

Third Moscow Pre-Moot

to the Nineteenth Willem C. Vis International
Commercial Arbitration Moot

17-18 March 2012

Lomonosov MSU, Faculty of Law

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Acknowledgments

The organizers of the Third Moscow Pre-Moot would like to express their deepest appreciation to all the participants of this event. We would also like to extend our gratitude to the arbitrators taking part this year. Were it not for the generous donation of their time and their commitment to this competition, we would not be where we are today. Finally, we would like to send a big thank you to all the volunteers who have kindly taken the time and energy to assist the organizers of the competition in making this event possible.

We hope to see you all again next year!

Olesya Petrol
Moscow Pre-Moot Director



Competition schedule

March 16th (Friday)

15:30–19:00 Discussion: “Corruption allegations in international commercial arbitration” hosted by Moscow office of White&Case

March 17th (Saturday)

09:00–10:00 Registration of the teams

10:00–11:00 Welcoming speeches

11:00–13:00 Round I

13:00–14:00 Lunch

14:00–16:00 Round II

16:00–18:00 Round III

March 18th (Sunday)

10:00–11:00 2012 White & Case Summer Internship Program. Opportunities for law students and graduates by Summer Program Alumni

11:00–13:00 Round IV

13:00–14:00 Lunchtime

14:00–16:00 Round V

16:00–18:00 Round VI

18:30–20:00 Awards Ceremony followed by banquet

All events, excluding the Discussion, will be held at the Faculty of Law of Lomonosov Moscow State University. The Discussion on 16 March 2012, will take place at the Moscow office of White&Case. Details regarding the location of all the venues are given on pages 16–17 of this booklet.

Participating teams

A total of 14 teams are participating in the Third Moscow Pre-Moot this year.

Belarusian State University

Maryia Monich
Olga Vinogradova
Irina Shyla
Denis Lazarenkov
Alexey Anishenko (coach)
Nataliya Kaliuta (coach)

University of Passau

Anton Geier (coach)
Markus Lieberknecht
Erik Harms
Sebastian Jules Kasper
Nadine Voss
Philipp Schwarz
Moritz Zegowitz

University of Bonn

Katarine Heine (coach)
David Schneider
Constanze Neumann
Eva-Maria Marxen
Bianca Scraback
Friederike Barth
Antonia Landmann

Justus-Liebig-University

Polina Schwarz
Michael Wenzel
David Wagner
Adrian Rudert
Fernando Gemelli Eick

University of Frankfurt

Philipp Stegmann
Camilla Kamrad
Charlotte Mehler
Ethem Coban
Grigoriy Lourie

University of Geneva

Deborah Lechtmann
David Dubin
Jérôme Lapaire
Maxence Guinand
Mike Han

Marmara University

Anil Yılmaz
Damla Erensoy
Sumru Akter
Cihan Eren
Aslı Kumbaracı
Pınar İlter
Merve Altınay
Peri Gürtürk

Russian Academy of Justice

Vasilisa Nashataeva (coach)
Daniel Alimov
Peter Gerasimov
Guzel Ganeeva
Roman Potapov
Anastasiya Koryakova

Higher School of Economics

Elena Mazetova (coach)
Michael Galperin (coach)
Saria Valshina
Ekaterina Vystorop
Angelica Sahiphareeva

MGIMO University

Sergey Korolev
Arina Fot
Ksenia Stepanova
Vladislav Miroshnichenko
Ilsur Mavlekeev
Natalia Kisliakova
Alina Dyumina
Dmitry Andreev

Perm State University

Roman Ishmukhametov
Kseniya Poplevina
Irina Maimust
Nikita Marin
Anna Shlykova

Russian Foreign Trade Academy

Andrey Griбанov (coach)
Andrew Bakarov
Roman Butenko
Ekaterina Ivankova
Alexander Parfentschikov

