

## SIAC-KCAB Seoul Conference 2019

# Cross-Border Construction Disputes in 21st Century Asia

Thursday, 19 September 2019 | 9:00am – 1:00pm | Seoul, South Korea  
(Registration starts at 8.30am)

### Seoul IDRC

Trade Tower, 18th Floor, 511 Yeongdong-daero, Gangnam-gu, Seoul, Korea 06164

With the development of Asian economies and the inflows and outflows of FDI in the region, Korean companies have become increasingly involved in major construction and infrastructure projects in the Middle East and South East Asia. These cross-border projects are frequently large-scale and complex, and disputes arising out of these projects require specialized knowledge to ensure that dispute resolution is both efficient and effective. Projects involving States and State-owned entities raise their own unique issues and considerations of strategy.

The SIAC-KCAB Seoul Conference will place special focus on construction disputes in 21st century Asia. Join us for a stellar line-up of speakers consisting of experts in the field who will provide first-hand insights into industry developments, and practical strategies for practitioners and in-house counsel involved in cross-border construction projects.

### PROGRAMME

8.30am – 9.00am	<b>Registration</b>
9.00am – 9.10am	<b>Welcome Address</b> by Ms Lim Seok Hui, <i>CEO, SIAC</i>
9.10am – 9.20am	<b>Opening Address</b> by Prof Hi-Taek Shin, <i>Chairman, KCAB INTERNATIONAL</i>
9.20am – 11.00am	<p><b>Panel Session I: Strategic Considerations When Pursuing Construction Disputes</b></p> <p><u>Topics/Issues</u></p> <ul style="list-style-type: none"> <li>• Selecting the appropriate dispute resolution mechanism: arbitration, mediation, dispute resolution boards, expert adjudicators, court litigation</li> <li>• Stays, anti-suit injunctions, and court-ordered interim relief</li> <li>• Emergency arbitrator proceedings: potential uses and enforcement</li> <li>• Pursuing investor-state arbitration in conjunction with, or in lieu of, commercial arbitration</li> <li>• Third-party funding for investment and commercial arbitrations</li> <li>• Asserting claims against third parties (guarantors, subcontractors, suppliers, agents, funders, or insurers) and joining non-signatories</li> </ul> <p><u>Moderator:</u></p> <ul style="list-style-type: none"> <li>• Mr John P. Bang, <i>Member, SIAC Court of Arbitration; Senior Foreign Attorney, Bae, Kim &amp; Lee LLC</i></li> </ul> <p><u>Panellists:</u></p> <ul style="list-style-type: none"> <li>• Mr Michael Ashcroft QC, <i>Twenty Essex</i></li> <li>• Mr Im Byung Woo, <i>Partner, Kim &amp; Chang</i></li> <li>• Mr Steven Y. H. Lim, <i>Arbitrator and Barrister, 39 Essex Chambers</i></li> <li>• Mr Oommen Mathew, <i>Managing Partner, DWF LLP</i></li> <li>• Mr Iain Potter, <i>Director, MDD Forensic Accountants, Singapore</i></li> <li>• Mr Matthew Skinner, <i>Partner, Jones Day</i></li> <li>• Mr Thomas Walsh, <i>Partner, Clifford Chance LLP</i></li> </ul>
11.00am – 11.20am	<b>Refreshment Break</b>
11.20am – 1.00pm	<p><b>Panel Session II: Managing Proceedings and Proving Your Claims</b></p> <p><u>Topics/Issues</u></p> <ul style="list-style-type: none"> <li>• Ancillary disputes and parallel proceedings</li> <li>• The role of technical experts</li> <li>• Dealing with documents: documentation, document management, and document production</li> <li>• Applicable evidentiary standards and special considerations in Asia</li> <li>• Identifying and formulating viable claims under the applicable law, including delay claims, liquidated damages, indirect losses, and disruption claims</li> <li>• Common pitfalls among contractors, including limitation periods and waivers of right</li> <li>• Quantifying damages in commercial and investment construction disputes, including valuation and accounting issues</li> </ul> <p><u>Moderator:</u></p> <ul style="list-style-type: none"> <li>• Ms Sue Hyun Lim, <i>Secretary-General, KCAB INTERNATIONAL</i></li> </ul> <p><u>Panellists:</u></p> <ul style="list-style-type: none"> <li>• Mr Chris Bailey, <i>Partner, King &amp; Spalding</i></li> <li>• Mr Braden Billiet, <i>Managing Director, FTI Consulting</i></li> <li>• Mr Chan Hock Keng, <i>Partner, WongPartnership LLP</i></li> <li>• Mr Michael Lee, <i>Arbitrator, Twenty Essex</i></li> <li>• Mr Rob Palmer, <i>Office Managing Partner, Ashurst LLP</i></li> <li>• Mr Eugene Tan, <i>Partner, Clyde &amp; Co Clasis Singapore</i></li> <li>• Ms Julia Jiyeon Yu, <i>Partner, Oon &amp; Bazul LLP</i></li> </ul>

#### Sponsors:



#### Supporting Organisations:

