy registration form and require a receipt please contact the Section office via email at smithj@staff.abanet.org. Receipt and confirmation of registration will not be available until payment is received and processed.

Addendum to Registration Form**ABA Section of International Law**

Conference: "CROSS-BORDER DISPUTE RESOLUTION: THE PERSPECTIVE FOR RUSSIA AND THE CIS"
September 14, 2010
The Lotte Hotel, Moscow, 8 bld.2, Novinskiy Boulevard

Addendum to the Conference Registration Form

Only for delegates who have chosen Paying in Rubles option offered in Item V of the Registration Form
(please fill in this form in Russian to be properly invoiced and registered)

Full name of the Company to be invoiced:**Signatory (name and position), by what authority acts:****Contact person:****Mailing address:****Phone:****Fax:****E-mail:****Type of Company Business:****Company's bank account details:**

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The Company wishes to order and pay for the services related to the Company's representatives participation in the Conference "Cross-Border Dispute Resolution: The Perspective for Russia and the CIS"; the Organizers (ABA Section of International Law) shall provide the Company such services (Conference-related services); and ICC Russia acting as an agent and on behalf of the Organizers accepts the payments for the Conference-related services and arranges settlements with the Organizers.

Registration fees, as provided by Item II of the Registration form.**Delegates Information. Please provide details for each delegate:**

№	Full Name	Position in the Company	E-mail	Contact phone
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2				
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№	Full name	
1		
2		
Total amount (\$)		

Extra Conference Materials, as provided by Item IV of the Registration form:

Quantity	
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AGREED AND ACCEPTED:**TOTAL AMOUNT (\$, VAT excluded):** _____**Authorized signature and the Company's seal, Name, Position****Terms of payment:**

- ICC Russia acting on behalf of the Conference Organizers shall invoice the Company based on the information provided in the Registration form and the present Addendum to the Registration Form.
- Payment for the Conference-related services under the invoice issued by ICC Russia shall be made in Rubles at the official exchange rate of CBR as of the date of payment, plus VAT 18%.
- 100% of total amount for the ordered services shall be paid under the issued invoice not later than 5 days after receipt of the invoice, and in any case within the time limits established by the Conference Organizers and specified in the Registration Form.
- Delegate's substitution and Refund policy are established by Organizers and specified in the Registration Form. Exceptional cases, as defined by Item VI of the Registration Form, are to be agreed with the Organizers.

To complete the process of registration for the Conference please send filled in the Registration Form and the present Addendum to ICC Russia by fax: **+7(495) 720 50 81** or e-mail: iccoffice@iccwbo.ru.

Please make sure that your message is delivered successfully by ICC Russia phone: **+7(495) 720 50 80**.

Dates: 13-15.09.2010
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Non-Smoking / Номер для не курящих

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Room with two beds / Номер с двумя кроватями

Reservation should be guaranteed by a credit card. Please complete the section below.

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If you require a letter to obtain a visa to Russia, please, fill this section.

Если Вам необходима визовая поддержка, пожалуйста, заполните следующую форму.

Passport Number / Номер паспорта _____

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Expiry Date / Срок действия _____

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Fax/Факс _____

Today's date/ Дата подписания _____

Reservation must be canceled 7 days prior to arrival to avoid billing of one night's room and tax.

За все бронирования, не отмененные за 7 дней до заезда, Гостиница взимает штраф в размере стоимости номера за сутки с учетом налогов.

Check in time is 3:00 pm / Время заезда 15:00
Check out time is 12:00 am / Время выезда 12:00

Reservations at the special group rate are accepted till: 27.08.2010. After this date reservations are accepted on availability basis/

Бронирования по специальной групповой цене принимаются до 27.08.2010.

После 13.08.2010 бронирования будут подтверждаться при условии наличия номеров

Your name / Ваше имя _____ Contact fax number / Факс _____

Contact tel. number / Контактный телефон _____ E-mail address / Адрес электронной почты _____

In case of any questions, please, fill free to contact our Reservation department by phone: +7 495 287 05 00,

fax: + 7 495 287 05 01 or e-mail: reservations@lottehotel.ru

В случае возникновения вопросов, пожалуйста, обращайтесь в отдел бронирования по тел: +7 495 287 05 00, факсу + 7 495 287 05 01 или электронной почте reservations@lottehotel.ru

THANK YOU AND WE LOOK FORWARD TO YOUR VISIT!

Спасибо. Добро пожаловать!

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