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SOUTH KOREA: 10TH INTERNATIONAL ARBITRATION & CORPORATE FRAUD SUMMIT

Thursday, 26 September 2024, 9:05am – 4:55pm

Venue: Yoon & Yang office

(This conference will be conducted in English)



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SPEAKERS



David Bateson
Barrister, 39 Essex Chambers
Chairman



Yoon & Yang Representative
Opening Address



Laurent Lévy
Partner,
Lévy Kaufmann-Kohler
Keynote Speaker



Brenda Horrigan
Independent Arbitrator
Moderator – 1st Grand Panel



Jeremy Bartlett, S.C.
Barrister, Princes Chambers
Moderator – 2nd Grand Panel



Myung-Ahn Kim
Senior Foreign Attorney,
Yoon & Yang



Young Woo Park
Partner, Yoon & Yang



Olga Boltenko
Boltenko Arbiters



Douglas Clark
Partner, Tanner De Witt



Michele Park Sonen
Director & Head, North East
Asia, Singapore International
Arbitration Centre



Moses W. Park
Barrister, Liberty Chambers



Jonathan Choo
Independent Arbitrator and
Mediator, Vantage Chambers



Tigran Ter-Martirosyan
Partner, Tivaco Experts



Scott Warren
National Partner, Tokyo/
Shanghai, Squire Patton
Boggs; Secretary, Executive
Board, The Society for The
Policing of Cyberspace



Eun Young Park
Independent Arbitrator,
Park Arbitration Chambers

9:05 – 9:20	Welcome Message by Chairman and Quick Regional Overview David Bateson, Barrister, 39 Essex Chambers
9:20 – 9:40	Opening Address – 2024 Updates Yoon & Yang Representative
9:40 – 10:00	Keynote Session – The Conformity Trap: Effects of Trends in International Arbitration Laurent Lévy, Partner, Lévy Kaufmann-Kohler
10:00 – 10:45	Regional Grand Panel: Joint Venture & M&A Disputes: Issues on Enforcement, Regulations, Jurisdictional Differences, Valuation & Damages Moderator: • TBC Panellists: • Young Woo Park, Partner, Yoon & Yang • Tigran Ter-Martirosyan, Partner, Tivaco Experts
10:45 – 11:10	Insolvency & Restructuring Disputes – Advising Korean Companies
11:10 – 11:35	Networking Break & Morning Refreshment
11:35 – 12:00	IP in Arbitration - Enforcement in Challenging Times Doug Clark, Partner, Tanner De Witt
12:00 – 12:40	1st Grand Panel: Med v Arb v Negotiation – The Arbitrators/Mediators Toolbox in 2024: Different Regions & Industries = Different Best Outcomes? Moderator: • Brenda Horrigan, Independent Arbitrator Panellists: • Jonathan Choo, Independent Arbitrator and Mediator, Vantage Chambers • Eun Young Park, Independent Arbitrator, Park Arbitration Chambers
12:40 – 13:50	Networking Lunch
13:50 – 14:25	2nd Grand Panel: Speeding Up the Process in Arbitration: Expedited & Emergency Arbitration: Who Benefits Most, Choice of Seats & What are the Pitfalls for General Counsels Moderator: • Jeremy Bartlett, S.C. Barrister, Princes Chambers Panellists: • Michele Sonen, Director & Head, North East Asia, Singapore International Arbitration Centre • Moses W. Park, Barrister, Liberty Chambers • Myung-Ahn Kim, Senior Foreign Attorney, Yoon & Yang
14:25 – 14:45	New Enforcement Frontiers: Enforcing Commercial Awards Via Treaty Arbitration Olga Boltenko, Boltenko Arbiters
14:45 – 15:05	Shareholders, Stakeholders & Director Disputes – Best Practices to Protect Your Company
15:05 – 15:25	Digital Disputes & Asset Tracing – Rise of Crypto In the Region
15:25 – 15:45	Cartels & Competition Law Updates in 2024
15:45 – 16:05	Cross-Border Data Breach: What You Need To Know! Scott Warren, National Partner, Tokyo/Shanghai, Squire Patton Boggs; Secretary, Executive Board, The Society for The Policing of Cyberspace
16:05 – 16:30	Networking Break & Afternoon Refreshment
16:30 – 16:55	FRAUD: Risks in 2024: AML, Antibribery & Whistleblowing Updates
16:55 – 17:10	Closing Remarks & Lucky Draw

