

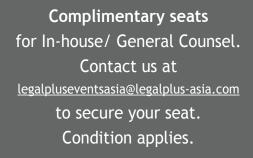
**LEGAL PLUS BRINGS YOU ITS** 

# QATAR & MENA: 7<sup>TH</sup> ANNUAL INTERNATIONAL ARBITRATION VIRTUAL SUMMIT

(This conference will be conducted in English)

Wednesday, 2 March 2022, 8:55am - 12:30pm

(Qatar Local Time - GMT+3)



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**Julian Cohen** Arbitrator & Barrister, Resolution Chambers



Paula Boast Partner, Head of Construction, Engineering & Projects, Middle East, Charles Russell Speechlys LLP



Colette Wilkins QC Partner, Head of Litigation -Asia & Middle East, Walkers Global



Cate Barbour Senior Counsel, Dubai, Walkers Global



**Luke Petith** Senior Counsel, Dubai, Walkers Global



Damien McDonald Barrister, Prince's Chambers; Barrister, Outer Temple Chambers



Mehdi Mellah Senior Legal Counsel, Deminor Recovery Services



**Dr. Dania Fahs**Director, Arbitration and
ADR-MENA, ICC International
Court of Arbitration



Lucy Martinez Member, Arbitralwomen; Independent Arbitrator, Martínez Arbitration



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Victor P. Leginsky Independent International Chartered Arbitrator



Hani Al Naddaf Partner, Head of Litigation, Qatar, Al Tamimi



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| 9:00 — 9:15   | Opening Welcome Message and Arbitration Update Emily Wood, Barrister, Essex Court Chambers   |  |
|---------------|--|--|
| 9:15 — 9:35   | The Risks of Jurisdictional Challenges and the Qatar Appeal Court Paula Boast, Partner, Head of Construction, Engineering & Projects, Middle East, Charles Russell Speechlys LLP   |  |
| 9:35 — 9:50   | Managing MENA and China-related M&A Arbitration Disputes Damien McDonald, Barrister, Prince's Chambers; Barrister, Outer Temple Chambers   |  |
| 9:50 — 10:05  | Managing Investigations & Enforcement in Qatar & Update of QFC Laws  Andrew Lowe, Director of Enforcement, Qatar Financial Centre Regulatory Authority   |  |
| 10:00 — 10:25 | Interview with the Umpire — Arbitrators Discuss Best Practices and the Future of Dispute Resolution  • Jay Alexander, Independent Arbitrator, Alexander Arbitration  • Victor P. Leginsky, Independent International Chartered Arbitrator  |  |
| 10:25 — 10:40 | Use of Expert Witness in Arbitrations - Advising GC's in the Region  • Jason Beech, Senior Contracts and Procurement Director, Qatar Rail  • Saad Hegazy, Board Member CIArb Qatar Branch; Partner, Resolve International  |  |
| 10:40 — 10:55 | Enforcement of Awards in Qatar — Current Updates Hani Al Naddaf, Partner, Head of Litigation, Qatar, Al Tamimi   |  |
| 10:55 — 11:15 | Effective Management of Construction Disputes in a Virtual Age: Practical Experiences and Tips?  Julian Cohen, Arbitrator & Barrister, Resolution Chambers   |  |
| 11:15 – 11:30 | Offshore Solutions to Disputes in the Middle East  Colette Wilkins QC, Partner, Head of Litigation - Asia & Middle East, Walkers Global  Cate Barbour, Senior Counsel, Dubai, Walkers Global  Luke Petith, Senior Counsel, Dubai, Walkers Global   |  |
| 11:30 — 12:15 | Grand Panel & Q/A — Has COVID Changed the ADR Funding Landscape — Pro's & Cons of Litigation Funding Moderator  • James Bremen, Partner, Quinn Emanuel Urquhart & Sullivan  Panellists:  • Dr. Dania Fahs, Director, Arbitration and ADR-MENA, ICC International Court of Arbitration  • Lucy Martínez, Member, Arbitralwomen; Independent Arbitrator, Martínez Arbitration  • Mehdi Mellah, Senior Legal Counsel, Deminor Recovery Services |  |
| 12:20 — 12:30 | Chair wrap up & Closing Remarks  |  |