Lomonosov Moscow State University

Olesya Petrol (coach)
Anton Asoskov (coach)
Alexander Yagelnitskiy (coach)
Varvara Aryutina
Elena Eminova
Andrey Gromov
Sergey Avakyan
Bilya Lokova

Peoples' Friendship University of Russia

Anna Shalneva
Irina Gneusheva
Timofey Ilyin
Valentina Telyushlikina
Taisia Afanasyeva
Chumachenko Ivan
Igor Danilov
Bermet Gordoeva
Varvara Lomakina
Stanislav Trofimchuk
Elena Sitkareva (coach)
Eugenia Monina
Kamo Chilihagyan (coach)

Arbitrators

This year, a number of highly qualified arbitrators kindly accepted our invitation to take part in the Third Moscow Pre-Moot. We take this opportunity to thank:

Antonio Crivellaro
Vladimir Khvalei
Konstantin Khromenkov
Olga Fonotova
Yakoub Peisakhov
Aliaksandr Danilevich
Elena Mazetova
Mikhail Galperin
Andrey Panov
Izabella Sarkisyan
Egor Chilikov
Dmitry Malukevich
Nataliya Kaliuta
Grigory Vaypan
Aleksandra Ivlieva
Francesca Albert
Mike McClure
Justin Vaughan
Anton Asoskov
Yana Ivanova
Anton Geier
Katharina Heine
Sergey Krotov
Oleg Zaitsev
Svetlana Makurova
Julia Popelysheva
Ilia Rachkov
Egor Soudakov
Myslivsky Pavel
Konstantin Bochkarev

Akhundov Teimur
Vasily Averin
Anna Putsikina
Jonathan Hines
Scott Senecal
Denis Uzoikin
Maxim Pyrkov
Gribanov Andrey
Melissa Quai
Olga Vishnevskaya
Elena Chelembeeva
Andrey Shirvindt
Roman Krupenin
Anna Vorotyntseva
Olesya Petrol
Dmitry Dozhdev
Andrew Mendelssohn
Dmitry Lysenko
Anna Grishchenkova
Yanina Vlasenko
Oleg Tkachenko
Alexander Yagelnitskiy
Sergey Saveliev
Stanislav Ogorodnikov
Semyon Shevchenko
Mariya Sinyavskaya
Yuri Babichev
Anastasia Rodina
Marina Akchurina
Nina Bystrova

Discussion: Corruption Allegations in International Commercial Arbitration

Discussion Programme:

15:30–15:40

Welcoming speeches

15:40–16:10

Vladimir V. Khvalei

Vice-President, ICC International Court of Arbitration
Partner, Moscow office of Baker&McKenzie

Illegality and arbitration

16:10–16:30

David Goldberg

Partner, London and Moscow offices White&Case
Chartered Arbitrator

Arbitrators' reaction to corruption allegations. Impact of corruption on the jurisdiction of the tribunals

16:30–17:00

Questions and answers session

17:00–17:20

Coffee break

17:20–17:50

Prof. Antonio Crivellaro

Professor of Law, University of Padua
Head of Arbitration Department, Law Firm Bonelli Erede Pappalardo – Milan

The courses of action available to international arbitrators to address issues of bribery and corruption

17:50–18:20

Francesca Albert

Senior associate, Moscow office of Herbert Smith

Allegation of corruption in arbitration proceedings as a “last resort” argument

18:20–19:00

Questions and answers session



Vladimir V. Khvalei

Vladimir Khvalei is a partner in the Moscow office of Baker&McKenzie and heads the firm's CIS Dispute Resolution Practice Group. Mr. Khvalei has wide experience participating in litigation in Russia, Kazakhstan, Belarus and Ukraine, as well as in international arbitration cases in accordance with the arbitration rules of the ICAC, UNCITRAL, ICC, SCC and other arbitration institutions.

