

22 oktober 2015



YAS ARBITR ATION DAY

Skiljeförfarandedagen 2015

PROGRAM

- 09.30 – 09.45** Välkomstförförande
Katarina Mild (Frank)
- 09.45-10.15** Skiljeförfarandets inledning
Elin Awerstedt och Mattias Erdös (Frank)
- 10.15 – 10.45** Strategiska överväganden när skiljeklausulen inte är optimalt utformad
Niklas Elofsson och Mattias Rosengren (Vinge)
- 10.45 – 11.00** **Kaffe**
- 11.00 – 11.30** Projektledning i omfattande skiljeförfaranden
Caroline Snellman och Anna Sundquist (Hannes Snellman)
- 11.30 – 12.00** Skriftliga inlagor i skiljeförfarande – vanligt förekommande frågeställningar
Bodil Ehlers och Magnus Eriksson (Kastell)
- 12.00 – 13.00** **Lunch**
- 13.00 – 13.30** Att lyckas med sin sakframställning och plädering – tips och trix
Åsa Rydstern (Mannheimer Swartling) och Per Rådelöv (Nord Advokater)
- 13.30 – 14.00** Korsförhör av faktavitnen och sakkunniga
Kristina Ljungström och Rikard Wikström (White & Case)
- 14.00 – 14.15** **Kaffe**
- 14.15 – 14.45** Reflektioner kring klanderprocessen
Annica Börjesson och Andreas Johard (MAQS)
- 14.45 – 15.30** Debatt: Trix, knep och taktiserande – hjälper det eller stjälper det?
Debattörer: Kristoffer Stråth (Törngren Magnell) och Filippa Wassberg (Setterwalls)
Moderator: Kristoffer Löf (Mannheimer Swartling)
- 15.30 – 16.15** **Kaffe med gruppdiskussion**
- 16.15 – 17.00** Paneldiskussion: Ombudsmannaskap ur skiljenämndens synvinkel
Tre framstående skiljemän debatterar frågor rörande ombuds agerande
som auditoriet i kaffepausen diskuterat fram i mindre grupper.
Panel: Paulo Fohlin (Magnusson), Bo GH Nilsson (Lindahl) och
Carita Wallgren-Lindholm (Lindholm Wallgren)
Moderator: Johan Sidklev (Roschier)
- 17.00 – 18.00** **Drink**
- 18.00 – 20.00** **Middag**
Prisutdelning och middagstalare

YAS
STYRELSE

OCH PROJEKTGRUPPEN FÖR

YAS
ARBITRATION
DAY

YAS STYRELSE



Annica Börjesson
Advokat/Partner
MAQS
Ledamot i YAS styrelse



Kristin Campbell-Wilson
Biträdande generalsekreterare
SCC
Ledamot i YAS styrelse



Andreas Johard
Advokat/Senior Associate
MAQS
Ledamot i YAS styrelse



Kristoffer Löf
Advokat/Partner
Mannheimer Swartling
Ledamot i YAS styrelse, Ordförande



Johan Sidklev
Advokat/Partner
Roschier
Ledamot i YAS styrelse



Caroline Snellman
Advokat/Managing Associate
Hannes Snellman
Ledamot i YAS styrelse



Filippa Wassberg
Jur. kand./Associate
Setterwalls
Ledamot i YAS styrelse

PROJEKTGRUPPEN FÖR YAS ARBITRATION DAY



Niklas Elofsson
Advokat/Associate
Vinge



Kristina Ljungström
Advokat/Associate
White & Case



Katarina Mild
Advokat/Partner
Frank
Projektledare



Azadeh Razani
Advokat/Senior Associate
Mannheimer Swartling



Linn Sundqvist
Advokat/Senior Associate
Roschier

VÄLKOMSTANFÖRANDE

KATARINA MILD

Katarina Mild
Advokat, Partner

Contact details

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Areas of expertise

Dispute Resolution
Damages and insurance
Pharmaceutical Law

Business sectors

Energy
Financial sector
Insurance
Life Sciences and Pharmaceuticals
Telecom
Trade and retail

Experience

Katarina is specialised in dispute resolution and has extensive experience of litigation as well as of domestic and international arbitration. She has comprehensive experience of disputes relating to several areas of law and business sectors, but is particularly focusing on energy, telecom, the pharmaceutical industry and the financial- and insurance sectors. She also has extensive experience of providing regulatory advice, primarily to clients within the pharmaceutical industry.

Career

Frank Advokatbyrå , Stockholm (2015-)
Hannes Snellman Advokatbyrå, Stockholm (2009-2015)
Linklaters Advokatbyrå, Stockholm (2005-2009)
Arbitration Institute of the Stockholm Chamber of Commerce (Secondment) (2006)
Stockholm District Court (2004-2005)
Linklaters Advokatbyrå, Stockholm (2003)

Studies

Stockholm University (LL.M. 2003)
University of Birmingham (2000)

Memberships

The Swedish Bar Association
Swedish Arbitration Association
Young Arbitrators Sweden
Young International Arbitration Group - LCIA
Swedish Women in Arbitration Network
International Insurance Law Association

Language

Swedish
English

SKILJEFÖRFARANDETS INLEDNING

**ELIN AWERSTEDT
OCH
MATTIAS ERDÖS**

Elin Awerstedt
Advokat, Partner

Contact details

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elin.awerstedt@frank.se



Areas of expertise

Dispute Resolution
Damages and insurance
Labour law

Business sectors

Financial Services
Insurance

Career

Frank Advokatbyrå (2014-)
Grönberg Advokatbyrå (2008-2014)
Advokatfirman Hammarskiöld & Co (2005-2007)
District Court of Göteborg (2003-2005)

Studies

Uppsala University (LL.M. 2003)

Memberships

The Swedish Bar Association
The Swedish Arbitration Association
Young Arbitrators Sweden
Försäkringsjuridiska föreningen
Swedish Women in Arbitration Network

Language

Swedish
English

Mattias Erdös
Advokat, Managing Partner

Contact details

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Areas of expertise

Dispute Resolution
IP/Media and IT/Telecoms
Commercial Agreements and General Corporate

Business sectors

Media, IT and Telecoms
Life Science and Pharmaceuticals
Trade and Retail
Financial Services

Career

Frank Advokatbyrå, Stockholm (2010-)
Acting General Counsel, TV4 Group (2008-2009)
Slaughter and May, London (2007-2008)
Gernandt & Danielsson Advokatbyrå (2002-2008)
Michelson & Werner Advokatbyrå (2001-2002)
The Chancellor of Justice (2000)

Rankings

Chambers Europe 2013, 2014, 2015: ranked as Leading Individual in Telecom, Media, Technology.
"Mattias Erdös is very rigorous, he has good attention to detail, and also a pragmatic view of the whole business" (Chambers Europe 2013)

Membership

The Swedish Arbitration Association
Young Arbitrators Sweden
Swedish Association for the Protection of Intellectual Property

STRATEGISKA ÖVERVÄGANDEN

**NÄR SKILJEKLAUSULEN
INTE ÄR OPTIMALT
UTFORMAD**

NIKLAS ELOFSSON

OCH

MATTIAS ROSENGREN

**Niklas Elofsson**

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Sweden

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NIKLAS ELOFSSON

Advokat (Sweden) / Attorney-at-law (New York)

Niklas Elofsson is a Stockholm-based lawyer and senior associate at Advokatfirman Vinge, Sweden. He is specialised in commercial dispute resolution and acts as counsel in court proceedings as well as domestic and international arbitrations. He has experience from a broad range of different business sectors and areas of law, including contract law, intellectual property law, corporate law, M&A and insolvency law.

Niklas Elofsson is dual-qualified and admitted to the bar in Sweden (Advokat) and New York (Attorney-at-law). He holds a Master of Laws (LL.M.) degree from Columbia University School of Law, a Master of Laws (jur. kand.) degree from Uppsala University, a Bachelor of Science degree in business from Uppsala University, and has studied at Queen's University School of Business in Canada. He has also served as a junior judge/law clerk at the Stockholm District Court.