* program is subject to change without prior notice

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The above are inclusive of networking lunch

David Bateson, Barrister, 39 Essex Chambers

David Bateson is a leading international arbitrator who has been involved as arbitrator in over 150 arbitrations in Asia, Europe, the Middle East and South America. He has acted as chairman, party-appointed arbitrator and sole arbitrator in arbitrations under the rules of the AAA, AIAC, BANI, CIETAC, HKIAC, DIAC, ICC, LCIA, PCA, SIAC and VIAC, or in ad hoc arbitrations. He has extensive experience in disputes in a variety of industry sectors including, construction, resources, commodities, insurance, joint ventures, shareholder agreements, shipping and telecommunications.

Chambers Asia described him as “pre-eminent and widely experienced”; “one of the top arbitrators in the region” who is “excellent at pretty much everything he is doing”. The Legal 500: Asia Pacific stated that David is “one of the top arbitrators in the region”. Chambers Asia also described him as “a very good arbitrator” and praises him for “writing a very good award”. It adds that he is “well able to control an arbitration” and “culturally sensitive”. He is listed in Chambers’ list of most in-demand arbitrators for Asia, who describe him as a “very popular and in-demand arbitrator for construction cases”. He is in Band 1 of Chambers’ list of in-demand arbitrators - Singapore. He has over 40 years of legal experience and is a specialist in all forms of dispute resolution including arbitration, litigation and alternative dispute resolution. He has been resident in Asia since 1980 and is now based in Singapore.

Laurent Lévy, Partner, Lévy Kaufmann-Kohler

Laurent Lévy has extensive experience in corporate disputes, mainly in the areas of oil, gas, air & space and finance industries.

He is a Council member of the ICC Institute of World Business Law, a member of the Association Suisse de l'Arbitrage and a former member of the Milan Club of Arbitrators. He currently serves as the President of the Court of Arbitration of the Casablanca International Mediation and Arbitration Centre (CIMAC), and is a former Vice-President of the ICC Court of International Arbitration and a former member and Vice-President of the London Court of International Arbitration (LCIA).

Since 2007 he has been a visiting professor at the School of Law, Queen Mary, University of London.

He has handled more than 250 arbitration proceedings, mostly as an arbitrator, under various rules such as the ICC, ICSID and LCIA Rules, in numerous jurisdictions worldwide.

Brenda Horrigan, Independent Arbitrator

Brenda Horrigan is an internationally recognised arbitration practitioner with some 30 years of extensive global experience, having worked from the US, Paris, Moscow, Shanghai, Sydney and now Singapore. She has her own practice as an independent arbitrator.

Brenda is a past president of the Australian Centre for International Commercial Arbitration (ACICA) and remains a member of its Board. She is a Fellow of the Chartered Institute of Arbitrators and has acted as arbitrator and/or counsel under a variety of rules, including SIAC, HKIAC, LCIA, ICC, KCAB International, JCAA, SCC, NZDR, CIETAC, UNCITRAL and ICSID.

Brenda has taught international arbitration as a Global Adjunct Professor of Law at New York University's Shanghai campus and as a guest lecturer at the University of New South Wales and Australian National University. She regularly speaks at conferences and seminars on arbitration and is consistently ranked in Chambers and Who's Who: Legal as a leading arbitration practitioner.

