

**THE INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION® (ICDR) and  
THE ASSOCIATION OF INTERNATIONAL PETROLEUM NEGOTIATORS (AIPN)**  
JOINTLY PRESENT

# DISPUTE RESOLUTION

IN THE INTERNATIONAL OIL & GAS BUSINESS

20 – 21 OCTOBER 2008  
RIO DE JANEIRO,  
BRAZIL



**CONFERENCE SPONSORS**



**IN COOPERATION WITH:**



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# DISPUTE RESOLUTION

20 – 21 OCTOBER 2008  
RIO DE JANEIRO,  
BRAZIL

IN THE INTERNATIONAL OIL & GAS BUSINESS

## CONFERENCE GOALS:

The International Centre for Dispute Resolution® (ICDR), the international division of the American Arbitration Association (AAA), and the Association of International Petroleum Negotiators (AIPN) have jointly organized an international dispute resolution conference that will focus on the oil and gas industry. This program will have a Latin American focus, bringing together a number of the world's leading experts in dispute resolution for the oil and gas industry in Rio de Janeiro, Brazil. Join us as we convene panels of experts in the field of international energy arbitration on Copacabana Beach to discuss recent developments, issues, cases and trends and to consider what lies ahead for ADR in this area with a focus on the Americas and the oil and gas industry.

Attendees will come away with an overview of the present and future state of affairs in the field of international energy arbitration, clause-drafting and arbitrating tips to consider for international energy cases, as well as practical advice on how to avoid potential problems during each phase of these cases. The state of oil and gas industry disputes in the region will be extensively covered, providing practitioners with the latest information they need to know.

## TOPICS INCLUDE:

- The History of Oil and Gas Disputes
- Disputes Amongst Companies
- Boundary Disputes
- Environmental & Decommissioning Disputes in the Oil and Gas Industry
- Oil and Gas Disputes in Latin America
- Stabilization, Renegotiation and Adaptation in Oil and Gas Investments
- Investments Treaties and National Laws
- Latin American Oil & Gas - the ADR Practitioner's Roundtable

**08:30 – 09:00: Registration and Refreshments**

**09:00 – 09:30: Opening Remarks**

**William K. Slate II**, *President of the International Centre for Dispute Resolution, and President and Chief Executive Officer of the American Arbitration Association*

**Pat Allison**, *President of the Association of International Petroleum Negotiators*

**09:30 – 10:45:**

**First Session: History of Oil and Gas Disputes**

This session deals with the history and the primary issues of disputes in the international oil & gas business. Speakers will present an overview of leading cases over the last fifty years, focusing on the reasons why oil & gas disputes have been important in the development of international dispute resolution and the emergence of Lex Petrolea.

**Chair:**

**Tim Martin**, *Independent Arbitrator*

**John Bowman**, *King & Spalding LLP*

**Horacio Grigera Naon**, *Independent Arbitrator*

**Arif Ali**, *Crowell Moring LLP*

**10:45 – 11:15: Break**

**11:15 – 12:30:**

**Second Session: Disputes Amongst Companies**

Oil & gas companies deal with a multitude of disputes arising from their transactions and contracts with each other and their service providers. Speakers will discuss disputes arising from joint operating agreements, confidentiality agreements, area of mutual interest agreements, fiduciary obligations and acquisition of oil & gas properties, amongst others.

**Chair:**

**David Asmus**, *Baker Botts LLP*

**Donald Donovan**, *Debevoise & Plimpton LLP*

**David Haigh**, *Burnett Duckworth & Palmer LLP*

**Mark Baker**, *Fulbright & Jaworski LLP*

**12:30 – 14:30: Lunch**

**14:30 – 15:45:**

**Third Session: Boundary Disputes**

An overview of the most significant boundary disputes (with an emphasis on Latin America) involving major oil & gas fields in the world along with a discussion of how they were resolved.

**Chair:**

**William K. Slate II**, *President of the International Centre for Dispute Resolution, and President and Chief Executive Officer of the American Arbitration Association*

**Derek Smith**, *Dewey & LeBoeuf LLP*

**Pieter Bekker**, *McDermott, Will & Emery LLP*

**Luis Alberto Erize**, *Abeledo Gottheil Abogados*

**15:45 – 16:15: Break**

**16:15 – 17:30:**

**Fourth Session: Environmental & Decommissioning Disputes in the Oil and Gas Industry**

This session will focus on disputes emerging in the areas of the environment and the decommissioning of oil & gas facilities. Speakers will discuss environmental treaties, international environmental law & standards and environmental disputes arising amongst states, companies & NGO's. An overview of decommissioning in the international oil & gas industry will also be provided.

**Chair:**

**Carlos Cesar Borromeu de Andrade**, *Legal Counsel - Manager of International Affairs, Legal Dept, Petrobras, Petroleo Brasileiro, S.A.*

**Stirling Leech**, *Clyde & Co.*

**Tim Martin**, *Independent Arbitrator*

**Dinner @ Porção Rio's - a traditional Brazilian Barbeque - one of Rio's finest.**



**09:00 – 10:15:**

**First Session: Oil and Gas Disputes in Latin America**

This segment will review the most significant oil & gas disputes arising in Latin America over the last decade, including those unfolding in Argentina, Venezuela, Ecuador, etc.

