

## Damages in Investment Treaty Arbitration: Expectation versus Reality

### Speakers



#### Lord Carnwath (Chair)

##### *Supreme Court Judge*

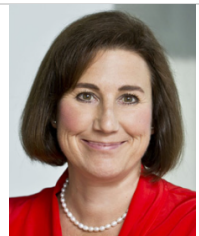
Called to the Bar in 1968 and taking silk in 1985, Lord Carnwath served as Attorney General to the Prince of Wales from 1988 to 1994, a Chancery Division Judge from 1994 then Court of Appeal Judge from 2002. Between 2007 and 2012 he was Senior President of Tribunals, before being appointed to the Supreme Court in 2012.



#### James Neill

##### *Barrister, Landmark Chambers*

A UK barrister, James has represented clients in both investment treaty and commercial arbitrations and in related litigation in various Commonwealth jurisdictions. He has experience of arbitrations conducted under the major arbitration rules (including the ICC, LCIA, ICSID, UNCITRAL rules) particularly in the energy, telecoms, infrastructure and construction sectors.



#### Liz Perks

##### *Partner, Haberman Ilett LLP*

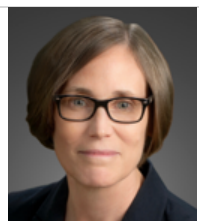
A fellow of the Institute of Chartered Accountants, Liz has been involved in around 70 cases over 17 years, including being appointed as the accounting expert in claims for breach of contract, breach of warranty, claims in tort and shareholder disputes.



#### Jeffrey Sullivan

##### *Partner, Gibson Dunn*

A dual-qualified lawyer, (Washington DC and England & Wales), Jeff has acted as counsel and lead advocate in numerous bilateral investment treaty and Energy Charter Treaty arbitrations. He has also advised EMEA and Central Asian States on the negotiation and drafting of investment treaties.



#### Janet Walker

##### *Arbitrator, Outer Temple Chambers*

Janet is Professor of law at Osgoode Hall Law School, a member of the Ontario Bar, and consultant of the New York State Bar. She has served as sole arbitrator, co-arbitrator and chair in ICC, ICDR, DIAC and SIAC-administered, and in ad hoc arbitrations, and is a member of multiple arbitral panels. She has also served in more than fifty expert consulting and testifying mandates.

### Programme

- 17:45 Registration
- 18:00 Welcome by the chair (Lord Carnwath)
- 18:05 Chorzów Factory and beyond: case law update (James Neill)
- 18:20 Contributory negligence and business risk (Jeffrey Sullivan)
- 18:35 Assessment of FMV: the expert witness perspective (Liz Perks)
- 18:50 An arbitrator's perspective: how best to present quantum evidence (Janet Walker)
- 19:05 Questions and Discussion
- 19:20 Networking drinks

### Details

- Date Thursday 22 March 2018
- Time 18:00 – 19:20 (CPD: 1)
- RSVP [events@hiforensic.com](mailto:events@hiforensic.com)
- Venue Landmark Chambers. 180 Fleet Street, London EC4A 2HG