Jeremy Bartlett, S.C. Barrister, Princes Chambers

Prior to joining the Hong Kong Bar in 1999 Jeremy was in private practice at Herbert Smith and from 1994 to 1999 an international equity partner with Coudert Brothers where he was Head of the Litigation Department and Co-Head of the firm's Asia Region Arbitration Practice Group (9 regional offices). Following upon his extensive experience as advocate/counsel in arbitrations, Jeremy acts as arbitrator (sole, co-arbitrator or and presiding arbitrator) in international commercial arbitrations and has accepted appointments under the rules of various institutions as well as in ad hoc arbitrations. Jeremy acts in a broad range of commercial litigation, including company and shareholder disputes, insolvency, trusts and estates, international trade and shipping, conflict of laws, defamation, employment/restraint of trade, professional negligence and securities regulatory matters. His practice has involved numerous appearances in the appellate Courts, including in the Court of Final Appeal [1]. He has been a contributing editor to Hong Kong Civil Procedure. Jeremy has received rankings in successive editions of Chambers and Partners, Legal 500 (Commercial Disputes: Tier 1 leading silk; Family and Private Client : Tier 2 leading silk), Legal 500 Arbitration Power List and Who's Who Legal as well as in Euromoney's Guide to Experts in Commercial Arbitration. He regularly speaks at international conferences and gives lectures at Mainland Chinese universities and law firms on arbitration topics.

Myung-Ahn Kim, Senior Foreign Attorney, Yoon & Yang

Myung-Ahn Kim is Head of Yoon & Yang's International Arbitration/Dispute Resolution Team at Yoon & Yang. Before joining the firm, she garnered specialized professional expertise at the Bank of Korea, California Department of Justice/Attorney General's Office, and a UK-based global law firm, respectively. Ms. Kim has successfully represented domestic and international entities in ICC, SIAC, DIS, LMAA, HKIAC, and KCAB arbitrations (including complex cross border enforcement procedures). She has also acted as counsel for the Republic of Korea in an investor-state dispute (ISD) related to an expropriation of land claim under the Korea-US FTA and obtained victory on behalf of the state. Ms. Kim is consistently lauded as Leading Individual in international arbitration by Chambers & Partners, Legal500, Benchmark, WWL et al., and serves on the panel of international arbitrators for the KCAB, HKIAC and LICA. She is a member of the California Bar since 2006.

Young Woo Park, Partner, Yoon & Yang

As a partner of Yoon & Yang LLC, Young Woo Park has rich experience in domestic and foreign real estate related projects, M&A, and investment-related work.

Mr. Park is achieving successful results in specialized disputes and major corporate litigations in the above areas.

Olga Boltenko, Boltenko Arbiters

Ms. Boltenko is an investment and trade lawyer with over fifteen years of experience in public international law, investor-State dispute resolution, and commercial arbitration. She has acted as legal counsel in investor-state disputes under the auspices of the Permanent Court of Arbitration, the ICSID, the SCC, the ICC, the LCIA, and in various capacities in dozens of commercial disputes in a wide array of industries including oil and gas, mining, infrastructure, construction, telecommunications and pharmaceuticals, across Asia and beyond. She is an accredited mediator with the Singapore International Mediation Centre.

Ms. Boltenko teaches a master of laws degree in arbitration and ADR with a focus on Belt & Road investment law at The University of Hong Kong, where she is also a deputy executive director. She is a professor of law at the Royal University of Law and Economics in Phnom Penh, Cambodia, where she teaches a course in investment law at the dual degree program with the Free University of Brussels. Ms. Boltenko is admitted to the roll of solicitors of the Hong Kong SAR, to the Bar Association of the Primorsky Region of the Russian Federation, and she is registered as a foreign lawyer with the Singapore International Commercial Court.

Ms. Boltenko is listed as an arbitrator on multiple regional arbitrator panels and she has a growing arbitrator practice. Ms. Boltenko has been consistently recognized in legal rankings, including by Who's Who Legal, where she has been ranked over the years as a “National Leader” for Hong Kong, and as “Under 45” thought leader global elite, where she is described as a “highly motivated and hard-working practitioner who stands out as an excellent choice for investor-state disputes”.