Niklas Elofsson lectures frequently on arbitration and litigation at university courses, and speaks at seminars and conferences. He has published numerous articles in Swedish and international law journals and books, in particular on the area of commercial dispute resolution. He has been recognised as a "Super Talent" (Veckans Affärer 2015) and also received awards for his published works. He is a member of several professional organisations and holds a number of external appointments, including the Advisory Board of the SCC Young Arbitrators Sweden (YAS).



MATTIAS ROSENGREN

Partner / Advokat

Mattias Rosengren is a member of Vinge's dispute resolution practice group. He specializes in commercial litigation and arbitration and has acted as counsel in a large number of Swedish and international proceedings. Mattias Rosengren has acted in disputes governed by Swedish as well as foreign and international law. He has conducted arbitrations under a number of different rules, including arbitrations under the auspices of the Stockholm Chamber of Commerce (SCC), the International Chamber of Commerce (ICC) and the London Court of International Arbitration (LCIA). He has also represented clients in ad hoc proceedings under the UNCITRAL Arbitration Rules and the Swedish Arbitration Act. Mattias Rosengren also regularly acts as counsel in Swedish court proceedings. Mattias Rosengren's experience covers disputes relating to a number of different industries including, construction, engineering, insurance, re-insurance, energy, banking and finance disputes and disputes arising from mergers and acquisitions.

Mattias Rosengren

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111 87 Stockholm
Sweden

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Experience

- Partner, Vinge, 2013-
- Counsel, Vinge, 2009-2012
- Visiting lawyer, Herbert Smith, London, 2005
- Visiting lawyer, Essex Court Chambers, London 2005
- Associate, Vinge, 2001-2008
- Junior judge, 1999-2000
- Law clerk, 1997-1999

Education

- Lund University, LL.M., 1997

PROJEKTLEDNING I OMFATTANDE SKILJEFÖRFARANDEN

**CAROLINE SNELLMAN
OCH
ANNA SUNDQUIST**



Caroline Snellman

Title: Managing Associate
Office: Stockholm
Mobile: +46 (0) 760 000 025
E-mail: caroline.snellman@hannessnellman.com
Languages: English, Swedish

PRACTICE AND EXPERIENCE

Caroline has a dual focus and shares her time between general commercial law matters (mainly for the Swedish public transport sector) and dispute resolution (with a focus on international arbitration).

Caroline has particular experience of agreements concerning public transportation, infrastructure and energy matters (with structuring of deals and negotiations of agreements for traffic operation), international disputes related to e.g. the transportation sector, and transactions involving environmental law issues.

MEMBERSHIPS AND POSITIONS OF TRUST

- Member of the Swedish Bar Association
- Board member, YAS, Young Arbitrators Sweden (the Arbitration Association for Younger Lawyers at the Stockholm Chamber of Commerce Arbitration Institute)
- Board member (Vice Chairman), Tjejzonen, (Sweden's largest support organization for women age 12-22)
- Co-network leader for "Women for Business" (Swe. Kvinnor i Karriären) under the Stockholm Chamber of Commerce
- Member of the Swedish Arbitration Association (SAA)
- Member of Swedish Women in Arbitration Network (SWAN)
- Member of the London Court of International Arbitration (LCIA) and its Young International Arbitration Group (YIAG)



Anna Sundquist

Title:	Associate
Office:	Stockholm
Mobile:	+46 (0) 760 000 086
E-mail:	anna.sundquist@hannessnellman.com
Languages:	English, Swedish

PRACTICE AND EXPERIENCE

Anna focuses on domestic and international arbitration and general commercial litigation. She has represented and assisted clients in a wide range of commercial disputes in the fields of M&A, commercial law, transport and public procurement. Anna also advises clients with regard to potential commercial disputes and general corporate and commercial law.

MEMBERSHIPS AND POSITIONS OF TRUST

- Member of the Swedish Bar Association
- Member of the Arbitration Association for Younger Lawyers at Stockholm Chamber of Commerce Arbitration Institute (YAS)

SKRIFTLIGA INLAGOR I SKILJEFÖRFARANDE – VANLIGT FÖREKOMMENDE FRÅGESTÄLLNINGAR

**BODIL EHLERS
OCH
MAGNUS ERIKSSON**



BODIL EHLERS

VD, Advokat

Bodil är specialiserad på kommersiell twistelösning och har efter åtta år på svenska och engelska advokatbyråer omfattande erfarenhet av såväl svenska som internationella domstols-, skilje- och medlingsförfaranden. Bodil har även arbetat som bolagsjurist på auktionshuset Sotheby's med särskilt ansvar för bolagets europeiska compliance funktion. Bodil är både advokat och solicitor och medlem i såväl det svenska som det engelska advokatsamfundet.

Yrkesfarenhet

- 2014- Kastell Advokatbyrå
- 2012-2014 ENN Advokatbyrå
- 2008-2012 Bolagsjurist Sotheby's, London
- 2007-2008 Best & Soames, London
- 2004-2007 Bird & Bird, London
- 2002-2004 Bird & Bird, Stockholm
- 2000-2002 Tingsnotarie, Stockholms tingsrätt

Utbildning

Jur kand 2000, Stockholms universitet

Språk

Svenska och engelska



MAGNUS ERIKSSON

Delägare, Advokat

Magnus har sedan han övergick till advokatbanan år 2001 arbetat uteslutande med skiljetvister och domstolsprocesser. Han har agerat ombud i ett stort antal såväl svenska som internationella tvister hänförliga till flera olika rättsområden. Förutom civil- och bolagsrättsliga ärenden har han särskild erfarenhet av konkurrensrättsliga och immaterialrättsliga tvister samt av tvister med anknytning till reglerade marknader. Magnus är ofta anlitad som skiljeman och är återkommande högt rankad inom området för tvistelösning. Innan han gick över till advokatbanan arbetade Magnus som domare vid Svea hovrätt och Stockholms tingsrätt samt som rättssakkunnig vid justitiedepartementet

Yrkesfarenhet

2015-	Delägare, Kastell
2009-2015	Delägare, Hannes Snellman Advokatbyrå
2001-2009	Biträdande jurist, Linklaters
1999-2001	Rättssakkunnig, Justitiedepartementet
1998-1999	Hovrättsassessor, Svea Hovrätt
1997-1998	Tingsfiskal, Stockholms tingsrätt
1996-1997	Fiskalaspirant, Svea Hovrätt
1994-1996	Tingsnotarie, Kristianstads tingsrätt

Utbildning

Jur kand 1994, Lunds universitet

Språk

Svenska och engelska

ATT LYCKAS MED SIN SAKFRAMSTÄLLNING OCH PLÄDERING – TIPS OCH TRIX

**ÅSA RYDSTERN
OCH
PER RÅDELÖV**

ÅSA RYDSTERN



BORN	18 April 1980
OFFICE	Stockholm
SWITCHBOARD	+46 8 595 060 00
DIRECT	+46 8 595 061 96
MOBILE	+46 709 777 196
E-MAIL	asa.rydstern@msa.se
ADDRESS	Norrlandsgatan 21, SE-111 87 Stockholm
TITLE	Member of the Swedish Bar Association
POSITION	Senior Associate

SPECIALIST AREAS	Litigation and Arbitration
INDUSTRIES	Energy and power
LANGUAGES	English, Swedish
EDUCATION AND TRAINING	London School of Economics, 2001-2002 Lund University, LLM, 2000-2006
EXPERIENCE	Mannheimer Swartling Advokatbyrå, Stockholm, Senior Associate, 2013- Mannheimer Swartling Advokatbyrå, Hong Kong, Associate, 2012-2013 Mannheimer Swartling Advokatbyrå, Stockholm, Associate, 2009-2012 District Court of Stockholm, Clerk, 2008-2009 Mannheimer Swartling Advokatbyrå, Stockholm, Associate, 2006-2007 Vinge Advokatbyrå, Stockholm, Trainee, June-July 2005
MEMBERSHIPS	Swedish Bar Association, Swedish Arbitration Association, Young Arbitrators Stockholm (YAS), HK45, ICDR Y&I

Examples of recent assignments

- Counsel for a European company in ICC arbitration proceedings in Singapore against a Chinese company concerning the breach of license agreements for minerals and metal processing technology.
- Counsel for a CIS company against a South-East Asian company in an SCC arbitration over the supply of fertilizers.
- Counsel for two Chinese energy companies in a dispute under a construction agreement.
- Counsel for a South-European energy company in an SCC arbitration in Stockholm over the price of natural gas under a long-term take-or-pay agreement.
- Counsel for a Chinese company in HKIAC arbitration proceedings against a US company concerning a joint venture and technology transfer.
- Counsel for a South-European energy company in an arbitration under the UNCITRAL Rules over issues related to a production sharing agreement.
- Counsel for a South-European energy company in an ICC arbitration in Stockholm over the price of natural gas under a long-term take-or-pay agreement.