**Chair:**

**Horacio Grigera Naon**, *Independent Arbitrator*

**Jonathan Hamilton**, *White & Case LLP*

**Nigel Blackaby**, *Freshfields LLP*

**José Emilio Nunes Pinto**, *José Pinto Advogados*

**10:15 – 10:45: Break**

**10:45 – 12:00:**

**Second Session: Stabilization, Renegotiation and Adaptation in Oil and Gas Investments**

This session provides a review of major disputes arising from attempts to stabilize the terms in oil & gas investment contracts. The panel will also discuss the alternative mechanisms of renegotiation and adaptation of contractual terms.

**Chair:**

**Elisabeth Eljuri**, *Macleod Dixon LLP*

**Henri Alvarez**, *Fasken Martineau DuMoulin LLP*

**Ramiro Guevara**, *Guevara & Gutiérrez S.C.*

**Selma Lemes**, *Independent Arbitrator*

**12:00 – 14:00: Lunch**

**14:00 – 15:15:**

**Third Session: Investments Treaties and National Laws**

Speakers will present a review of investment treaties such as ICSID, the Energy Charter and Bilateral Investment Treaties (BIT's). National laws implementing and sometimes contradicting those investment treaties will also be discussed. The session will go through the major energy arbitrations arising from direct investor state treaties as opposed to contract based disputes. The panel will also handle issues such as investor protection, expropriation, fair & equitable treatment, no less favorable treatment and compensation.

**Chair:**

**Oliver J. Armas**, *Chadbourne & Parke LLP*

**David Lindsey**, *Clifford Chance LLP*

**Eduardo Zuleta**, *Gómez-Pinzón & Zuleta*

**George K. Foster**, *Dechert LLP*

**15:15 – 15:45: Break**

**15:45 – 17:00:**

**Fourth Session: Latin American Oil & Gas - the ADR Practitioner's Roundtable**

The panel will discuss the potential advantages and challenges in using ADR in the field of Oil and Gas in the Americas. This panel will also provide practical advice regarding potential problems to avoid, issues to consider when selecting the forum for these disputes, the application of institutional rules vs. ad hoc arbitration, clause-drafting and practical tips to consider when handling international oil and gas cases.

**Chair:**

**Pedro Batista-Martins**, *Arbitration Counsel*

**Joaquim T. Muniz**, *Baker & McKenzie LLP*

**Gilberto Giusti**, *Pinheiro Neto*

**Luis Martinez**, *ICDR*

**17:00: Closing Remarks**

**Tim Martin**, *AIPN*

**Steve Andersen**, *ICDR*

MATERIALS WILL BE AVAILABLE AT THE CONFERENCE.



# DISPUTE RESOLUTION

IN THE INTERNATIONAL OIL & GAS BUSINESS

## REGISTRATION FORM

### REGISTRATION FEES

Full payment must be received in order to process registration. Conference registration fees include admission to all sessions, along with the course materials, luncheon, the dinner on 20 October and breaks as outlined in the program agenda.

### VENUE

**JW Marriott Hotel Rio de Janeiro**  
**Av. Atlântica 2600, Copacabana**  
**Rio de Janeiro - Brasil**  
**Tel: 5521 2545-6500**  
**Fax: 5521-2545-6555**

The ICDR and AIPN have arranged to have a block of rooms available at a reduced rate. There is a limited block at the special starting rate of USD \$312.00 being held until July 25, 2008 only.

To confirm your reservation for the hotel space you may book on-line using the following link:

<http://cwp.marriott.com/riomc/adr>

or call the hotel directly using the telephone number above or Marriott's toll free number if available in your country - check your local listings. When booking by phone please refer to the "JUS GROUP" rate.

*CANCELLATION POLICY: Please note that space availability is limited. Should you need to cancel your registration, a refund of 50% of the registration fee paid is available until September 01, 2008. We regret that no refunds can be made after that date.*

### Please type or print.

Mr. / Sr.     Ms.     Mrs.     Dr.

Name \_\_\_\_\_

Company \_\_\_\_\_

Address 1 \_\_\_\_\_

Address 2 \_\_\_\_\_

City \_\_\_\_\_

Province/State \_\_\_\_\_

Postal Code \_\_\_\_\_

Country \_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

### Registration Fee USD: (check one)

- USD \$500.00 – early registration rate –**  
On or before September 1, 2008 – includes dinner at Porcão Rio' for one
- USD \$600.00 – regular registration rate –**  
On or after September 2, 2008 – includes dinner at Porcão Rio' for one
- USD \$100.00 – Guest fee** for 20 October dinner at Porcão Rio'
- USD \$70.00 – Student**

**Languages:** English, Spanish and Portuguese - Simultaneous Interpretation will be available.

### METHOD OF PAYMENT

Please charge my

VISA     MasterCard     American Express

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\* 3-digit security code on back of Visa and MasterCard cards and 4-digit code on the front of American Express card

Name on Card \_\_\_\_\_

Signature \_\_\_\_\_

Today's Date \_\_\_\_\_

### Mail or Fax Completed Form to:

International Centre for Dispute Resolution  
To the attention of Quincy Smith  
1633 Broadway, New York, NY 10019-6709

Or email details to Quincy Smith at [SmithQ@adr.org](mailto:SmithQ@adr.org)

### For more information, please call

+1 212-484-3258 Fax 212-246-7274

You may also register online with the ICDR please use the following link: <http://www.aaauonline.com/courseCalendar.aspx> – for all ICDR/AAA course listings and select the Oil and Gas program October 20, 2008

### To register with AIPN:

AIPN members can register online on the AIPN website:

[http://www.aipn.org/conferences/conferences\\_details.asp?id=290](http://www.aipn.org/conferences/conferences_details.asp?id=290)

### For more information, please call

+1 281 558 7715 or  
email [aipn@aipn.org](mailto:aipn@aipn.org)



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