

Master of Arts HSG
in Law and Economics



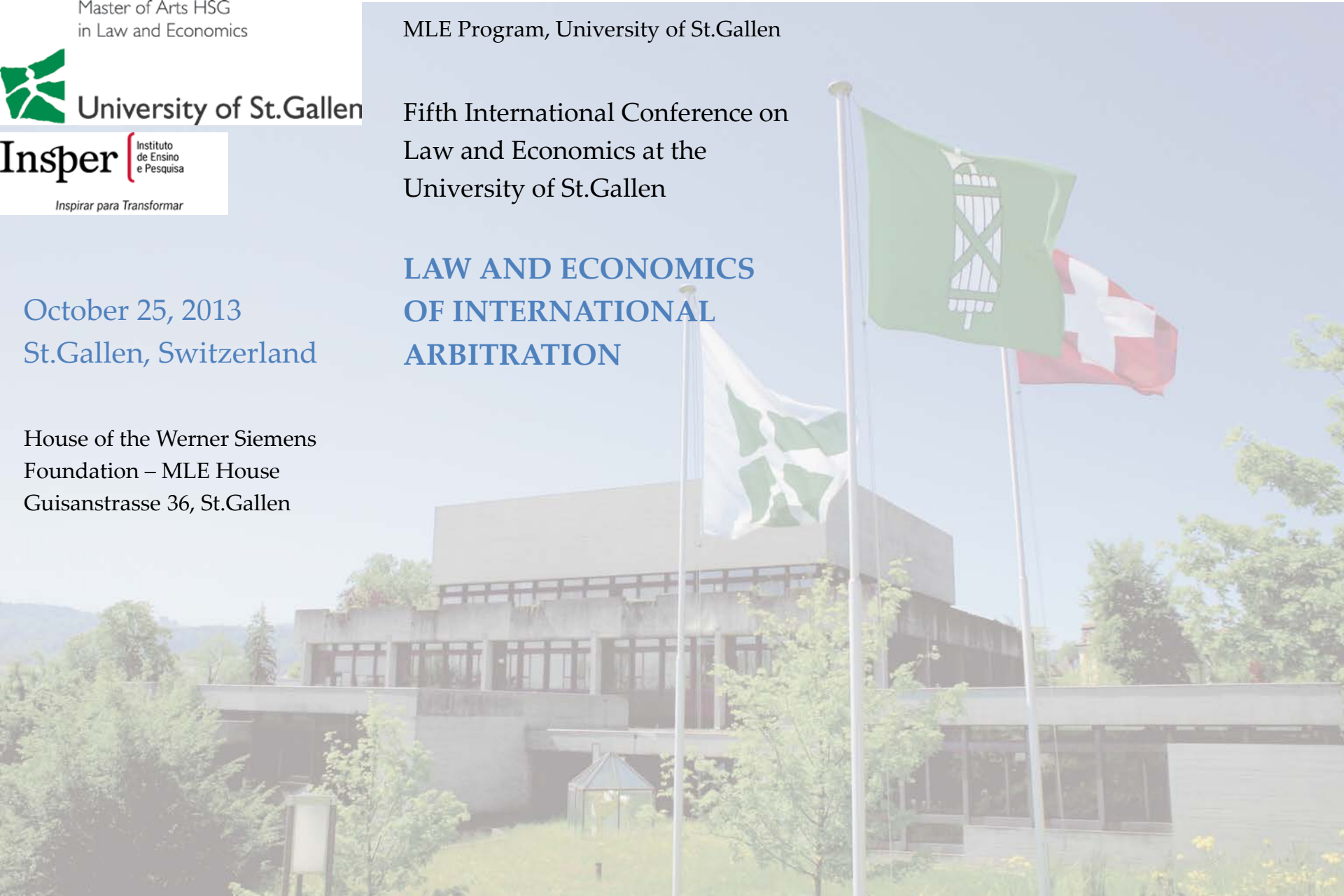
MLE Program, University of St.Gallen

Fifth International Conference on
Law and Economics at the
University of St.Gallen

LAW AND ECONOMICS OF INTERNATIONAL ARBITRATION

October 25, 2013
St.Gallen, Switzerland

House of the Werner Siemens
Foundation – MLE House
Guisanstrasse 36, St.Gallen



University of St.Gallen MLE

In 2003, a new interdisciplinary study program in law and economics (Bachelor/Master of Arts HSG in Law and Economics) was initiated at the University of St.Gallen, Switzerland, alongside the regular law program. Since that time, the study program in law and economics has been established as a forward looking program at the University of St.Gallen attracting more and more students every year. The First International Conference on Law and Economics in 2005 was attended by a majority of the members of the International Academic Council MLE (IAC MLE). The IAC MLE is a scientific board comprised of leading scholars in the field of law and economics, which was established for the purpose of providing academic support to the MLE program. The following International Conference on Law and Economics in 2007, in 2010, and in 2011 successfully continued the promotion of academic research in law and economics.

Alongside the study program and the law and economics conferences, the establishment of a center for law and economics is in the planning stages. The center will work closely with Anglo-American institutions and universities that have a profound tradition of academic research in the field of law and economics; in doing so, it will work towards a broader, long-range goal of making significant contributions to the European law and economics movement.