Publications

- Chapter on Hong Kong in *Asia Arbitration Guide*, 4th ed., Respondek & Fan Pte Ltd., Singapore, 2015 (co-author).
- “The new HKIAC Rules”, Commercial Dispute Resolution, September-October 2013 (co-author).
- “Renewed Energy - China and energy treaties”, Commercial Dispute Resolution, May-June 2013 (co-author).
- “The Asian Ascent - Asian arbitration update”, Commercial Dispute Resolution, January-February 2013 (co-author).
- “Legal Risk Management in China”, International In-house Counsel Journal, Nordic Edition 2012, p. 129 (co-author).

NORD ADVOKATER

Rolf Andersson | Olof Fältman | Gunnar Nord | Robert Ohlsson
Per Rådelöv | Daniel Vargö



Per Rådelöv

Per is a partner in and co-founder of newly established law firm Nord Advokater KB, specialising in practice area dispute resolution.

Per is regularly appointed as counsel in both institutional and *ad hoc* arbitrations, and in commercial litigations. Per has acted in disputes encompassing a wide range of areas such as licensing, intellectual property, supply, share and asset purchases, construction, professional liability, insurance and buy out of minority shareholders. Per's experience includes some of the most high-profile cases in Sweden in recent years. Per also sits as arbitrator.

AWARDS

Named the exclusive recipient of the 2015 Client Choice Award for Arbitration in Sweden from International Law Office (ILO)

EXPERIENCE

Partner, Nord Advokater KB, 2015–

Partner, Gernandt & Danielsson KB, 2011–2015

Associate, Gernandt & Danielsson KB, 2003–2011

Associate, Dewey & LeBoeuf LLP, New York, 2008–2009

Court clerk, Huddinge District Court, 2001–2003

EDUCATION

LL.M. 2001, Stockholm University

BSc majoring in economics, Stockholm University, 2001

University of London, England, 2000

OTHER RELEVANT TRAINING

CIArb Diploma in International Commercial Arbitration, Oxford, 2012–2013

CIArb International Award Writing, London, 2012–2013

Training program for arbitrators 2013–2014 arranged by the Swedish Arbitration Association (SAA) and the Arbitration Institute of the Stockholm Chamber of Commerce (SCC)

ACADEMIC ENGAGEMENTS AND TEACHING

Co-headed a course for Civil Procedure (an advanced course included in the Swedish Master of Laws Degree), Stockholm University, 2011–2014

Regularly lectures on arbitration and litigation at university courses

Regularly speaks at domestic and international arbitration conferences

MEMBERSHIPS

Swedish Bar Association

Fellow Chartered Institute of Arbitrators (FCIArb)

KORSFÖRHÖR

AV FAKTAVITTNEN OCH SAKKUNNIGA

KRISTINA LJUNGSTRÖM
OCH
RIKARD WIKSTRÖM



Kristina Ljungström

Associate, Stockholm

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E kristina.ljungstrom@whitecase.com

Bars and Courts

Swedish Bar

Education

LLM, Juris kandidat, Stockholm
University, 2011

Languages

Swedish

English

Citizenship

Sweden

Practice Experience

Kristina Ljungström is an associate in the firm's Stockholm office, where her practice focuses on dispute resolution.

Her experience covers domestic litigation as well as domestic and international arbitration proceeding under various international rules, including those of the SCC, ICC, SIAC and UNCITRAL.

During 2013 and 2014, Kristina worked as an associate with the litigation and arbitration team in the firm's London office.

Kristina regularly gives lectures on various topics, mainly within construction law and dispute resolution

Her recent experience includes:

- Representation of a utility company in a multi-billion dollar ICC arbitration in the nuclear sector.
- Representation of a multinational IT company in a SIAC arbitration in Singapore regarding a shareholders agreement with claims in excess of US\$ 525 million.
- Representation of one of Sweden's biggest construction companies in an ad hoc arbitration regarding claims under a contract for the construction of a sports arena.
- Representation of a multinational EPC company in a dispute arising from a construction contract in the oil and gas industry, governed by the UNCITRAL arbitration rules.
- Representation of a Swedish municipality in a dispute regarding tort claims before the Supreme Court.

Publications

"'Proving' the Contents of the Applicable Substantive Law(s)", published in *The Application of Substantive Law by International Arbitrators – Dossier XI of the ICC Institute of World Business Law*, 2014 (co-author with Phillip Capper and Pauline Dépinay)

Professional Associations

ICDR Young & International

Young Arbitrators Sweden (YAS)

Svenska Föreningen för Entreprenad- och Konsulträtt, SVEFEK
(Swedish Society for Construction and Consulting Law)



Practice Experience

Rikard Wikström concentrates on Swedish and international commercial arbitrations as well as Swedish court proceedings, with a particular emphasis on oil & gas and construction disputes. He has represented Swedish, foreign and multinational corporations before courts and arbitral tribunals under various arbitration rules such as the SCC, the ICC, the SIAC and the UNCITRAL rules. The disputes have involved many different business sectors, including oil & gas, construction, M&A disputes, IT and pharmaceuticals. Rikard also sits as arbitrator.

Rikard Wikström

Partner, Stockholm

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Bars and Courts

Swedish Bar, 2007

International Bar Association

Education

LLM, Juris kandidat, Stockholm

University, 2001

BA, Augsburg College, Minneapolis,
USA, summa cum laude, 1996

Languages

Swedish

English

French

Citizenship

Sweden

Prior to joining White & Case in 2006, Rikard worked in the Swedish courts and as an associate at a Swedish law firm.

His recent experience includes:

- Representing a multinational IT company in a SIAC arbitration in Singapore regarding a shareholders agreement with claims in excess of USD 525 million.
- Representing a major European buyer of gas in several price renegotiation disputes under a series of long-term gas supply contracts.
- Representing a German constructor of a high-tech factory against Russian employer in SCC and ICC proceedings with claims exceeding EUR 50 million.
- Represented a state-owned gas company in an east-west gas supply, storage and transit SCC Arbitration with claims in excess of USD 6 billion.
- Represented an international construction consortium regarding a USD 150 million claim under a construction contract.
- Represented a major construction company in international arbitration under the UNCITRAL rules regarding claims under a hospital construction contract.
- Appointed by the SCC to a committee for the revision of the SCC Procedures and Services under the UNCITRAL Rules.
- Serving as the Chairman in an SCC arbitration regarding a terminated franchise agreement.
- Serving as sole arbitrator in an SCC arbitration regarding a shareholder agreement dispute.
- Party appointed arbitrator in an SCC M&A-dispute regarding earnout mechanism.

