A Two Day Masterclass

Construction Delay, Disruption and International Dispute Resolution

• Learn about the latest developments in international dispute resolution
• Obtain the knowledge to manage and avoid costly disputes
• Minimise contractual, legal and practical construction risks
• Develop new skills with leading European and International experts

Hotel Concorde La Fayette, Paris 19/20 October 2010

Thank you for perfectly organised classes
Piotr Laskowski, PPS Pipelines Systems

Reserve Online: www.hillintluk.com/masterclass
or call +44 (0)20 7089 7020

The event contains 12 hours CPD Material, approved by many institutes including the SRA and CIOB, formal approval is sought where appropriate
THE BENEFITS - Why Attend

Despite advances in technology, and an increasing understanding of the causes of delay, disruption and disputes, the risks of their occurrence in the construction industry remain as prominent as ever. Costly disputes and the risks associated with them can be minimised. This Masterclass aims to demonstrate how.

The Paris Masterclass has been tailored to reflect the current needs and interests of all in this rapidly changing area of the construction and legal industries. It has been planned with particular consideration to European construction and law.

Suitable for: Architects, developers, lenders, lawyers, advocates, contractors, consultants, engineers, and everyone involved in the construction and legal industries, the Masterclass is essential for all involved in construction and engineering.

Day 1: Planning to manage contracts, change, disruption and delay

**1000 Opening and welcome**
- Geoff Bewsey, Hill International

**1015 Time Risk Management**
- Geoff Bewsey, Hill International
  - Preparing for change
  - Managing risks for the employer, contractor, architect
  - Managing risks for others involved in the project

**1100 Developing a Master Programme**
- Michelle Metz, Hill International
  - Key elements of a useful Master Programme
  - Ensuring suitability for later analysis
  - What to do if you didn’t start with a suitable programme?

**1145 Break**

**1200 Contracts and sub-contractors on international projects**
- George Rosenberg, Corbett & Co
  - How to draft contracts with sub-contractors
  - How to avoid risks
  - Particularities of hiring sub-contractors

**1245 Lunch**

**1345 Contractual Awareness**
- Ian Smith, Hill International
  - Understanding the contract
  - Notice provisions
  - Maximising the usefulness of the contract
  - Ensuring issues during construction are handled correctly.

**1430 Project Records and Record Management**
- Geoff Bewsey, Hill International
  - Practical issues of record management
  - Importance during and after projects
  - Methods of record creation and control

**1455 Break**

**1500 Principles & Policies of Delay Analysis**
- Geoff Bewsey, Hill International
  - Key features of delay and disruption
  - Contractor delay / employer delay
  - Concurrence, float, extensions of time, damages,
  - …and much more.

**1630 The Valuation and Analysis of Disruption and Prolongation**
- Derek Nelson, Hill International
  - Two talks examining quantum issues
  - Valuation and analysis of disruption
  - The quantum aspects of claims and analysis
  - Valuation of other losses such as prolongation
  - Valuing preliminary and overhead costs

**1745 Close and questions**

Day 2: Disputes: presentation, resolution and practice

**0900 Introduction and recap**
- Dr Franco Mastrandrea, Hill International
  - The qualities of a good expert.
  - What to do if you didn’t start with a delay expert?
  - What do dispute resolvers want of a delay expert?
  - What do dispute resolvers want of a quantum expert?

**0915 The Dispute Resolver’s View of Delay and Quantum Analysis and Experts**
- Dr Franco Mastrandrea, Hill International
  - Using the latest technology to demonstrate delay & disruption
  - Presenting complex issues in a simple format
  - Traditional methods vs modern methods

**1000 The Lawyer’s Perspective on International Arbitration**
- John Adam, Shearman & Sterling LLP
  - How to prepare evidence for international arbitration
  - Comparison between Common law and Civil law approaches
  - Dealing with mixed Common/Civil law arbitral tribunals
  - Effective selection of arbitrators

**1045 Lunch**

**1100 Break**

**1115 Use of Visualisations/Technology to Demonstrate Complex Construction Claims**
- Andrew Burr, Atkin Chambers
- Geoff Bewsey, Hill International

**1200 Comparison of the major European arbitration institutions**
- Andrew Burr, Atkin Chambers
  - Arbitration Institutions and their specialties: appointments, administration, costs etc.
  - Arbitration and Dispute Resolution in new EU member states
  - Differing legal systems and cultures

**1245 Dispute Resolution**
- Peter Rosher, Clifford Chance LLP
  - Settlement agreements
  - Dispute resolution

**1345 Principles & Policies of Delay Analysis**
- Geoff Bewsey, Hill International
  - Key features of delay and disruption
  - Contractor delay / employer delay
  - Concurrence, float, extensions of time, damages,
  - …and much more.

