At one time, international commercial arbitration and litigation were considered mutually exclusive means of resolving transnational disputes. However, the increasing complexity of international commercial transactions as well as the concomitant rise in the sophistication and ingenuity of counsel have led to an increasing tendency for parties to international commercial disputes to engage in extensive (and expensive) tactical maneuvering in a variety of venues, both arbitral and judicial.

This symposium addresses some of the most pressing issues in this area of law, taking an appropriately international look at the matter by bringing together speakers from six different countries. Panelists bring their practical expertise and scholarly insights to bear on a variety of concerns, including the proper relationship between arbitral tribunals and courts, the intersection between U.S. state and federal law, availability of interim measures and the production of evidence.

Internationally renowned scholar-practitioner Gary Born pulls the various threads of discussion together in his keynote address, which draws on his years of experience as an arbitrator, advocate and author. Born, who was named the inaugural Advocate of the Year by Global Arbitration Review in 2010, has won accolades around the world for his many books and articles. His landmark treatise, International Commercial Arbitration, recently won a certificate of merit from the American Society of International Law in addition to being named the Book of the Year by Ogemid.

For the first time ever, the University of Missouri School of Law and the Center for the Study of Dispute Resolution is hosting a works-in-progress conference in connection with the annual symposium. The School of Law welcomes more than 20 speakers from ten different countries as part of this event, to be held the day before the “Border Skirmishes” symposium. The School of Law has also organized a student writing competition in connection with the symposium and will name the winner on October 21. The writing competition is made possible through generous funding from the Chartered Institute of Arbitrators North American Branch.

General Information
This symposium is approved for 5.0 hours of Continuing Legal Education credit in the states of Kansas and Missouri. Registration is available online at law.missouri.edu/csdr.

With questions, contact: Laura Coleman, 573-882-5969 colemanl@missouri.edu
Syposium Schedule

Special Early Bird Session
Thursday, October 20, 2011
4:45 – 5:45 pm
International Commercial Arbitration
Under the New ICC Rules
Victoria Shannon
Deputy Director, Arbitration and ADR
International Chamber of Commerce (ICC)
North America

Friday, October 21, 2011
8:45 – 9:00 am
Welcome
R. Lawrence Dessem
Dean and Professor of Law
University of Missouri
School of Law

Robert G. Bailey
Director, Center for the Study of Dispute Resolution and Assistant Dean
University of Missouri
School of Law

S.I. Strong
Associate Professor of Law
University of Missouri
School of Law

Tension Between Courts and Tribunals
9:00-10:15 am
The Transnationalisation of International Arbitration and Its Implications for National Courts
Frédéric Bachand
Professor of Law
McGill University Faculty of Law
Montreal, Canada

State Law and International Arbitration
Christopher R. Drahozal
John M. Rounds Professor of Law and Associate Dean for Research and Faculty Development
University of Kansas School of Law
Lawrence, Kansas

Role of National Courts in International Sports Disputes: Help or Hindrance?
Louise Reilly
Legal Counsel
Court of Arbitration for Sport
Lausanne, Switzerland

Procedural Pressure Points
11:30-12:45 pm
The Taking of Evidence in International Commercial Arbitration: Comparative Perspectives in Search of an International Standard
Alejandro Garro
Professor of Comparative Law, Columbia University School of Law and Senior Research Scholar, Parker School of Foreign and Comparative Law
Columbia University
New York, New York

Interim Measures in International Commercial Arbitration
Marianne Roth
Professor of Law and Chair of the Academic Senate
University of Salzburg
Salzburg, Austria

Convergence and Divergence in International Dispute Resolution
Peter B. Rutledge
Professor of Law
University of Georgia School of Law
Athens, Georgia

Keynote Address
10:30-11:20 am
Border Skirmishes: The Intersection Between Litigation and International Commercial Arbitration
Gary Born
Chair, International Arbitration Practice Group
Wilmer Cutler Pickering Hale and Dorr LLP, London, United Kingdom

About the University of Missouri and the Center for the Study of Dispute Resolution
The University of Missouri’s award-winning program in dispute resolution consistently ranks as one of the best in the nation. The University of Missouri School of Law is the only U.S.-based institution to receive Recognised Course Provider status from the London-based Chartered Institute of Arbitrators for JD courses offered during the academic year. For more on the University of Missouri and the CSDR, visit law.missouri.edu/csdr.

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