Publications

"*Tvistlösning är till stor nytta vid kriser*", Svenska Dagbladet Brännpunkt,
3 April 2015

"*The IBA Guidelines on Conflicts of Interest in International Arbitration: do they set the standard or is there now a need for revision?*", Construction Law International, Volume 8, Issue 2, June 2013

"*The IBA Guidelines on Conflicts of Interest in International Arbitration: do they set the standard or is there now a need for revision?*", IBA Arbitration News, Volume 17, No. 2, September 2012

"*The Impact of Document Production on the Efficiency of Arbitration*", (co-author with Claes Zettermark), essay in "Between East and West: Essays in honor of Ulf Francke", JurisNet LLC, New York, USA, 2010

Speaking Engagements

5 May 2015: European Parliament in Brussels, ISDS seminar, (speaker)

29 August 2014: Young Arbitrators Copenhagen seminar, Copenhagen, (speaker) (on written witness statements in international arbitration)

22 November 2013: CODEX annual seminar, Helsinki, (panelist) (debating the competition between different arbitration institutes)

21 November 2013: Stockholm, (moderator) (debate with representatives from the SCC and the ICC regarding similarities and differences between the two institutions)

Professional Associations

International Bar Association
Swedish Bar Association
Young Arbitrators Sweden (YAS)

Korsförhör av faktavittnen och sakkunniga

Rikard Wikström och Kristina Ljungström

Agenda

- Huvudförhör (direct examination / examination in chief)
- Korsförhör (cross examination)
- Återförhör (redirect)
- Exempel korsförhör

Huvudförhör

- Ersätts ofta av witness statement
 - Fokus på formalia och huvudpunkter i vittnesmålet / utlåtandet
- Öppna frågor
 - ”Berätta”, ”förförklara”, ”beskriv”
- Skillnader faktavittnen och sakkunniga

Korsförhör

Teknik

- Koncisa ledande frågor
- Undvik vänderande uttryck – ”quibble words”
- Konfrontera mot skriftliga dokument
- Rubriksättning
- Avstå sista frågan...

Syften

- Förringa vittnets / expertens trovärdighet
- Belysa utvalda dokument
- Få ett bra transcript

Korsförhör – särskilt om sakunning

- Läs på!
 - Ämnesområdet
 - Den sakunlige
 - Twisten
- Använd din kunskap om twisten

Återförhör

- Nödvändigt?
- Begränsat till frågor som berörts i korsförhör
- Öppna frågor
 - Ex. ”Under korsförhöret fick du frågor om tilläggsavtalet. Kan du utveckla varför tilläggsavtalet ingicks?”

Exempel korsförhör

Förutsättningar:

- Två bolag har startat ett JV för att gemensamt utveckla software.
- I skiljeförfarandet gör käran den gällande att svaranden har brutit mot en konkurrensklausul och yrkar skadestånd för utebliven vinst.
- Svaranden har givit in ett e-mail från vittnet till svarandens CEO med följande text:
 - ”Det är i och för sig riktigt att ni inte i formell mening brutit mot JV-avtalet, men att ni nu har startat ett nytt, konkurrerande bolag utan att informera oss skapar givetvis problem i vårt fortsatta samarbete.”

White & Case Advokat AB

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kristina.ljungstrom@whitecase.com

REFLEKTIONER KRING KLANDERPROCESSEN

**ANNICA BÖRJESSON
OCH
ANDREAS JOHARD**

Annica Börjesson, Advokat/Partner



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K: Göteborg

Profil

Annica Börjesson har mångårig erfarenhet av kommersiell tvistlösning, såväl nationell som internationell. Under sin tid på The Swedish Club hanterade Annica ansvars- och rättskyddskrav samt haverier under redarförsäkringar. Annica biträder MAQS kunder framförallt med tvistlösning, men också med allmänna transport- och försäkringsrelaterade frågor och avtal.

Verksamhetsområden

Kommersiell tvistlösning

Sjö- och transport

Försäkring och återförsäkring

Erfarenhet

2008- MAQS Advokatbyrå
2008 Claims Executive, The Swedish Club Greece
2006-2007 Claims Executive, The Swedish Club Hong Kong
2004-2006 Claims Executive, The Swedish Club
2002-2004 Kalmar tingsrätt

Utbildning

2007 University of Southampton (Institute of Maritime Law)
2001 Lunds Universitet (jur. kand.)
2000 Universitetet i Oslo, Nordisk Institutt for sjørett

Medlemskap

2011- Sveriges Advokatsamfund
Styrelseledamot SCC Young Arbitrators Sweden (YAS)
SCC Swedish Women in Arbitration Network (SWAN)
Styrelseledamot Svenska sjörättsföreningen
Women's International Shipping & Trading Association (WISTA)
Försäkringsjuridiska föreningen

Övrig information

Certifierad medlare (CEDR)

Särskild ledamot i dispaschmål vid Göteborgs tingsrätt

Språkkunskaper

Svenska och engelska

Andreas Johard, Advokat



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Profil

Andreas Johard är advokat/senior associate vid MAQS Stockholmskontor och medlem av byråns tvistlösningsgrupp. Han är också styrelseledamot hos Young Arbitrators Sweden (YAS). Andreas har en bred erfarenhet från såväl konkurrensrätt som transaktionsjuridik, men har under de senaste åren inriktat sig mot kommersiell tvistlösning främst med inriktning mot skiljeförfaranden. Han har varit ombud i ett flertal skiljeförfaranden under SCC, ICC och *ad hoc*-förfaranden. Vidare har Andreas gedigen erfarenhet som ombud i tvister i tingsrätt och hovrätt. Inom ramen för sin roll som processjurist bistår Andreas klienter i sin hantering av risker och potentiella tvister. Som projektledare är han ofta ansvarig för att koordinera det löpande arbetet i samband med inhemska och internationella tvister av olika storlekar.

Tidigare har Andreas arbetat hos Advokatfirman Vinge där han arbetade med aktiemarknadsrätt och M&A och har tidigare även arbetat med tvistlösning hos Advokatfirman Cederquist, där han var ombud i ett flertal såväl internationella som inhemska skiljeförfaranden. Han har även erfarenhet från svenska domstolar och har arbetat som notarie hos Justitiekanslern och Södertörns tingsrätt.

Verksamhetsområden

Kommersiell tvistlösning

Erfarenhet

2013-	MAQS Advokatbyrå
2010-2013	Advokatfirman Cederquist KB
2009-2010	Södertörns tingsrätt
2008-2009	Justitiekanslern
2007-2010	Advokatfirman Vinge KB (Stockholm)
2007	Advokatfirman Vinge KB (Brussel)
2006	G Grönberg Advokatbyrå

Utbildning

2006	Stockholms Universitet (jur. kand.)
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Medlemskap

2012-	Sveriges Advokatsamfund
	SCC Young Arbitrators Stockholm (YAS), styrelseledamot
	Swedish Arbitration Association (SAA)

Språkkunskaper

Svenska och engelska



ADVOKATBYRÅ

Reflektioner kring klanderprocessen

Skiljeförfarandedagen 22 oktober 2015

Annica Börjesson och Andreas Johard

Reflektioner kring klanderprocessen; nu



ADVOKATBYRÅ

33 § LSF

En skiljedom är **ogiltig**

1. om den innefattar prövning av en fråga som enligt svensk lag inte får avgöras av skiljeman,
2. om skiljedomen eller det sätt på vilket skiljedomen tillkommit är uppenbart oförenligt med grunderna för rättsordningen i Sverige, eller
3. om skiljedomen inte uppfyller föreskrifterna om skriftlighet och undertecknande i 31 § första stycket.

Ogiltigheten kan gälla en viss del av skiljedomen.

34 § LSF

En skiljedom som inte kan angripas enligt 36 § skall efter klander helt eller delvis **upphävas** på talan av en part

1. om den inte omfattas av ett giltigt skiljeavtal mellan parterna,
2. om skiljemännen har meddelat dom efter utgången av den tid som parterna bestämt eller om de annars har överskridit sitt uppdrag,
3. om skiljeförarande enligt 47 § inte borde ha ägt rum i Sverige,
4. om en skiljeman har utsetts i strid med parternas överenskommelse eller denna lag,
5. om en skiljeman på grund av någon omständighet som anges i 7 eller 8 § har varit obehörig, eller
6. om det annars, utan partens vällande, i handläggningen har förekommit något fel som sannolikt har inverkat på utgången.