#### Emily Wood, Barrister, Essex Court Chambers

Emily Wood, Queen's Counsel (designate), is an English barrister practising from Essex Court Chambers in London, widely recognised as the leading arbitration chambers in the UK. Emily specialises in international arbitration, having been ranked in the top tier for the practice area by the legal directories for many years and winning Chambers International Arbitration Junior Barrister of the Year in 2017. She practises in all areas of international arbitration, from a regular diet of appearance in heavy weight commercial arbitrations (including ICC, LCIA, UNCITRAL, SIAC, AAA & JAMS), to enforcement challenges under the New York Convention (both on shore before the Commercial Court of England & Wales (including representing Tatneft in successfully resisting Ukraine's repeated attempts to avoid enforcement of the ICSID award against it) and off shore, including before the Cayman Court of Appeal and presently the Privy Council (VRG v MatlinPatterson), via appearances in many of the leading cases on challenges to arbitration awards under the Arbitration Act 1996. Emily also sits as arbitrator. She has a first class degree in law from the University of Cambridge and a masters in commercial law from the University of Oxford.

#### James Bremen, Partner, Quinn Emanuel Urquhart & Sullivan

James is Chair of Ouinn Emanuel's Construction and Engineering Practice and has over 20 years of experience in the world's largest and most complex construction projects and most difficult disputes. Clients describe him as "peerless in his knowledge and tactical awareness" - Legal 500 UK 2022 and praise his strategic abilities, saying "James is great at formulating a clear strategic vision and is very calm under pressure." - Chambers UK 2022. He is "first-class, he's our preferred lawyer on arbitrations" - Chambers Global 2020 and as an "exceptional litigation lawyer" - whose "reputation spreads widely throughout the Middle East" and who is "formidable wherever he goes." - Chambers Global, 2017. He has a "stellar disputes practice" - Chambers Global 2017, and has worked in over 25 countries on both project documentation and claim resolution (including as Counsel in some of the world's largest construction arbitrations) in the oil and gas, power and major infrastructure sectors. James "commands considerable respect from peers and clients alike" and "has a wealth of experience from working with multinational oil and gas companies, which gives him excellent insight into the industry" - Chambers Global, 2017. "Market observers affirm James Bremen's prodigious construction disputes practice and praise his skills in litigation. One source describes him as the most experienced and skilled construction litigator in Qatar, if not the region" Chambers Global, 2016. Who's Who Legal, 2016 notes his "vast experience on the international scene" and "breadth of expertise". Who's Who Legal has ranked him in the area of Construction for a decade and as a Global Thought Leader in Construction in 2020. He has over a decade's experience in representing the State of Qatar and the Kingdom of Saudi Arabia in construction disputes, and "understands Arab clients' needs extremely well" - Chambers Global, 2015, as well as regularly representing clients in emerging markets, in particular Malaysia and the CIS countries. He is "one of the main players in the market for Qatarrelated disputes" - Chambers Global, 2018. James won the prestigious UK Client Choice Award for Construction for 2020, with clients commenting "his availability and commitment is fantastic".

## Julian Cohen, Arbitrator & Barrister, Resolution Chambers

Julian has 30 years of specialist experience of heavyweight international, and domestic, disputes. Sums in dispute in his cases vary from small to in excess of USD 2 billion. In addition to acting as counsel, he also regularly sits as an arbitrator. Julian has over 10 years' experience in the MENA region, including 2 years based full time in Dubai, and an ongoing long-term commitment to the region. Julian has been involved in projects and disputes in Dubai, Abu Dhabi, Qatar, Oman, Iran, Saudi Arabia, Benin, Sierra Leone and Mali.

Julian was called to the Bar in England & Wales in 1990. He was with Pinsent Masons' Construction Disputes practice in London and Hong Kong from 1993 to 2009. He left Pinsent Masons as a partner in 2009, and was called to the Bar in Hong Kong in 2010.

Julian is particularly well known for his heavy weight practice in relation to the Construction and Engineering sectors; the Energy, Oil and Gas sectors; and International and domestic arbitrations.

# Paula Boast, Partner, Head of Construction, Engineering & Projects, Middle East, Charles Russell Speechlys LLP

Paula is the Head of the firm's Construction, Engineering and Projects practice for the Middle East and is active across Qatar, Bahrain, Oman, Saudi Arabia and the UAE.

She advises clients on contentious and non-contentious matters including alternative dispute resolution strategy, mediation, early settlement, localised and international litigation proceedings and arbitrations initiated in the QICCA, ICC, LCIA, BCDR, DIFC, as well as ad hoc arbitrations under the UNCITRAL Rules and local GCC equivalents. Paula is also a registered mediator.

Her work includes notable multi-jurisdictional cases as well as procurement, contract drafting and negotiations, project structuring strategies, risk reduction and dispute avoidance strategies, claims review and advisory work, and achievement of early settlements.