**1430 Close and Questions**

VENUE - Hotel Concorde La Fayette, 3, Place du Général Kœnig

Hotel Concorde La Fayette is conveniently located close to the Champs-Elysées, between the La Défense business district and the Triangle d’Or shopping area. The hotel boasts some of the most spectacular views of Paris and the Eiffel Tower from its 33 floors of guest rooms and suites and features an exceptionally convenient space, linked to the Palais des Congrès exhibition centre.

**www.hillintluk.com/masterclass or +44 (0)20 7089 7020 Also: London, 9/10 November 2010**
Speakers

DR FRANCO MASTRANDEA Senior Vice President, Hill International

Franco Mastrandra is Senior Vice President at Hill International, with responsibility for Expert Service delivery in the International region. Franco has over 35 years of experience in the construction industry. He has acted as Arbitrator and Adjudicator and given Expert evidence in Court and at Arbitration in relation to a number of substantial construction contracts overseas (measurement, cost planning, pricing), and project management duties and practice. He has written several papers on the evaluation of construction claims.

GOEFF BEWSYE Vice President, Hill International

Geoff Bewsys is Vice President and Executive Director in London. He draws on more than 30 years’ management and commercial experience in construction to assist and advise clients on project management, planning, dispute avoidance and bid management. Geoff moved to consultancy in 1999, drawing on his management and commercial experience in construction to assist and advise clients on project management, dispute avoidance and management, working on projects throughout the world. He has given expert evidence in delay and disruption and specialises in delay analysis, productivity analysis and the quantification of disruption in engineering works.

DEREK NELSON Senior Vice President, Hill International

Mr Nelson is professionally and contractor trained as a Chartered and Corporate Quantity Surveyor. His experience covers over twenty five years in the construction industry. Derek specialises in the preparation, investigation, negotiation and settlement of claims for disruption, acceleration and prolongation. Derek also specialises in dispute avoidance and has set up procedures and administered contracts overseas to avoid or rapidly resolve disputes. He has recently acted in a number of arbitrations and conciliations relating to construction, civil engineering and process engineering disputes and acted as Claim Team Manager in major disputes worldwide.

DR SUSANNE KRAUTSCH Partner, Thümmel, Schütze & Partner

Susanne is a partner of the German law firm Thümmel, Schütze & Partner. She is based at the Stuttgart office and is also the responsible partner for the firm’s Brussels office. Susanne has particular practice in international civil procedural law, litigation and arbitration (mostly in matters of International Commercial Law and Industrial Construction), banking law and product liability. She has acted as counsel and arbitrator in various arbitration proceedings including ICC, Vienna Chamber, Zurich Chamber of Commerce, DIS and NAFL. Susanne is listed as Arbitrator with the Dubai International Arbitration Centre.

IAN SMITH Executive Director, Hill International

Executive Director of Hill International, Ian is based in Munich, with over 26 years of experience in the construction, civil engineering and infrastructure industries. Mr. Smith is currently advising a variety of matters ranging from delay analysis and claim evaluation to training in contract and claim management related subjects. Mr. Smith’s duties have included active support of disputes in arbitration including preparation of productions and drafting of pleadings. In addition, he has been appointed to act as Expert Witness in arbitrations relating to disputes on civil engineering and mechanical erection works within power plant projects. Ian is a member of the Chartered Institute of Arbitrators, the Chartered Institution of Civil Engineering Surveyors, and is fluent in German.

GALINA ZUKOVA Counsel, ICC

Galina Zukova is Counsel at the Secretariat of the ICC International Court of Arbitration, where she deals on Central and Eastern Europe case management team, and Associate Professor at the Riga Graduate School of Law (Latvia). Ms. Zukova has particular experience in international trade and dispute resolution. Her academic credentials include LL.B. (Latvia), LL.M. (Exeter), and Ph.D (EUI Florence). She has published articles on international law, and lectures on international commercial arbitration at the Riga Graduate School of Law and the University of Barcelona, as well as on WTO law at the Institute of Political Science of Paris (Sciences Po). She has worked at one of the leading pan-Baltic law firms and at the Court of Arbitration of the Latvian Chamber of Commerce and Industry. In addition to native Russian and Latvian, Ms. Zukova is fluent in English, French, Italian and Spanish, and has good knowledge of German.