En part har inte rätt att åberopा en omständighet som han genom att delta i förfarandet utan invändning eller på annat sätt får anses ha avstått från att göra gällande. Enbart genom att parten har utsett skiljeman skall han inte anses ha godtagit skiljemännens behörighet att avgöra den hänskjutna frågan. Att en part kan ha förlorat rätten enligt första stycket 5 att åberopा en omständighet som anges i 8 § följer av 10 och 11 §§.

Talan skall väckas inom tre månader från den dag då parten fick del av skiljedomen eller, om rätteelse, komplettering eller tolkning enligt 32 § har ägt rum, inom tre månader från den dag då parten fick del av skiljedomen i dess slutliga lydelse. En part får efter fristens utgång inte åberopा en ny klandergrund till stöd för sin talan.



Reflektioner kring klanderprocessen; nu

36 § LSF

En skiljedom som innebär att skiljemännen avslutat förfarandet utan att pröva de frågor som lämnats till avgörande av dem får helt eller delvis **ändras** på talan av en part. Talan skall väckas inom tre månader från den dag då parten fick del av domen eller, om rättelse, komplettering eller tolkning enligt 32 § har ägt rum, inom tre månader från den dag då parten fick del av skiljedomen i dess slutliga lydelse. Skiljedomen skall innehålla en tydlig hänvisning om vad en part som vill angripa domen skall göra.

En talan enligt första stycket som enbart rör en fråga som avses i 42 § är tillåten om skiljedomen innebär att skiljemännen har ansett sig vara obehöriga att pröva tvisten. Om skiljedomen innebär något annat, får en part som vill angripa beslutet klandra skiljedomen enligt bestämmelserna i 34 §.



ADVOKATBYRÅ

Reflektioner kring klanderprocessen; nu

- Hovrätternas avgörande får inte överklagas men ventil i fall av prejudikatintresse
- Skiljeförfarandeutredningen SOU 2015:37
 - 2004-01-01 – 2014-05-31: 191 klandermål anhängiggjorda (86 % i Svea hovrätt)
 - 42 % ad hoc och 58 % institutionella (94 % SCC)
 - 57 % svenska språket och 42 % engelska språket



Reflektioner kring klanderprocessen; nu

- 170 avslutade klandermål
- 38 % har avgjorts genom slutligt beslut
(avskrivning efter återkallelse (1/4) eller avvisning (1/10))
- 6 % ogiltigförklaring/upphävande/ändring av skiljedom efter sakprövning
 - 33 § st. 1 p 3 10 % (1)
 - 34 § st. 1 p 1 20 % (2)
 - 34 § st. 1 p 2 30 % (3)
 - 34 § st. 1 p 5 20 % (2)
 - 36 § 20 % (2)
- Medelvärdet för handläggningstider vid avgörande genom dom: 18 månader
Medianvärdet för handläggningstider vid avgörande genom dom: 17 månader

Handläggningstiderna blir allt kortare



ADVOKATBYRÅ

Reflektioner kring klanderprocessen; nu

- 90 % av sakprövade skiljedomar har stått sig (87/97), varav uppenbart ogrundad kländertalan i åtta fall (9 %)
- Ogiltigförklaring / upphävande / ändring har skett i 18 mål (10 %)
- Sannolikheten är 6 % för att en skiljedom inte står sig helt efter sakprövning i domstol
- Sannolikheten är 1 % för att en skiljedom ogiltigförklaras eller ändras med stöd av 33 § respektive 36 §



ADVOKATBYRÅ

Reflektioner kring klanderprocessen; praktiska aspekter

- När är en klandertalan påkallad?
- Vad är syftet med en klandertalan?



ADVO KAT BYRÅ

Klanderprocessen – praktiska aspekter

- Vanligast förekommande är 34 § - klander (till skillnad från ogiltighetstalan enligt 33 §)
 - 34 § 1 st. p. 6 LSF – handläggningsfel
 - 34 § 1 st. p. 2 – uppdragsöverskridanden



Klanderprocessen – praktiska aspekter

- Förfrågan
- Vem är bäst lämpad att driva klandertalan?
- Förfrågan från utländsk klient genom utländsk advokatbyrå
 - Vem är uppdragsgivaren?
 - Översättningsfrågor
 - Vem håller i pennan?



Klanderprocessen – praktiska aspekter

- Tre månaders frist från det att part tog del av skiljedomen
- I realiteten en kortare frist
 - Kan dröja innan klient bestämmer sig för att klandra
 - Tar tid att få kontakt
 - Ev. fråga om upphandling om det t.ex. rör sig om investeringstvist
 - Tid att sätta sig in i skiljeförfarandet
 - Översättningsproblematik
 - Anlita experter?



Klanderprocessen – praktiska aspekter

- En grund eller flera?
- Gränsdragningsproblematik – materiella v. processuella frågor
 - Unik för svensk rätt är 34 § 6 p lag om skiljeförfarande beträffande handläggningsfel
 - Inverkan på utgången – en högst materiell fråga
 - Vad finns det att gå på? Skiljedomen är främsta källan
 - NJA 2009 s. 128 (Soyak-målet)
 - ”*Sammantagen bedömning*”



ADVOKATBYRÅ

Klanderprocessen – praktiska aspekter

- Skiljenämnden som vittnen?
 - Varför?
 - En skiljeman kommer (*sannolikt*) aldrig att vittna mot sig själv



ADVOKATBYRÅ

Klanderprocessen – praktiska aspekter

- Huvudförhandling
 - Tolkar?
 - Översättning?
 - Tidplan?
- Behövs muntlig förhandling?



Reflektioner kring klanderprocessen; i framtiden?

- Skiljeförfarandeutredningen SOU 2015:37
 - Klanderfrist på tre månader eller kortare om parterna enats om det
 - Forum endast Svea hovrätt
 - Ogiltighet no more
 - Ny klandergrund Ordre public-regeln (UB 3:16)
 - Handläggning enligt regler för klagan över domvilla
 - PT i HD
 - Engelska som rättegångsspråk
 - 1 juli 2016

DEBATT

**TRIX, KNEP OCH
TAKTISERANDE –
HJÄLPER DET ELLER
STJÄLPER DET?**

DEBATTÖRER

KRISTOFFER STRÅTH

OCH

FILIPPA WASSBERG

MODERATOR

KRISTOFFER LÖF

KRISTOFFER LÖF



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ADRESS	Norrländsgatan 21, SE-111 87 Stockholm
TITEL	Advokat
BEFATTNING	Partner, Co-Head of Dispute Resolution

Kristoffer Löf är delägare i Mannheimer Swartling och en av två ordförande för byråns verksamhetsgrupp Tvistlösning. Han är baserad i Stockholm.

Kristoffer är specialiserad på tvistlösning i såväl svenska domstolar som inför svenska och internationella skiljenämnder. Hans erfarenhet omfattar tvister inom många olika branscher, med särskild tyngdpunkt på energi/olja & gas och entreprenadtvister, ofta med internationell anknytning. Han har också betydande erfarenhet från tvister rörande bl.a. telekom, läkemedel, joint ventures, aktieägar- och samarbetsavtal, maskin- och systemleveranstvister, licensiering, agent- och återförsäljaravtal, M&A m.m. Utöver ombudsuppdrag sitter Kristoffer som skiljeman i kommersiella tvister.