Mr. Khvalei is Vice-President of the ICC International Court of Arbitration. Mr. Khvalei is also included on the list of arbitrators of the arbitration institutions in Austria, Russia, Belarus, Kazakhstan and Dubai; he is a Chairman of the Arbitration Commission of the Russian National Committee of the ICC, and a Member of the Board of the International Arbitration Court at the Belarusian Chamber of Commerce and Industry. He is also a member of the Chartered Institute of Arbitrators, the Polish Arbitration Association and the Austrian Arbitration Association.



David Goldberg

David Goldberg is a partner at London and Moscow offices of international law firm White&Case. He specialises in international commercial and investment arbitration and has represented clients and acted as arbitrator in various jurisdictions. David is a Chartered Arbitrator. Being a native Russian speaker, David has a significant Eastern European and CIS practice. He is a member of the LCIA, the Chartered Institute of Arbitrators, the Swiss Arbitration Association and is on the panel of recommended arbitrators of a number of arbitration institutions including the International Commercial Arbitration Court (ICAC) at the Chamber of Commerce of the Russian Federation.



Prof. Antonio Crivellaro

Professor Crivellaro has extensive and widely recognised experience in international arbitration both as counsel and arbitrator (ICC; ICSID; LCIA; SCA; Milan Chamber; Cairo Centre; Bangkok Chamber). He focuses specifically on disputes relating to various types of international procurement and construction contracts, foreign investment, international commercial contracts and related matters, including agency, sale, distribution and licensing agreements. He advises on matters involving international consortia and joint ventures, pre-arbitration resolution arising from claims relating to international construction projects, EU regulations regarding public works and project finance. His regular clients include major Italian contractors whose core business is industrial plants construction, civil works, supplies or foreign infrastructures.



Francesca Albert

Francesca Albert is a senior associate at Moscow office of "Herbert Smith". She is an English-qualified lawyer specialising in international arbitration. Francesca has acted in both ad hoc arbitration under UNCITRAL rules and institutional arbitrations under the LCIA, ICC and ICSID rules. She also advises clients on general dispute resolution mechanisms including mediation and alternative dispute resolution. Francesca has developed a particular expertise in advising Ukrainian, Russian and international clients in relation to commercial and shareholder disputes in various industry sectors including the construction, property development, hospitality sectors.

About Lomonosov MSU Faculty of Law



The Faculty of Law is one of the oldest faculties at Moscow State University. The academic staff comprises of 61 professors who hold higher doctoral degrees in law, 108 associate professors who have attained PhD degrees in law. The Faculty also attracts well-known academics and specialists from other institutions and state organizations to teach courses in various branches of jurisprudence. MSU Law Faculty academics take part in large-scale research of various branches of jurisprudence, substantially contribute to the development of Russian legislation, participate in law making procedures and provide legal advice for state institutions and international organizations. The Faculty has 16 departments. The students' curriculum includes: legal theory and state theory; Russian and foreign legal history; constitutional law; administrative law; municipal law; financial law; civil law; civil code; criminal law; criminal justice; environmental law; land law; labour law; international law; penology; company law; commercial law; family law; and some other legal courses.

About Willem C. Vis competition



The Willem C. Vis international Commercial Arbitration Moot —named after Willem Cornelis Vis (1924–1993), a renowned expert in international commercial transactions and dispute settlement procedures — is an annual international moot court competition held in Vienna, Austria. The Vis arbitral moot competition is a collection of simulated arbitral proceedings aimed at fostering study in the field of international commercial and arbitration laws and encouraging the resolution of business disputes by arbitration. The moot consists of submitting written memoranda prior to the moot on designated dates for both sides of the dispute (Claimant and Respondent in legal terminology). The oral arguments phase of the moot is held in Vienna. Pre-Moots are organized in order to help participating teams to prepare for the main event in Vienna.