This year, the MLE-Program together with the IAC MLE and Insper São Paulo will organize the Fifth International Conference on Law and Economics at the University of St.Gallen financially supported by the Lemann Foundation. The topic of the conference will be devoted to the issue of international arbitration and closely related to the recent development in this field.

The conference, which is also open to the general public, will take place at the new Law and Economics Library, which is situated in the MLE House. The construction of the new library was undertaken by the Werner Siemens Foundation, which has also taken over the MLE House and donated it to the MLE Foundation for sixty years.

SPEAKERS

Kenneth L. Andrichik

Senior Vice President, Chief Counsel and Director of Mediation and Strategy for FINRA Dispute Resolution; in charge of the FINRA Mediation Program and Business Strategies Development.

André Antunes Soares de Camargo

Professor and Assistant Dean of the LL.M. Programmes at Insper Instituto de Ensino e Pesquisa (São Paulo, Brazil); Attorney for corporate, business, contract, capitel market and corporate governing law in São Paulo; doctorate in commercial law at the University of São Paulo; LL.M. in corporate law and contract law at the University of California, USA; LL.B. from Mackenzie Presbiteriana University/SP.

Marco Franchetti

Lawyer and Notary; Banking Ombudsman since July 2013; former Head of International Affairs at FINMA (EBK).

Susan Franck

Professor of Law at Washington & Lee University, teaching and scholarship related to international economic law and dispute resolution; pioneer in empirical legal studies concerning investment arbitration. Professor Franck has served as a Scholar-in-Residence at UNCTAD in Switzerland (spring 2010) and as a Visiting Associate Professor at Vanderbilt University (fall 2010), she is a former associate with WilmerHale.

Christian Kirchner

Professor of Law and New Institutional Economics at Humboldt University, School of Law/School of Business and Economics in Berlin, Germany.

Stephan Netzle

Head of Netzle Attorneys at Law; advisor and litigator at Netzle Attorneys at Law; member of the ICC Tribunal, of the Association Suisse de l'Arbitrage (ASA) and the Federal Communications Commission (ComCom); since 2008 member of the Executive Council of Swiss Olympic; Lecturer in International Arbitration Law at the University of Zurich, Switzerland.

Henry Peter

Professor of Business Law at the University of Geneva and Director of the Department of Commercial Law of the Faculty of Law at the University of Geneva, Switzerland; Attorney at Law at PSMLaw S.A., Lugano, Switzerland; Member of the Swiss Takeover Board and of the Sanction Commission of the SIX Swiss Exchange; Vice President of the Swiss Olympic Association's Disciplinary Chamber for Doping Cases.

Richard A. Posner

Judge at the U.S. Court of Appeals for the Seventh Circuit; Senior Lecturer in Law at the University of Chicago Law School, USA.

Maxi Scherer

Special Counsel for WilmerHale's Litigation/Controversy Department in London, UK; member of the International Arbitration Practice Group.

Thomas S. Ulen

Swanlund Chair at the University of Illinois, USA, Professor of Law at the College of Law and Director of the Illinois Program in Law and Economics; member of the founding Board of Directors of the American Law and Economics Association.

Markus Wirth

Lawyer at Homburger AG Attorneys at Law, in the Litigation and Arbitration Practice Team; focus on international arbitration, primarily as arbitrator and also as advisor and legal expert.

Roger Zäch

Professor Emeritus of Private, Trade and European Law at the University of Zurich, Switzerland, former Vice President of the Swiss Competition Commission.

ORGANIZERS

Peter Nobel

Professor Emeritus of Swiss and International Commercial and Business Law at the University of Zurich, Switzerland, and Professor Emeritus of Private, Trade and Commercial Law at the University of St.Gallen, Switzerland; Head of Nobel & Hug Attorneys at Law, Zurich; Initiator of the Master Programme in Law and Economics at the University of St.Gallen.

Katrin Krehan

Executive Director, University of St.Gallen Law School and MLE Foundation, Switzerland.

FRIDAY, OCTOBER 25, 2013

MORNING SESSION

10.00 AM **Law & Economics of Litigation**

Speaker: **Thomas S. Ulen**

10.30 AM **Investment Disputes: Empirical Insights**

Speaker: **Susan Franck**

11.00 AM **Arbitration in Emerging Markets**

Speaker: **André Antunes Soares de Camargo**

11.30 AM **Arbitration in Competition Law**

Speaker: **Roger Zäch**

12.00 AM **Commercial Courts and Arbitration**

Speakers: **Peter Nobel / Markus Wirth** (dialogue)