VERKSAMHETSGRUPP	Tvistlösning
BRANSCHGRUPPER	Energi och naturresurser, Infrastruktur och entreprenad
SPRÅK	Engelska, Svenska
UTBILDNING	SAAs och SCCs Skiljemannautbildning, 2013–2014 University of Minnesota Law School (visiting student), 2002 Uppsala universitet, Jur kand, 1997–2002
ERFARENHET	Delägare, Mannheimer Swartling, 2012– Visiting lawyer, Debevoise & Plimpton LLP, London, 2007 Secondment, Swedish Match AB (publ), 2004 Biträdande jurist, Mannheimer Swartling, 2003–2011
OMNÄMNADE	Rekommenderad i Chambers Global, Dispute Resolution - <i>Sweden</i> Rekommenderad i Chambers Global, Dispute Resolution - <i>Russia</i> (Experts Based Abroad) “Rising Star” inom Commercial Arbitration enligt Euromoney's LMG Rising Stars 2015
MEDLEMSKAP	Sveriges advokatsamfund Young Arbitrators Sweden (YAS), ordförande ICDR Young & International, styrelseledamot International Advisory Committee of the International Centre for Dispute Resolution

www.mannheimerswartling.se

 **MANNHEIMER SWARTLING**

Swedish Arbitration Association
London Court of International Arbitration

PUBLIKATIONER

- Arbitration and company law in Sweden* (co-authored with Andreas Steen) in European Company Law, Volume 2015, Issue 3 (Wolters Kluwer)
- Best Practice in International Arbitration* (co-authored with Robin Oldenstam) in Avtalt prosess – Voldgift i praksis (Universitetforlaget, Oslo 2015)
- Construction Arbitration in Sweden* (co-authored with Johan Granehult) in GAR Know-how, Global Arbitration Review 2015
- Concise Guide to Arbitration in Sweden* (co-editor and co-author), Mannheimer Swartling, 2014
- A Crimean Conundrum* (co-authored with Fredrik Ringquist) in Corporate Disputes Magazine, Jul-Sep 2014 issue
- The chapter *Sweden* (co-authored with Fredrik Andersson) in Choice of Venue in International Arbitration (Oxford University Press, 2014)
- Institutional Rule Reforms–SCC* (co-authored with Kristoffer Stråth) in International Arbitration Law Review's Special Issue on Reform in International Arbitral Institutions (Vol. 16 Issue 6, 2013)
- The Proceedings* (co-authored with Stefan Brocker), in International Arbitration in Sweden: A Practitioner's Guide (Wolters Kluwer, 2013)
- Practical Law, Multi - Jurisdictional Guide 2012/13, Dispute Resolution Volume 2: Arbitration (co-authored with Mattias Göransson)
- Practical Law, Multi - Jurisdictional Guide 2012/13, Dispute Resolution Volume 1: Litigation (co-authored with Mattias Göransson)

September 2015

KRISTOFFER STRÅTH

Advokat, partner

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Mobile +46 76 00 283 03
E-mail kristoffer.strath@torngrenmagnell.com



Kristoffer Stråth specializes in dispute resolution. Together with Viktor Magnell, Kristoffer heads Törngren Magnell's dispute resolution team. Kristoffer has more than ten years of professional experience in his area of expertise. Prior to joining Törngren Magnell, Kristoffer worked at Mannheimer Swartling for six years and before that at another leading Swedish law firm. He has also worked at a leading law firm in London.

Kristoffer is frequently instructed as counsel in civil litigation and arbitration (institutional arbitration as well as ad hoc). He also acts as an arbitrator.

Experience

- Partner, Advokatfirman Törngren Magnell, 2014 -
- Senior associate, Mannheimer Swartling Advokatbyrå, Stockholm, 2008 – 2014
- Visiting lawyer, Slaughter and May, London, 2011 – 2012
- Law clerk, District Court of Södertörn and the Government Offices of Sweden (Sw: Regeringskansliet), 2006 – 2008
- Associate, Linklaters Advokatbyrå, Stockholm, 2005 – 2006

Education

- LL.M., Stockholm University, 2005

Languages

- Swedish
- English

Membership

- Swedish Bar Association, 2010



Filippa Wassberg Jur. kand.



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Kontor: Stockholm
Adress: Sturegatan 10
Box 1050
101 39 Stockholm

Filippa Wassbergs huvudområde är tvistlösning. Filippa företräder regelbundet såväl svenska som utländska klienter i domstol och i svenska och internationella skiljeförfaranden. Filippa har agerat som ombud i internationella energitvister samt i tvister som rör bolagsrättsliga frågor, minoritetsaktieägares rättigheter, agentlagen, avtalsrätt och skadeståndsrätt.

Verksamhetsgrupp

Tvistlösning

Språk

Svenska, Engelska

Utbildning

2010, Lunds Universitet (jur.kand.)
2009, ICC International Court of Arbitration (Paris), internship
2008-2009, Suffolk University Law School (Boston, USA)

Erfarenhet

2012 – Setterwalls (biträdande jurist)
2010 - 2012, Advokatfirma DLA Nordic (biträdande jurist)

Medlemskap

Young Arbitrators Sweden (YAS), styrelseledamot

Artiklar

Courts at odds over proper notification, Global Arbitration Review Headlines, 24 augusti 2012

PANELDISKUSSION OMBUDSMANNASKAP UR SKILJENÄMNDENS PERSPEKTIV

PANEL

PAULO FOHLIN

BO GH NILSSON

CARITA WALLGREN-LINDHOLM

MODERATOR

JOHAN SIDKLEV



Paulo Fohlin

Advokat

Partner, Head of Magnusson International Arbitration

Chartered Arbitrator (C.Arb)

Fellow Chartered Institute of Arbitrators (FCIArb)

Fellow Hong Kong Institute of Arbitrators (FHKIArb)

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paulo.fohlin@magnussonlaw.com

Kort verksamhetsbeskrivning

Drygt 25 års erfarenhet av domstolsprocess och skiljeförfaranden, först som biträdande jurist och delägare hos Vinge, därefter hos Odebjer Fohlin och från mars 2015 som head of international arbitration hos Magnusson.

Ombud, skiljeman och rådgivare i nationella och internationella skiljeförfaranden i "civil law" och "common law" jurisdiktioner samt i tvister rörande investeringsskyddsfördrag.

Erfarenhet av tvister inom och rörande ett flertal industrisektorer och avtalstyper, såsom t ex internationella köp av varor, uppförande av tillverkningsanläggningar och överföring av uppfinningar, teknologi och know-how, försäljning av flyplan, fartyg och tåg, aktieägaravtal, joint ventures och olika slags samarbetsavtal, agent- och återförsäljaravtal, bolags- och inkråmsöverlåtelser, produktansvar, styrelseledamots- och revisorsansvar, etc.

Upptagen på följande skiljedomsinstituts formella skiljemannapaneler:

Hong Kong International Arbitration Centre (HKIAC) (Arbitrator and Emergency Arbitrator)

International Centre for Dispute Resolution (ICDR) of American Arbitration Association (AAA)

Korean Commercial Arbitration Board (KCAB)

Kuala Lumpur Regional Centre for Arbitration (KLRCA) (Arbitrator and Emergency Arbitrator)

China International Economic and Trade Arbitration Commission (CIETAC)

Beijing Arbitration Commission (BAC)

Shanghai International Arbitration Centre (SHIAC)

Weihai Arbitration Commission

CIarb Panel of Arbitrators



CURRICULUM VITAE

<i>Name:</i>	Bo G.H. Nilsson
<i>Date of birth:</i>	13 April 1950
<i>Present Position:</i>	Partner, Advokatfirman Lindahl, Stockholm
<i>Partner since:</i>	1983 (at that time RydinCarlsten, merged into Lindahl 2009)
<i>Education:</i>	Uppsala University, LLM 1975; B Sc 1973
<i>Professional positions:</i>	-Uppsala District Court, Lawclerk 1975-1978 -Svea Court of Appeal, Lawclerk 1978-1979 -Wetter & Wetter Advokat AB, Associate and Attorney 1979-1982 -RydinCarlsten Advokatbyrå AB/ Advokatfirman Lindahl Partner 1983-
<i>Languages:</i>	Swedish and English (fluent), Russian (working knowledge)
<i>Experience:</i>	More than thirty years of experience in dispute resolution, arbitration and litigation, internationally and domestically, largely also as arbitrator or chairman of arbitral tribunals. In all over 300 cases
<i>Offices held:</i>	Swedish member of ICC International Court of Arbitration Past president of Swedish Arbitration Association Member of the Board Stockholm Center of Commercial Law, Section for Dispute Resolution (at Stockholm University) Member of the Board Arbitration Institute of Finnish Chamber of Commerce Member of the Board Swedish Bar Association 2000-2006, Chair of its Educational Committee 2001-2007, Chair of its Ethics Committee 2005-2007
<i>Rankings:</i>	As among the leading in Sweden by most Institutes including Chambers Global, Chambers Europe, Practical Law Company, Who's Who Legal, European Legal Experts
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ROSCHIER

Primary practices

Dispute Resolution

Languages

Swedish, English, German

Profile

Johan Sidklev heads Roschier's Dispute Resolution practice in Sweden. Johan is specialized in commercial dispute resolution with extensive experience from international arbitration, often concerning energy-related disputes with an East-West angle. He has acted as counsel in a significant number of international arbitrations in Stockholm, London and Paris involving oil, gas, construction and distribution matters. In the area of investment arbitration Johan has advised both private investors and various governments, *inter alia* in matters concerning the Energy Charter Treaty.