Paula is a Middle East Country Coordinator for the Society of Construction Law (Gulf), having previously served on the SCL Council in the UK. She is actively engaged with the Qatar British Business Forum, the Qatar British Embassy and its Department of International Trade.

She regularly speaks at many conferences across the Middle East including in Qatar on Construction and Dispute Resolution and international trade-related topics. She is a regular speaker for the Qatar Chapter of the Royal Institute of Chartered Surveyors ('RICS'), the Qatar Chamber of Commerce and Industry, the Qatar International Center for Conciliation and Arbitration, and the ICC.

Colette Wilkins QC, Partner, Head of Litigation - Asia & Middle East, Walkers Global

Colette Wilkins QC has been a commercial litigator for 30 years, specialising in contentious insolvency, high value asset recovery, investment fund disputes and issues relating to corporate governance and fraud. She advises office-holders in complex cross-border liquidations, and regularly represents creditors and liquidators in insolvency and related proceedings to determine and protect interests in insolvent estates. Colette advises and appears for clients on issues relating to corporate governance and fraud as well as other areas of commercial litigation. She has been a partner in the Walkers Insolvency and Dispute Resolution Group since 2009.

Colette is one of the two attorneys appointed by the Chief Justice to sit on the Cayman Islands Grand Court Rules Committee. She was appointed to the rank of Queen's Counsel in 2021 following the recommendation of the Cayman Islands' judiciary to the Foreign & Commonwealth office.

#### Cate Barbour, Senior Counsel, Dubai, Walkers Global

Cate Barbour joined Walkers in 2015 and is Senior Counsel in the Insolvency & Dispute Resolution Group. She is currently based in Dubai on secondment from the firm's British Virgin Islands (BVI) office.

Cate has broad commercial litigation experience, including company and shareholder disputes, contractual disputes, trust disputes, and fraud claims. She regularly acts for clients based in Russia, the CIS and the Middle East, and has particular experience in assisting clients in relation to freezing orders and other urgent injunctive relief.

Since 2018 she has been acting in the Emmerson litigation in the BVI Commercial Court, one of the most complex and substantial cases to have been brought in the jurisdiction in recent years. Cate has also successfully represented clients in the Eastern Caribbean Supreme Court (ECSC) Court of Appeal and most recently in the Privy Council.

Cate has also spent time in the Walkers Cayman Islands and London offices.

## Luke Petith, Senior Counsel, Dubai, Walkers Global

Luke Petith joined Walkers' Dubai office in 2016 and is Senior Counsel in the Insolvency and Dispute Resolution Group. Luke advises on British Virgin Islands law and Cayman Islands law.

Luke has a broad range of commercial and civil litigation experience, including complex multi-jurisdictional disputes, shareholder disputes and fund disputes. He also has experience in complex international contentious and non-contentious restructuring of companies and partnerships. Luke advises on all forms of formal appointments of insolvency officeholders in the British Virgin Islands and the Cayman Islands and advises creditors, debtors, private equity and hedge funds and other advisors with respect to insolvent or distressed situations.

# Damien McDonald, Barrister, Prince's Chambers; Barrister, Outer Temple Chambers

Damien is a barrister with Prince's Chambers in Hong Kong and Outer Temple Chambers in London, focusing on international arbitration and China related disputes.

He was initially admitted as a solicitor in Australia in 2001 and has practised with leading disputes firms in Melbourne, Darwin, London, Shanghai and Beijing. Before joining the bar in 2020, Damien was an international arbitration partner with a leading Chinese law firm in Hong Kong.

Damien deals with a broad range of commercial and contractual disputes, including M&A, shareholder, joint venture, and private equity/fund-related disputes. He has experience across a range of sectors ranging from minerals and resources, petrochemical, private equity, and funds, IT and systems integration and general commercial.

He is a Fellow of the Chartered Institute of Arbitrators and an arbitrator on the HKIAC List of Arbitrators, the Asian International Arbitration Centre Panel of Arbitrators and Shanghai Arbitration Commission Panel of Arbitrators. He is also a CEDR qualified mediator.

# Mehdi Mellah, Senior Legal Counsel, Deminor Recovery Services

Mehdi holds a Belgian law degree from the Catholic University of Louvain (Belgium) (KU Leuven, 2000), a degree in private international law from the University of Brussels (Belgium) (ULB, 2001), and an Executive Master in Management from the Solvay Brussels School of Economics & Management (Belgium, 2016-2017 and 2018).