Information about Vis Moot is available at:
<http://www.cisg.law.pace.edu/vis.html>

Sponsors of the Third Moscow Pre-Moot

WHITE & CASE



White & Case provides legal services of the highest quality and advises on projects throughout the world. Founded in New York in 1901, White & Case is one of the leading international law firms in the world with more than 2,200 lawyers based in 38 offices across 26 countries.

Since the opening of our office in Moscow in 1991, White & Case has established itself as one of the largest law firms on the ground in Russia. Our Moscow office currently houses a team of more than 80 lawyers, including 17 partners, and advises on some of the most high-profile and innovative deals in Russia.

We work with the world's most established and respected companies, including 75 percent of the Global Fortune 100 and 25 percent of the Fortune 500, as well as with start-up visionaries, governments and state-

Independent view

"... a clear market leader"

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CEE Law Firm of the Year in 2007 and 2010

Chambers Europe

Russia & CIS Legal Advisor of the Year in 2011

European M&A Awards

sponsored by

The Financial Times and

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A different kind of service

- We value the relationship, not just the deal
- Creative solutions tailored to our clients' needs
- Impressive legal know-how and applied commercial thinking
- "Challenge us" mentality

White & Case globally

Established: 1901

Headquarters: New York

Number of offices: 38

Countries of operation: 26

Number of lawyers: more than 2,200 including:

- Americas: 860
- WEMEA: 850
- CEE: 320
- Asia: 170

up visionaries, governments and state-owned entities.

Our lawyers are qualified to practice law in Russia, England and Wales, Germany, and New York State.

Our main practice areas include:

- Banking & Finance
- Corporate/M&A
- Tax
- Capital Markets
- Energy & Utilities
- Real Estate
- Dispute Resolution
- Pro bono

We cooperate closely with colleagues in other White & Case offices building on our combined global experience and a complete understanding of the economic drivers and regulatory regimes specific to the Russian market, and creating effective solutions for our clients.

Our Moscow office consistently wins praise from clients and independent observers of the legal market in Russia, including Chambers Global, Chambers Europe, The Legal 500, IFLR1000 and PLC Which Lawyer?, who unanimously rank us in the top tier across all the key practice areas of our Moscow office.

In recognition of the development of the legal community in Russia, Corporate Lawyer, a leading legal publication in Russia, presented White & Case with the Russian Legal Education Award in 2009 and 2010.

CLEARY GOTTLIEB

A leading international law firm with 14 offices located in major financial centers around the world, Cleary Gottlieb Steen & Hamilton LLP has helped shape the globalization of the legal profession for more than 60 years. Our worldwide practice has a proven track record for innovation and providing work of the highest quality to meet the needs of our domestic and international clients.

Organized and operated as a single, integrated global partnership (rather than a U.S. firm with a network of overseas offices), Cleary Gottlieb employs approximately 1,250 lawyers from more than 50 countries and diverse backgrounds who are admitted to practice in numerous jurisdictions around the world. Since the opening of our first European office in 1949, our legal staff has included European lawyers, most of whom have received a portion of their academic legal training in the United States and many of whom have worked as trainees in one of the firm's U.S. offices. The firm was among the first international law firms to hire and promote non-U.S. lawyers as equal partners around the world.

Cleary Gottlieb was founded by prominent lawyers committed to excellence in the practice of law, while maintaining the highest ethical standards and diversity and individuality in its lawyers. Consistent with the vision of our founders, Cleary Gottlieb is committed to openness, diversity, individuality and collegiality. The outstanding talent and individual interests of our lawyers are the essence of the firm.