Johan serves on the Legal Advisory Task Force on Investment Protection at the Energy Charter Secretariat and is appointed member of the SCC Rules Revision Committee 2015. He also serves on the Executive Committee of the Russian and CIS Arbitration Network (RCAN), and on the board of YAS (Young Arbitrators Sweden). Johan is Headmaster of the SCC/SAA Arbitration Training Program 2014.

Johan is regularly appointed as arbitrator in both national and international disputes. He is also frequently engaged as speaker and moderator at various conferences and is lecturing on international arbitration at Stockholm University.

In addition to his Swedish LL.M. degree Johan has also studied at Fordham Law School in New York (2005) and the University of Miami (1994).

Awards & rankings

Johan is recognized as one of the leading experts in Sweden within dispute resolution by international directories such as Chambers Global and Chambers Europe. According to clients, Johan is "a name for the future" for both litigation and international arbitration (Chambers Global, 2014).

Career

Roschier (2014-)
Setterwalls, Partner (2011-2014)
Holland & Knight LLP /New York, Associate (2005)
Setterwalls, Associate (2002-2010)
Stockholm District Court, Law Clerk (2001-2002)

Memberships & professional appointments

Member of the Swedish Bar
Member of the International Bar Association
Member of the Swedish Arbitration Association
Member of the SCC Rules Revision Committee 2015
Member of the board of the SCC Young Arbitrators Sweden (YAS) (2012-)
Member of the Legal Advisory Task Force on Investment Protection at the Energy Charter Secretariat
Member of the International Council for Commercial Arbitration (ICCA)
Member of Executive Committee of the Russian and CIS Arbitration Network (2011-)
Headmaster of the SCC/SAA Arbitration Training Program (2013-)
Russian and CIS Arbitration Network, Member of the Executive Committee (2011-)
SCC Young Arbitrators Sweden, Board Member (2012-)
Headmaster of the SCC/SAA Arbitration Training Program (2013-)

Publications

"Skadeståndsdirektivet - en EU-rättslig expansion på civilrättens område" ("The Directive on Antitrust Damages Actions – An EU law expansion in the area of civil procedure"), with C. Wik, A. Börjesson and V. Schröder, *Europarättslig Tidskrift*, 1/2015
"Swedish Chapter" and "SCC Chapter", *Arbitration World*, 4th edition 2012
"Remedies for International Sellers of Goods", Center for International Legal Studies, 2011

Recent speaking engagements

"Interim Measures and Injunctions in International Disputes", panel discussion arranged by Russian Arbitration Association, the Arbitration Institute of the Stockholm Chamber of Commerce and the Swedish Arbitration Association, Stockholm, November 2014 (moderator)

"Arbitration in Stockholm with Foreign Parties – Experiences and Tips", YAS Arbitration Day, Stockholm, October 2014 (moderator)

"Arbitration in Shipping & Offshore", 26th Nordic Maritime Law Seminar arranged by the Scandinavian Institute for Maritime Law, Stockholm, August 2014 (speaker)

"Experts in International Arbitration", Swedish Arbitration Days arranged by the Swedish Arbitration Association, Stockholm, September 2014 (speaker)

"The Role of Law in International Arbitration", conference organized by Stockholm University, May 2014 (speaker)

"Arbitrating with States or State-Parties – Does Sovereign Immunity Extend to Interim Measures of Protection?", a conference on Mastering Challenges in International Arbitration organized by ICAL Alumni Association, UNCITRAL, SCC, SAA and Stockholm University, Stockholm, May 2013 (speaker)

"Public Policy in International Arbitration", a conference organized by the International Chamber of Commerce, Vilnius March 2013 (speaker)

"Main Hearings in International Arbitrations – the Taking of Evidence and Closing Arguments", Advokatdagarna organized by the Swedish Bar Association, Stockholm, October 2013 (speaker)

"Unfair Competition Between Judicial Systems", American Bar Association's Moscow Dispute Resolution Conference, Moscow, September 2013 (speaker)

"Key Issues in Euro-Arab Investor State Disputes – the Law Applicable to the Merits", conference organized by the League of Arab States, CRICA and SCC, Cairo, October 2012 (speaker)

"What Legal and Other Sources are Applied in Arbitration in Sweden?", a seminar organized by the Swedish Arbitration Association, Stockholm, November 2011 (speaker)

Education

Uppsala University, LL.M. (1999)
SAA Training Programme for Arbitrators (2010-2011)

LINDHOLM WALLGREN



Wallgren-Lindholm, Carita

Born 2 October 1953

Member of the Finnish Bar (*Finnish asianajaja, Swedish advokat*)

Nationality: Finnish

Languages: Swedish (native tongue), Finnish, English, French

Education: University of Helsinki, LL.M. (1979)

Undergraduate studies in political science in the USA (1973-74) and at the University of Helsinki (exams in Roman and English philology; political science) (1972-73, 1974-78)

Trained at the Bench (1983) (*Finnish varatuomari, Swedish vicehäradshövding*)

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Career

- Lindholm Wallgren, Attorneys Ltd., Founding Partner (2008-)
- Roschier, Attorneys Ltd., Partner (1989-2008), Associate Lawyer (1984-1989)
- S.G Archibald, Paris (1981-1982), Associate Lawyer
- Surrey & Morse (now Jones Day), Paris, Trainee (1980)
- Department of Comparative Law of the University of Helsinki, Research Assistant (1979)

Practice Experience

Carita Wallgren-Lindholm has during her 30 years in practice maintained a broad practice range and has extensive experience *inter alia* in the following areas:

Dispute Resolution

Acting as arbitrator, both party and institutionally appointed, in international commercial and investment disputes; institutions include SCC, ICC, FAI, LCIA, JCAA, DIA, PCA, UNCITRAL Rules, etc.

Corporate Advisory

- Advising boards and senior management of major companies

Transactions

- Advising the target company board or the bidder in public takeovers
- Acting as lead counsel in complex multijurisdictional transactions

Projects and delivery contracts

- Advising on major project and delivery contracts

Other Professional Activities

- Member of the Board of Arbitration of the Central Chamber of Commerce of Finland (1996-2001)
- Vice-Chair (2011-) and Member (1996-) of the ICC Commission on Arbitration and ADR
- Member of the ICC International Court of Arbitration (2012-)
- Board member of the Finnish Arbitration Association (1996-2012)
- Member of the Executive Committee of the Swedish Arbitration Association (2007-2011)
- Designated by the Government of Finland to serve on the Panel of Conciliators maintained by the International Centre for Settlement of Investment Disputes (ICSID) (2007-)
- Member of the Board of the Finnish Bar Association (2001-2004)
- Chair of the Mediation Committee of the Finnish Bar Association (2002-2004)
- Member of the Finnish delegation to the CCBE, the Council of Bars and Law Societies of Europe (2001-2007)
- Board member of Lex Mundi, the World's largest Association of Independent Law Firms (1996-2000)
- Member of the Finnish Association of Professional Board Members (2004-)
- Member of the Editorial Board of Global Arbitration Review (2007-)
- Member of the Board of ICC Finland (2008-2014); member of the ICC Advisory Board in Finland (2015-)
- Member of the Legislative Committee appointed by the Ministry of Justice for the revision of the Finnish Contracts Act (1987-1990)
- Member of the ILA International Committee on International Commercial Arbitration (2008-)
- Member of the Hanasaari (Cultural Center for Sweden and Finland) Board (2010-)
- Member of the Board of the Ibero-American Foundation of Finland (2007-2010)
- Member of the Board of Trustees of the Ibero-American Foundation of Finland (2012-)
- Other organizational activities include serving on the Boards of companies and non-profit organizations as well as institutional mentoring.