Douglas Clark, Partner, Tanner De Witt

Douglas Clark is an intellectual property partner with Tanner De Witt, an independent firm based in Hong Kong. He commenced practice in Hong Kong in 1993. He was based in Shanghai from 2000 to 2010 where he founded and was managing partner of the office of a large international firm. He handled contentious and non-contentious IP matters in Mainland China including patent litigation, technology transfer and international arbitrations. He moved back to Hong Kong in 2011 and practiced as a barrister until 2020 when he moved to become head of Global Dispute Resolution for an IP boutique firm. He joined Tanner De Witt this year. He has been appointed an arbitrator and acted as counsel in numerous technology disputes involving China. He regularly advises clients on IP issues related to de-risking and digitisation.

Doug is the author of a number of legal texts, including Patent Litigation in China, as well as a history of extraterritoriality in China and Japan, Gunboat Justice. He speaks both Japanese and Mandarin fluently.

Michele Park Sonen, Director & Head, North East Asia, Singapore International Arbitration Centre

Michele is the Head (North East Asia) at the Singapore International Arbitration Centre, where she leads SIAC's development in Korea and Japan. She works closely with the business and legal communities in the region to provide specialist knowledge and expertise on international arbitration at SIAC. She regularly speaks on international commercial arbitration and has accepted appointment as tribunal secretary.

Michele is qualified as an attorney in the United States, and prior to joining SIAC, Michele practiced international arbitration at a top-tier Korean law firm where she represented clients from Asia, North America and Europe in a broad range of disputes arising out of the technology, construction, commodities, biohealth, and luxury fashion sectors, among others. She has acted as counsel in international commercial arbitrations under the SIAC, ICC, and KCAB rules in cases seated in Singapore, Korea, and the United States.

Moses W. Park, Barrister, Liberty Chambers

Moses W. Park is a dispute resolution lawyer practicing as a barrister (trial advocate) based in Hong Kong. His practice mainly focuses on conduct and resolution of cross-border and international commercial arbitration and litigation. He has handled a broad spectrum of commercial work with an emphasis on civil fraud, asset tracing /recovery, enforcement of foreign arbitral awards/judgments, family office as well as shareholder disputes. Moses has expertise concerning recovery strategies and emergency relief measures related to fraud including Mareva injunctions, Norwich Pharmacal orders and asset tracing proceedings. He is well versed in the enforcement of foreign judgments and arbitral awards process in Hong Kong. His clients have included multi-national corporations and businesses as well as high and ultra-high net worth individuals.

Moses specialises in multi-jurisdictional financial crime and regulatory matters. He advises financial institutions on cross-border fraud and asset recovery related issues and has particular expertise in conducting complex multi-jurisdictional asset tracing. His experience spans a wide range of industry sectors, particularly, financial services, family offices and private equity funds. His work extends to regulatory fields (providing advice on matters governed by securities and banking legislation). Lately, he has been advising international clients on regulatory issues relating to overnance and regulation of family offices.

He is currently serving in the Committee of Arbitration at the Hong Kong Bar, the Committee of Commercial Law & Practice at the International Chamber of Commerce (ICC) Hong Kong.

Jonathan Choo, Independent Arbitrator and Mediator, Vantage Chambers

Jonathan Choo is an independent Arbitrator and Mediator with over twenty years of experience in handling a broad range of high-value international disputes, arbitrations and mediations as Counsel, Arbitrator and Mediator. He is dual-qualified as an Advocate and Solicitor in Singapore and a Solicitor in England & Wales and his general commercial disputes background covers complex commercial, international trade, technology, media and broadcasting, construction, projects and infrastructure, insurance (non-marine) and IP disputes. He has successfully represented individuals, MNCs, banks, international contractors, media and broadcasting agencies, telecoms operators and consultants in a variety of disputes.

