

Who manages the arbitration process – the **General Counsel's** role

Lisbon, 6th July 2010

Arbitration is increasingly regarded as a more satisfactory, timely and cost effective way of resolving both complex domestic and international disputes.

But while much of the writing on arbitration focuses on the relevant legal framework, or the role of the arbitrators in the process, there remains a shortage of information regarding the role of the General Counsel who, at the end of the day, has the ultimate responsibility for the outcome of the process.

Faced with the perceived complexities of arbitration and different procedural and award processes when compared to traditional litigation, General Counsel are often unsure of the steps they should follow. Above all, question some, is it they who should be driving the process, or passing that role to their external counsel, arbitral institutions or even arbitrators?

A group of senior in-house lawyers will debate these issues in an informal and interactive style with the assistance of leading Portuguese and international arbitration experts.

Specific issues to be addressed include:

- why choose arbitration at all
- drafting effective arbitration clauses
- deciding upon the most appropriate seat and applicable law
- the advantages and disadvantages of institutional versus *ad-hoc* arbitration
- selecting and working in the best way with arbitrators
- managing timetables and costs
- requesting interim awards and the enforceability of the final arbitral award.

A key element throughout the session will be the roles and responsibilities throughout the process of in-house counsel, external counsel, arbitrators and, potentially, judges.

Faculty

Jean-Claude Najar,
General Counsel, GE France

José Miguel Júdice
Partner, PLMJ

Manuel P Barrocas
Partner, Barrocas Advogados

Rui Mayer (moderator)
General Legal Counsel,
Company Secretary,
GALP Energia

Venue

Eleven Restaurant
Av. Marquês da Fronteira Jar-
dim Amália Rodrigues

Time

09:00 - 11:30

In cooperation with:

BARROCAS ADVOGADOS

PLMJ

Methodology

The breakfast will be informal and interactive. Participants can submit their questions in advance. During the meeting the moderators will introduce each question inviting the participants to share their views and conclusions with the group.

Faculty



Jean-Claude Najar

Jean-Claude Najar is the General Counsel for GE France. He served previously as worldwide General Counsel of GE's Oil & Gas business in Florence, Italy, and as General Counsel EMEA of its Medical Systems business. He started his career in the Paris office of Coudert Brothers, where he specialized in international arbitration. Jean-Claude Najar is the Honorary Founding President of the Corporate Counsel International Arbitration Group (CCIAG), which regroups some 70 multinationals today, and a member of its Steering Committee.



José Miguel Júdece

José Miguel Júdece is the Head of the arbitration practice group of PLMJ. He was President of the Portuguese Bar Association and member of the High Council of the Judiciary. He is the first President of the Portuguese Chapter of Club Español de Arbitraje. Educated at Coimbra University, he has been since 2004 visiting professor of Business Law and Dispute Resolution at Lisbon's Universidade Nova. He has published texts about mediation and arbitration and lectured on these themes in Portugal, Spain, France and Brazil.



Manuel P Barrocas

Manuel P Barrocas studied Law in the University of Lisbon and was admitted to the Portuguese Bar Association in 1968. He is the Managing Partner of Lisbon-based Barrocas Advogados and he is recommended as a leading Portuguese lawyer in international directories and publications. He is also a representative speaker of the Portuguese Bar at CCBE (Council of the Bars and Law Societies of the European Community) and he is the author of many legal and comparative law books.



Rui Mayer (Moderator)

Rui Mayer started his working life at Partex-CPS, an Engineering and Project Consulting company then belonging to the Gulbenkian Foundation before joining Neste Oy, of Finland, managing its offices first in Lisbon and then in Algiers. Mayer joined Petrogal where he held the role of company secretary for four years, before assuming the role of general manager for HR. When Galp Energia was created in 2000, he was appointed as their General Legal Counsel and is now also Company Secretary.

Booking Form

Participation is by invitation only and places are very limited. To reserve your place please complete the details below and send them before 18th June to:

Carlota Sánchez-Celaya

Email carlota.sanchez@iberianlegalgroup.com

- Yes, I want to attend
 No, I can't attend

Name _____

Job Title _____

Company _____

Email _____

Telephone _____ Fax _____

Address _____

Signature _____

All cancellations must be received in writing. Iberian Legal Group SL (ILG) reserve the right to change the content and timing of the programme, the faculty and the date and venue if reasons are beyond their control. **Data protection** – In accordance with the L.O.P.D. we inform you that your details will be included in the ILG database to manage your participation in this project, as well as to offer information services organised by Iberian Lawyer or one of their collaborators. You may exercise your rights of access, modification and cancellation or opposition through communication with Iberian Lawyer, Lagasca 138, 28006 Madrid.