CLEARY GOTTLIEB'S RUSSIAN PRACTICE

From its start in 1991, Cleary Gottlieb has pioneered and established a leading Russian practice. The firm has consistently worked on the largest and most complex Russian capital markets and financing transactions, to date advising on more than 20 Russian IPOs and over 50 Russian Eurobonds. Cleary Gottlieb has advised on many

cross-border M&A deals, including multinational corporates and private equity firms pursuing Russian assets, Russian companies pursuing foreign opportunities, as well as Russian domestic transactions. The firm has acted as borrower's counsel in many of the largest syndicated loans and project financings extended to Russian companies. The firm regularly advises on Russian competition law and advises Russian clients on EU and US competition issues and filings. Cleary Gottlieb has also successfully represented Russian clients in international arbitrations and in U.S., U.K. and European litigations. In addition, the firm has represented the Russian Government on a wide range of financial matters, including its relations with the London and Paris Clubs. The strength of our Russian practice is borne out by Chambers & Partners naming us Russia Law Firm of the Year (International Firms) in May 2011. International Financial Law Review has named us Russian Law Firm of the Year three times: in 2010, in 2007 and in 2003 (the first year the award was announced); we are the only firm to win this award three times. We were ranked #1 for Russian M&A, Capital Markets and Restructuring by Chambers Global 2011, and we were named Best Legal Advisor in Central & Eastern Europe by Global Finance, 2011.

The Moscow Office has 45 lawyers. An additional 40 lawyers in the firm's other offices regularly contribute to its Russian practice. As a single, integrated partnership, Cleary Gottlieb draws upon the global resources of the firm to best serve the particular needs of its clients.

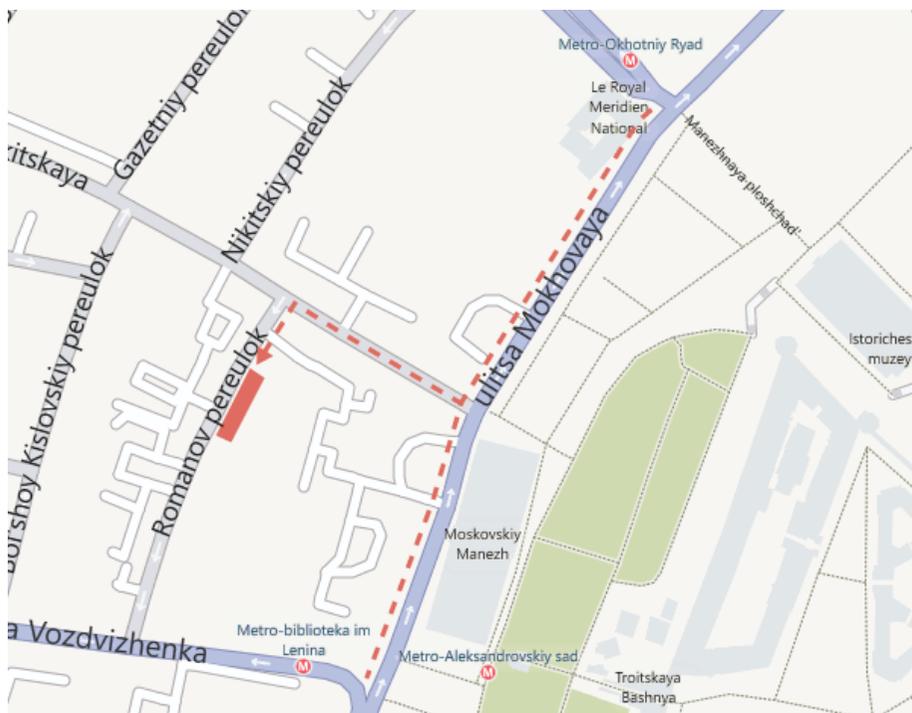
For further information about Cleary Gottlieb please visit <http://www.cgsh.com/>

Directions to Venues

The Discussion: "Corruption allegations in international commercial arbitration" on 16 March 2012 will take place at the Moscow office of White & Case LLC located in the Romanov Dvor Business Center (4, Romanov street), which is the historical heart of Moscow and only 500 meters from Kremlin.

By Metro: the closest metro stations are «Arbatskaya», «Alexandrovsky Sad» and «Biblioteka imeni Lenina» are only 5 minutes walk from the Romanov Dvor.