He is a member of the Dutch-speaking Brussels bar since 2001 when he started his career in Brussels based arbitration law firm Hanotiau & van den Berg. Mehdi specialized in dispute resolution and arbitration in various Brussels based national and international law firms. Between 2013 and 2019, he gained in-house experience through different secondments to Belgian and international companies in Belgium.

Mehdi joined Deminor Recovery Services in March 2019 as senior legal counsel in the litigation funding practice, focusing on international arbitration and complex commercial litigation. He speaks English, French, Dutch, and has a basic understanding of German.

# Dr. Dania Fahs, Director, Arbitration and ADR-MENA, ICC International Court of Arbitration

Before joining ICC in 2018, Dania had a (13 +) years of mixed experience as attorney in private practice and in-house counseling. She is specialized in transactional, commercial and IP law and has advised clients on a broad range of commercial contentious and non-contentious matters as well as assisted in negotiating complex cross border transactions in various sectors (pharmaceutical, technology, FMCG, luxury...)

Prior to joining ICC, Dania was a senior legal counsel at Oracle Corp. She has an extensive international experience in advising multinational boards on a wide range of legal and strategic issues. Prior to relocating to UAE, Dania was a former lecturer in American Business Law (American University of Beirut), and in Intellectual Property Law (La Sagesse University)

Dania holds a Phd in Contractual Law (2007 University Montpellier I -France) Dir. Prof. Jacques Raynard and an Executive MBA from INSEAD (2018). She also holds a post graduate microprogramme degree in IP and Alternative Dispute Resolution (University of Montreal). She is certified as Trainer of Trainers by the WIPO Arbitration and Mediation Centre, member of Arbitral Women and a certified CEDR mediator.

# Lucy Martinez, Member, Arbitralwomen; Independent Arbitrator, Martínez Arbitration

Lucy Martinez is an independent arbitrator, with experience as sole, co-, or presiding arbitrator in ACICA, HKIAC, ICC, LCIA, and SIAC arbitrations, including in expedited proceedings, governed by the laws of Australia, England & Wales, Hong Kong, India, Singapore, and Thailand. She also acts as independent counsel, and has extensive experience advising and representing private and sovereign clients in disputes relating to investment treaties, contracts, and/or national investment legislation, including in AAA, ICC, ICSID, LCIA, UNCITRAL, and ad hoc arbitrations, governed by international and domestic law (common and civil law). Her industry experience includes energy (oil, gas, electricity, mining), telecommunications, satellite technology, banking, finance, insurance and reinsurance, trademarks, shipping, sports, supply of goods, gambling, and leisure sectors. Ms. Martinez is also a Sessional Lecturer in International Arbitration (part-time) at the University of Queensland, in Brisbane, Australia. For more information, please see www. martinez-arbitration.com.

# Saad Hegazy, Board Member ClArb Qatar Branch; Partner, Resolve International

Saad is a Delay and Quantum Testified Expert Witness, Member of the Academy of Experts with over 20 appointments, Expert Determinator, Arbitrator and Mediator based in Doha with more than 16 years' experience in Delay Analysis, Construction Contracts, Quantity Surveying, Claims, and Disputes Resolution in various industries and project types. Saad is the President of AACE Qatar Branch, and Board Member of ClArb & QFC Qatar Branch, previous ICC YAF MENA Regional Representative, head of Egyptian Delegation to ISO standard Committees for Project and Portfolio Management (ISO21500) since 2009, and winner of IPMA Young Project Manager Excellence Prize 2010.

Saad is a Fellow of the Chartered Institute of Arbitrators (FCIArb), Expert Witness and Member of Royal Institution of Chartered Surveyors (MRICS), Arbitrator listed at QICCA, SCCA, CIArb, and W&W roasters.

His Eduction includes BSC in Civil Engineering, MSC in Project Management, LLM in Arbitration.

## Jay Alexander, Independent Arbitrator, Alexander Arbitration

Jay Alexander is an independent arbitrator with over 30 years of experience in international dispute resolution. Recognized by Chambers Global for many years, he was recently described as simply "one of the best international litigators."

Over the course of his career, Jay has addressed an extensive array of legal issues arising throughout the world under many legal regimes. For several decades, his focus has been on commercial and investment treaty arbitrations, particularly in the energy, joint venture, project development, technology and telecommunications sectors.

Prior to becoming an independent arbitrator, Jay was a senior partner at Baker Botts LLP, where he helped found, and then chaired, that firm's international arbitration practice. In addition to practicing for many years in the United States, Jay was based in London, England from 2010 through 2021. He now divides his time between the United States and London.