PETER ROSHER Counsel, Clifford Chance

Mr Rosher joined Clifford Chance in 1995, and specialises in advising on international commercial disputes from their Paris office. He acts as Counsel and takes a lead role in some of the most complex proceedings under the ICC, LCIA, SCC and UNCITRAL arbitration rules, and has been appointed by the ICC Court of International Arbitration as a sole arbitrator. Qualified in both English and French, Peter holds a Masters in International Law and Arbitration and is an Associate of the Chartered Institute of Arbitrators, a member of the International Arbitrators Association, the LCIA and the Centre for Dispute Resolution (CEDR). Mr Rosher has presented papers and written various learned articles, including: Legal Privilege et communautés des communautés: avocat-client en matière d’arbitrage international - vers une possible harmonisation? (Les Cahiers de l’arbitrage) and Les clauses de résolution de litiges optionnelles (with Jérôme Barbet – Revue de l’Arbitrage)

GEORGE ROSENBERG Consultant, Corbett & Co

George has dual New Zealand and German nationality. He practiced mainly as a barrister before joining the Hong Kong Government’s legal department, becoming head of the construction law division, later head of the office established to support the Chek Lap Kok airport. He later established Shadbolt & Co’s Athens office, joining Corbett & Co’s International Construction Lawyers in 2006. His experience includes drafting and negotiating contracts, acting as advocate for clients in both domestic, ICC and EDF arbitration, litigation and ADR. George has experience in PFI for the UK and Germany, and holds the qualification for All Higher Courts. George is a Fellow of the CIArb and a Member of the LCIA. He is admitted as a lawyer in New Zealand, Hong Kong, France, England and Wales.

ANDREW BURR Barrister, Atkin Chambers

A barrister in domestic and international construction and technology disputes, Andrew is general editor of Construction Law Journal and assistant editor of Delay and Disruption in Construction Contracts. A Member of the Technology and Construction Bar Association, COMBAR and Associate of the Swiss Arbitration Association, Andrew is also a TeCSA registered adjudicator, ICC Arbitrator and past chair of the European Branch of the Chartered Institute of Arbitrators.

MICHELLE METZ Director, Hill International

Michelle is a planner by training. Her eighteen years of experience in construction include: compiling expert evidence and preparing expert’s reports, formulating strategies and preparing retrospective delay analyses; preparing and implementing master programmes; detailed monitoring, reporting and updating progress on projects; and the coordination of subcontractor work packages. Michelle was formerly the Director of Pickavance Consulting (since acquired by Hill International) in Hong Kong and has been appointed and given oral evidence as an Expert Witness on matters of construction delay.

JOHN ADAM Associate, Shearman & Sterling LLP Paris

Mr Adam is a senior associate at Shearman & Sterling’s Paris office. He is qualified as a barrister in England & Wales and as an “Abogado” in Spain. Mr Adam practices exclusively in the field of international arbitration, and has acted as counsel and advocate in numerous disputes under the aegis of a range of institutions, as well as in several ad hoc arbitrations. From a substantive perspective, Mr Adam specialises in construction and engineering, business combinations and investment/public international law arbitration, with particular emphasis on disputes with a Latin American element, and he has acted in proceedings governed by Common law and Civil law legal systems. Mr Adam speaks and can conduct proceedings in English, Spanish and French.

MARK ROE Partner, Pinsent Masons LLP

Based primarily in London, Mark heads the International Arbitration group at leading International law firm, Pinsent Masons LLP. Mark advises on EPC contracts and undertakes international arbitration relating to the global construction and energy industries. He has managed the resolution of over 50 major disputes in Europe, the Middle East, Asia, Africa and the Caribbean over the past 25 years. Mark is an accredited CEDR mediator. He has conducted over 50 construction related mediations and also sits as a mediator and adjudicator. He writes and lectures on International Construction Contracts, in particular FIDIC.