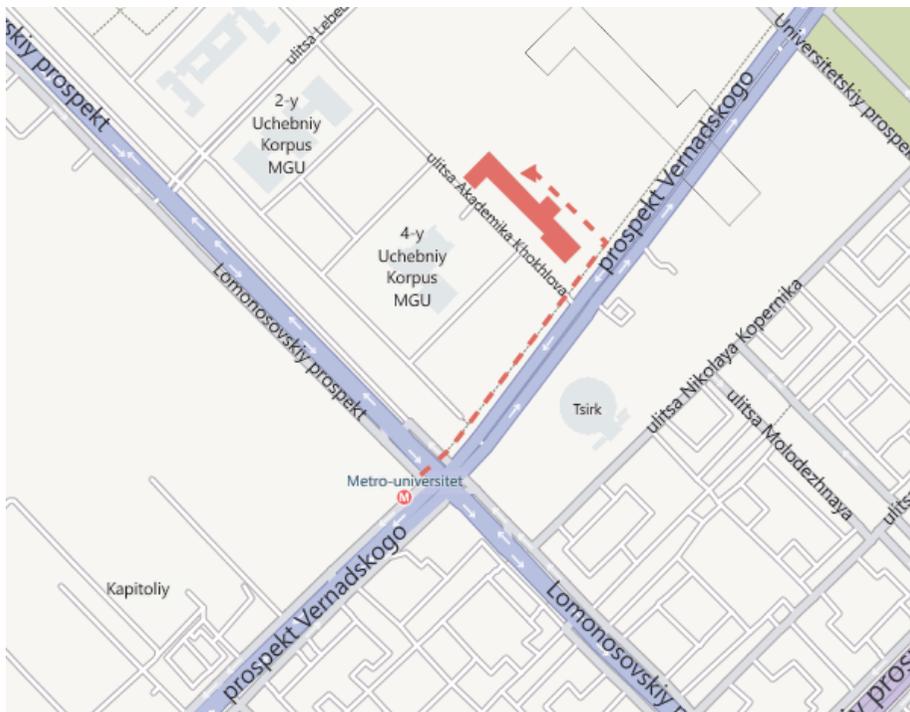
As you get out from the station «Biblioteka imeni Lenina» on to Vozdvizhenka Street, walk down Vozdvizhenka Street, turn right to Romanov pereulok (there would be a direction «Romanov Pereulok») and the buiding 4, which is Romanov Dvor Business Center, would be on right side.



The Rounds on 17-18 March 2012 will take place at the Faculty of Law of Lomonosov Moscow State University at Leninskiye Gory, Akademika Khokhlova Street, 1st Academic Department of Humanitarian Studies (Pervyi Uchebniy Korpus).

By Metro: the closest metro station is «Universitet» is about 10 minutes to walk from the Faculty of Law.

As you get out of the «Universitet» station on to Lomonosovskiy Avenue (Lomonosovskiy prospekt), cross the Lomonosovskiy Avenue towards the Vernadskogo Avenue (Prospekt Vernadskogo). Continue walking 500 meters down the prospekt Vernadskovo. There is an entrance on your left where (opposite the building of roof-rounded circus building) the 1st Academic Building of the Humanities is located.



We specifically note for the teams which stay at Hotel Lomonosov (building 34, Michurinskiy Avenue) that on 16, 17 and 18 March 2012 one of the students from Lomonosov Moscow State University will guide these teams to White & Case office and to the Law Faculty.

Lomonosov MSU Team Sponsors

The Lomonosov MSU Law Faculty team would like to thank all of its sponsors for their continuous generous support:



DEWEY & LeBOEUF

Contact us

The organizers of Moscow Pre-Moot are always happy to help you with any questions that you might have relating to participation in Moscow Pre-Moot.

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Leninskie Gory, Lomonosov Moscow State University,
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