As counsel, Jonathan has advised and represented clients in arbitrations (including Emergency Arbitration proceedings) conducted under all the major institutional rules, including the SIAC Rules, the ICC Rules, the LCIA Rules, SCC Rules and the UNCITRAL Rules. He is also an experienced mediation counsel and Mediator, having conducted and represented parties in numerous mediation hearings, including at the Singapore International Mediation Centre and the Singapore Mediation Centre.

Scott Warren, National Partner, Tokyo/Shanghai, Squire Patton Boggs; Secretary, Executive Board, The Society for The Policing of Cyberspace

Scott Warren is a partner in our Tokyo and Shanghai offices, specializing in cybersecurity, data privacy and digital data disclosures in Asia and the Middle East. He also has significant experience in compliance, intellectual property (IP), litigation, dispute resolution, and government regulatory and internal investigations.

Scott started his career as a civil litigator in California. He moved to Japan in 1993, where he has lived since. He served seven years as general counsel at Sega Corporation and six years as a senior attorney at Microsoft. He serves on the executive board of The Society for the Policing of Cyberspace, a nonprofit organization. He headed Kroll in Japan and Kroll Ontrack across Asia, and later opened Epiq Systems in Japan, providing IP protection, computer forensics and e-discovery solutions.

Scott is a California-licensed lawyer and a licensed foreign lawyer in Japan. He is a Certified International Counter-Cyber Crime Professional and certified as a member of the Chartered Institute of Arbitrators (CI Arb). Since 2004, he has served on the Society for the Policing of Cyberspace, a non-profit organization dedicated to working with its global members towards a more secure Internet. He serves at the American Chamber of Commerce in Japan, where he was awarded Leader of the Year for 2020, as Co-Chair of the Legal Services & Intellectual Property Committee; Vice-Chair of the Secure Digital Infrastructure Committee; Vice-Chair of the Information, Communication and Technology Committee; and Vice Chair of the Digital Forum.

Eun Young Park, Independent Arbitrator, Park Arbitration Chambers

Eun Young Park is an exceptionally highly recognized dispute resolution lawyer, with particular expertise in international arbitration. He has more than 25 years of experience in international commercial and investment treaty arbitration and has served as an arbitrator under the rules of various arbitral institutions and the UNCITRAL Arbitration Rules. Until June 2022 he was a partner at Kim & Chang and served as the firm's co-chair of the International Arbitration & Cross-Border Litigation Practice Group. His arbitration practice covers a broad legal spectrum, including merger and acquisitions (M&A), finance and insurance, infrastructure, energy, joint ventures, intellectual property, and overseas investments.

After being appointed a Court Member of the London Court of International Arbitration (LCIA) in 2012, Dr Park served as President of the LCIA Asia Pacific Users' Council and Vice-President of the LCIA Court. He also served as Vice-Chair of the International Bar Association (IBA) Arbitration Committee, and as inaugural Co-Chair of the IBA Asia Pacific Arbitration Practice Group. He currently serves as a Member of the Singapore International Arbitration Centre (SIAC) Court of Arbitration. He has also served on the board of the Korean Council of International Arbitration and as an Executive Member of the Seoul International Dispute Resolution Center.

Dr Park has earned numerous top rankings as one of the "Leading Lawyers" in Chambers Asia-Pacific for International Arbitration, "Litigation Stars" in Euromoney's Benchmark Litigation Asia-Pacific for International Arbitration, and "Thought Leaders" in Who's Who Legal: Arbitration. According to Chambers Asia Pacific 2021, he is well received as "a titan of the Korean arbitration Bar, with a fearsome reputation that precedes him." In April 2022 he was awarded Best Lawyers in 2022 by Chosun Biz. He was awarded the Grand Prize Award in Arbitration Practice at the Annual Korea Legal Awards in June 2020, co-hosted by Money Today and the Korea In-house Counsel Association, for his innovative approach to arbitration and for his public contributions in the field. In 2018, he was officially honored by the Republic of Korea in recognition of his contribution to the promotion of arbitration.

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The Organiser

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