DR CRENGUTA LEAUA Leaua & Asociiati

Crenguta Leaua regularly represents parties in construction arbitration and in DAB proceedings. Crenguta acted as counsel in commercial arbitral proceedings under the rules of the ICSID, ICC, UNCITRAL, WIPO, VIAC, the Hungarian Court of International Arbitration and the Romanian Court of International Commercial Arbitration. Crenguta is a member of the panel of arbitrators of the Romanian Court of International Commercial Arbitration, Bulgarian Court of International Court of Arbitration and the WIPO list of neutrals for IP disputes. Crenguta has a PhD, magna cum laude, from Bucharest University and is lecturer of Business Law at the Bucharest University of Economics. Also, she is a visiting lecturer in international commercial arbitration in the LLM programme of Petru Maior University (Târgu Mures). Crenguta has written publications and made numerous presentations in conferences on international commercial arbitration.

KEITH STRUTT Vice President, Hill International

Keith Strutt has over 30 years experience in the construction industry. Having begun in construction management, he trained in quantity surveying and progressed to corporate partner. Keith has worked in the Building, Civil Engineering and Rail sectors of Construction, and extensively on the preparation and defence of contractual claims in these sectors. His work has included Client Advisory roles, Contractors Commercial Representative, Funder’s Project Representative, and Expert Surveyor.

Very good presentation with excellent handouts, would highly recommend it to others

Joe Keane

Hill International

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Tel: +44 (0)1344 630825 Fax: +44 (0)1344 630888
Email: sbrunger@englemere.co.uk
## PERSONAL INFORMATION

**Delegate 1** (please copy this form for further delegates)

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## COMPANY DETAILS

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## FURTHER DETAILS

How did you hear about the Masterclass?

There will be a delegate list containing names and company names, please tick if delegates do NOT wish to appear on this list

## BOOKING DETAILS

Course fees include full notes, food and refreshments and are available at the following rates:

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<tr>
<td>1 day rate</td>
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<tr>
<td>2 day early rate (until 4th October 2010):</td>
<td>€890</td>
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<tr>
<td>2 day standard rate (from 5th October 2010):</td>
<td>€1090</td>
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<tr>
<td><strong>Books:</strong> Delay &amp; Disruption in Construction Contracts, Pickavance, 4th Ed:</td>
<td>€360</td>
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<td>Construction Law &amp; Management, Pickavance and others:</td>
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Group discounts are available - please enquire

Total included for payment / to be debited from card / invoiced

## PAYMENT

Either:

A: I enclose a cheque for

B: Please invoice me at the above address for the total of

C: Charge my VISA/MASTERCARD/DELTA/MAESTRO

Card Number

Valid from

Valid until

Issue No (Maestro)

Security code

Cardholder’s Signature

NB - We apologise, but we are unable to accept Amex. Card payments will be processed in the UK.

### Principal Terms and Conditions

1. **Authority:**
   1.1. The non-residential Masterclass day in the management, prevention and analysis of delay and disruption in construction contracts (hereinafter referred to as ‘the Masterclass’ and referring to either the singular or the plural day or days) are approved by the Law Society for provision of CPD: ref CEV/PILC.
   1.2. A certificate of attendance will be provided to each delegate. Neither the certificate or the Masterclass carry any academic authority, nor do they provide any qualification in the subjects discussed at the Masterclass, or authority for the delegate to teach or practice in any of the subjects discussed.
   1.3. Neither Hill International nor Englemere Limited and the Chartered Institute of Building are responsible for anything said or produced by any of the speakers at the Masterclass.

2. **The booking fee and cancellation:**
   2.1. The booking fee, which must be paid in full before a place can be confirmed, is non-refundable, subject to the following conditions:
   2.1.1. Once a place on the Masterclass is booked, it will not be possible to obtain a refund unless the course is fully booked (ie all places are taken) and a replacement can be found. Under these circumstances, a refund will be made, less an administrative charge.
   2.1.2. In the unlikely event of cancellation of the course, due to circumstances within the control of Hill International, Englemere Limited or the CIOB, a full refund of the course fee will be provided.

3. **The Programme:**
   3.1. We reserve the right to alter or change the programme at any time, and may replace speakers if necessary due to such circumstances as illness or sudden unforeseen unavailability.

4. **Books and book orders:**
   4.1. The book is non-refundable, and payment must be received before dispatch will occur.
   4.2. Delivery of the book to an overseas address will incur a surcharge to cover insurance and postage.

Send to: Stuart Wilks, Hill International, 1 London Bridge, London SE1 9BG Fax: +44 (0)20 7089 7030

Please Note: Payment is required prior to attendance at the Masterclass.