12.45 PM Lunch Break

FRIDAY, OCTOBER 25, 2013

AFTERNOON SESSION

13.45 PM **Ad hoc versus Institutional Arbitration**
Speaker: **Henry Peter**

14.15 PM **FINRA Arbitration in the United States**
Speaker: **Kenneth L. Andrichik**

14.45 PM **Arbitration between Banks and Clients: Could
FINRA be a Model?**
Speaker: **Marco Franchetti**

15.15 PM **Arbitration in Sports – The CAS Switzerland**
Speaker: **Stephan Netze**

15.45 PM Coffee Break

16.15 PM **What do Arbitrators maximize?**
Speaker: **Richard A. Posner** (via video)

16.45 PM **The Business of International Arbitration**
Speaker: **Maxi Scherer**

17.15 PM **Legislative Framework: Conclusions and
Suggestions**
Speaker: **Christian Kirchner**

17.45 PM End

INTERNATIONAL ACADEMIC COUNCIL MLE

MEMBERS

CARL BAUDENBACHER

Professor of Private, Commercial and Economic Law, Director Executive M.B.L.-HSG, University of St.Gallen, Switzerland; President of the EFTA Court

ERNST MOHR

Professor of Economics, Institute for Economy and the Environment (IWÖ-HSG), President, University of St.Gallen, Switzerland

VOLKER BORNSCHIER

Professor of Sociology, University of Zurich, Switzerland

PETER NOBEL

Professor Emeritus of Private, Trade and Commercial Law, University of St.Gallen, Attorney at Law, Nobel & Hug Attorneys at Law, Zurich, Switzerland

BRIAN R. CHEFFINS

S.J. Berwin Professor of Corporate Law, Faculty of Law, University of Cambridge, UK

CLAUS OTT

Professor Emeritus of Law, University of Hamburg, Germany

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Professor of Commercial Law, Universidad Autónoma de Madrid, Attorney at Law, Uría & Menéndez, Madrid, Spain

RICHARD A. POSNER

Judge, United States 7th Circuit Court of Appeals, Senior Lecturer in Law, University of Chicago Law School, USA

WINAND EMONS

Professor of Economic Theory, University of Bern, Switzerland

ROBERTA ROMANO

Professor of Law, Director of the Yale Law School Center for the Study of Corporate Law, Yale Law School, USA

BRUNO S. FREY

Professor of Economics (Economic policy and non-market Economics), Institute for Empirical Research in Economics, University of Zurich, Switzerland

DANIEL L. RUBINFELD

Robert L. Bridges Professor of Law, Professor of Economics, School of Law, University of California, Berkeley, USA

RONALD J. GILSON

Charles J. Meyers Professor of Law and Business, Stanford Law School, Marc and Eva Stern Professor of Law and Business, Columbia Law School, USA

ERICH SCHANZE

Professor Emeritus of Law, Philipp University Marburg, Germany

VICTOR GOLDBERG

Thomas Macioce Professor of Law, Co-director, Center for Law and Economic Studies, Columbia Law School, USA

HANS-BERND SCHÄFER

Affiliate Professor of Economics, Bucerius Law School, Germany

GERARD HERTIG

Professor of Law and Economics, Swiss Federal Institute of Technology, Zurich (ETH Zurich), Switzerland

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Professor of Economics, University of Basel, Switzerland

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Professor of Law and New Institutional Economics at Humboldt University, School of Law/School of Business and Economics in Berlin, Germany

CLAUDE MENARD

Professor of Economics, University of Paris, Director, Centre ATOM (Centre for Analytical Theory of Organizations and Markets), France

REINIER H. KRAAKMAN

Ezra Ripley Thayer Professor of Law, Harvard Law School, USA

ROBERT E. SCOTT

Alfred McCormack Professor of Law, Columbia Law School, USA

ROBIN PAUL MALLOY

E.I. White Chair and Distinguished Professor of Law, Professor of Economics, Director, Center on Property, Citizenship and Social Entrepreneurism, College of Law, Syracuse University, USA

THOMAS S. ULEN

Swanlund Chair and Professor of Law, Director, Illinois Program in Law and Economics, College of Law, University of Illinois, USA

GEOFFREY P. MILLER

Stuyvesant P. Comfort Professor of Law, Director, Center for the Study of Central Banks, New York University School of Law, USA

JOHN C. COFFEE

Adolf. A. Berle Professor of Law, Columbia Law School, New York, USA

ALAN SCHWARTZ

Sterling Professor of Law, Yale Law School, Yale School of Management, USA

INFORMATION

Conference participation is free of charge; however, registration for the conference is obligatory.

Location

House of the Werner Siemens Foundation – MLE House (Guisanstrasse 36, St.Gallen): located next to University Campus near the HSG-Executive Campus (WBZ), reachable by Bus 5 and 9 from the central train station. Parking: HSG-Executive Campus (WBZ)

Register and further information

Please feel free to contact us if you have any questions or need further information. Please note that the number of participants is limited and that the registration deadline is October 1, 2013. For registration, kindly send the filing to:

MLE Program
Guisanstrasse 36
CH-9010 St.Gallen, Switzerland
Phone: +41 (0)71 242 62 00
Fax: +41(0)71 242 62 02
mle@unisg.ch

REGISTRATION

Law and Economics of International Arbitration

October 25, 2013

I would like to register for the conference (please complete):

Name: _____

First Name: _____

Titel/Function: _____

Company/Institution: _____

Address: _____

Phone: _____

Mobile: _____

Fax: _____

E-Mail: _____

Date: _____

Signature: _____

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University of St.Gallen

Please
stamp
here

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