A graduate of Dartmouth College (BA, summa cum laude, 1983) and Stanford Law School (JD, with Distinction, 1986), Jay began his legal career in 1986 as a judicial law clerk to Ruth Bader Ginsburg. He has guest lectured on arbitration and comparative law topics at various universities in the United States and the United Kingdom. Jay has also served as a Deputy Judge on the International Court of Appeal of the Federation Internationale de l'Automobile, the governing body for motorsports.

#### Victor P. Leginsky, Independent International Chartered Arbitrator

Victor P. Leginsky, Canadian citizen, is an experienced international arbitrator and Barrister & Solicitor, resident in Dubai, UAE since April 2007. Victor has prior high-level mediation experience having been appointed by the Attorney Generalof British Columbia, Canada, to be the Chair of the Manufactured Home Park Dispute Resolution Committee. He brings over 25 years of arbitration experience in Canada. Victor has earned the internationally-recognized designations of Chartered Arbitrator and Fellow from the Chartered Institute of Arbitrators. He is a committee member of the International Court of Arbitration (ICC) — UAE and member of ICC-Canada. He is alternate regional chapter co-ordinator of the Association of International Petroleum Negotiators (AIPN) and launched its seminar on oil & gas dispute resolution in the Middle East. He co-instructs, with Prof. Dr. Klaus Peter Berger a practical course in International Commercial Arbitration in Dubai. He is registered as a Barrister with the Dubai International Financial Centre (DIFC) Courts and is a member in good standing of the Law Society of British Columbia, Canada.

#### Hani Al Naddaf, Partner, Head of Litigation, Qatar, Al Tamimi

Al Tamimi's Dispute Resolution team in Qatar is led by partner Hani Al Naddaf who is a senior litigation lawyer with over 25 years' experience in his field of expertise.

Hani has built up the Qatar office's reputable Dispute Resolution team over the past 11 years with the firm. His team are one of the strongest in Qatar consisting of 13 lawyers whom have managed to maintain top-tier rankings in both Chambers & Partners and Legal 500 for a number of years.

He is closely involved in most high-profile litigation matters in relation to construction, commercial agencies, trademarks, debt recovery, employment and real estate. Hani's exceptional understanding of the principles of the Civil Code, and of Qatari law more generally, enables him to provide his clients with comprehensive legal opinions on the proper interpretation and application of relevant provisions of the law. He has extensive knowledge on the application and interpretation of the provisions of construction contracts under the concepts of the Qatari Civil Code.

Hani has the right of audience before the Qatari courts and is licensed to represent clients in Litigation and Arbitration cases.

Hani is regularly sought out by major international firms to act as the local counsel expert in relation to large-scale international commercial and construction arbitrations for disputes governed by Qatari law under various rules such as ICC and LCIA.

Hani is recognized as being a leading lawyer in the field of dispute resolution in Qatar.

## Andrew Lowe, Director of Enforcement, Qatar Financial Centre Regulatory Authority

Fraud/Enforcement/Risk/Investigations expert. Lawyer with 20 years' legal experience including 10 years of global regulatory investigative, litigation, fraud risk and enforcement experience both in banking, regulatory and exchange environment. Specialist knowledge in AML previously leading major investigations into AML. Solid understanding of AML frameworks, monitoring and investigations. Detailed experience in Fraud risk and risk mitigation. Managed many civil, regulatory and criminal cases in various countries. Solid understanding of legal frameworks in both civil, regulatory and criminal litigation. Previously held mediation approval in Australia and UK.

Proven record of operational experience in building and developing Compliance, Risk, Forensic and Investigative/Enforcement functions. Detailed and practical fundamentals relating to investigations. A seasoned Executive within corporate, government and private practice environment, with ability to manage diverse teams from different cultural environments. Extensive senior stakeholder engagement including boards and senior government officials. Highly skilled in team management, previously managing teams of 120+ globally.

Skilled litigator with wide range of litigation experience covering regulatory, compliance and general litigation matters. Admitted to practice in ACT Supreme and Federal Courts.

## Jason Beech, Senior Contracts and Procurement Director, Qatar Rail

Jason is an experienced commercial and contracts manager at senior level. He has extensive experience managing and advising major international infrastructure and specialist projects, particularly in Asia and the Middle East. He has worked at Qatar Rail since 2014, most recently as Senior Contracts and Procurement Director responsible for all procurement and commercial activities. Before joining Qatar Rail he mainly worked in Asia, primarily for large Japanese contractors on international rail projects. He is a Chartered Quantity Surveyor and an accredited mediator with degrees in law and quantity surveying.



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