Publications

Books

“On Letters of Intent” (Published in Swedish: “Letters of Intent-Avisksdeklarationer, principöverenskommelser och andra preliminärdokument i internationella avtalsförhandlingar och avtalsslut”), University of Helsinki, Department of Comparative Law 1983.

Articles

“The choice of Applicable Law in an International Arbitration Localized to Finland (Published in Swedish: ”Om Valet av tillämplig materiell rätt i ett till Finland lokaliserat internationellt skiljemannaförfarande”), Tidskrift utgiven av Juridiska Föreningen i Finland (JFT) 1984.

“Corporate governance in Finland, Global Corporate Governance Guide 2004 (co-author Micaela Thorström).

A chapter on ICSID arbitration in the book “Conflict Management - the New World of Dispute Resolution” (Published in Finnish: “Conflict Management - Riidanratkaisun uusi maailma”), University of Helsinki, Conflict Management Institute (COMI) 2005 (co-author Sami Pauni).

A chapter on ADR and Business, “ADR in Business”, Wolters Kluwer (editors Jean-Claude Goldsmith, Gerald H. Pointon, Arnaud Ingen-Housz) 2006.

“To what extent should corporate social responsibility be regulated”, Guide to the Corporate Responsible Agenda by ICC UK 2006 (co-author Tommy Holmström).

“Dispute management is also a Board matter” (Published in Finnish: “Riitojen hallinnointi kuuluu myös hallitukselle”), Board News’ issue No. 4/2009, Hallitusammattilaiset ry (the Finnish Association of Professional Board Members).

A chapter “Bringing Arbitration Closer to Company Management and Boards: Can Arbitral Institutions Further This Aspiration?” in the book “Between East and West: Essays in Honour of Ulf Franke”, JurisNet LLC (editors Kaj Hobér, Annette Magnusson, Marie Öhrström) USA 2010.

“Predictability of Proceedings in International Commercial Arbitration - And is there a Nordic Way?”, Festschrift to Gustaf Möller, Tidskrift utgiven av Juridiska Föreningen i Finland (JFT) 2011.

A chapter “*Ad hoc* Arbitration v. Institutional Arbitration” in the book “International Commercial Arbitration - Different Forms and their Features”, edited by Giuditta Cordero-Moss, Cambridge University Press 2013.

A chapter “Uneven Representation and Imbalanced Resources Between Parties to an International Arbitration or in Relation to the Arbitral Tribunal: Restoring Reasonable Balance and Symmetry in the Hearing Room (or Not)” in the book “Stories from the Hearing Room: Experience from Arbitral Practice”, essays in Honour of Michael E. Schneider, Wolters Kluwer (editors Bernd Ehle & Domitille Baizeau), The Netherlands 2015.

Articles in Finnish and international professional magazines and lectures in Finland and internationally on topics such as:

Arbitration, mediation, takeovers (the role of the Board), case management, corporate governance, insider regulation, compliance programs, internal investigations, legal ethics and questions on corporate social responsibility.

MIDDAGSTALARE

WILLIAM MCKECHNIE

WILLIAM McKECHNIE



EXPERIENCE

- 2015 - *Senior Vice President, If P&C Insurance Ltd, Stockholm*
- 2012 - *Head of Corporate Legal Sweden, If P&C Insurance Ltd, Stockholm*
- 2010 - 2012 *Head of Liability Claims, If P&C Insurance Ltd, Stockholm*
- 2008 - 2010 *Senior Legal Counsel, If P&C Insurance Ltd, Stockholm*
- 2003 - 2008 *Advokat, Associate, Mannheimer Swartling law firm, Stockholm*
- 2006 *Legal Counsel, Arbitration Institute of the Stockholm Chamber of Commerce
(secondment from Mannheimer Swartling)*
- 2001 - 2003 *Legal Research Officer, Office of the Attorney General, Ireland*
- 2000 *Trainee, A&L Goodbody Solicitors, Dublin, Ireland
Trainee, Matheson Ormsby Prentice Solicitors, Dublin, Ireland*

TEACHING EXPERIENCE

- 2007 - *Stockholm University*
Lecturer in Arbitration Law, Tort Law and Common Law Legal Theory
- 2007 *Stockholm University*
Lecturer on International Investment Disputes

EDUCATION

- 2008 – *If P&C Insurance Ltd*
Various leadership programmes
- 2005 – 2006 *Stockholm University*
Conversion course for EU lawyers
- 2001 – 2003 *The Honourable Society of Kings Inns, Dublin*
Barrister at Law Degree
- 1996 – 2000 *Trinity College Dublin*
Degree in laws and German – LLB (Ling.Germ)
- 1998 -1999 *Johannes Kepler Universität, Linz, Austria*
Socrates Exchange Programme

MEMBERSHIP

- Swedish Association of Inhouse Counsel (2008-)
- Swedish Bar Association (2006-2008)
- Young Arbitrators Stockholm (2005-)
- The Bar of Ireland (2003-)

PUBLICATIONS

- "Utländsk domstolsprövning av tvist mellan svenska parter utgör inte hinder för prövning i svensk domstol", JT nr 2 2013-14.
- "Arbitration – global insurers' last line of defence against jurisdiction in the United States", Nordisk försäkringstidskrift, Vol. 4/2012
- "Insurance arbitration: a last line of defence against jurisdiction in the US", Global Arbitration Review, 28 November 2012
- "New Competition Rules for the Insurance Industry", 2010, Nordisk Försäkringstidskrift, Vol. 3/2010
- "New Rules of the Arbitration Institute of the Stockholm Chamber of Commerce", 2007, Arbitration International, Vol. 23, No. 2, p. 261
- "The SCC's New Rules, Global Arbitration Review, 2007, Vol 1 Issue 6, p. 11"
- "Determining jurisdiction on the internet", Commercial Law Practitioner, 6, 2003
- "Reform of the law on temporary release", Irish Law Times, 8, 2003
- "Article 6 of the European Convention on Human Rights, Administrative Tribunals and Judicial Review (PART 1)", Irish Bar Review, 6, 2002
- "Article 6 of the European Convention on Human Rights, Administrative Tribunals and Judicial Review (PART 2)", Irish Bar Review, 7, 2002
- "Consumer Protection under the European Product Liability Directive and the Restatement (Third) of Torts: Product Liability", Irish Student Law Review, 9, 2001

LANGUAGES

- English – mother tongue.
- Swedish – fluent oral and written
- German – 10 years' studies at second and third level.
- French – 6 years' studies at second and third level.

DELTAGARFÖRTECKNING

MED GRUPPINDELNING FÖR GRUPPDISKUSSIONER

DELTAGARE

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Ginta	Ahrel	Advokatfirman Lindahl KB 14
Anders	Alfrost	Ramberg Advokater AB 20
Kristin	Anderson	Andersson Gustafsson Advokatbyrå 25
Anders	Arthur	Chouette advokatbyrå 16
Ola	Avdic	Andulf Advokat 15
Elin	Awerstedt	Frank Advokatbyrå 15
Philippe	Benalal	Advokatfirman Vinge 18
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SETTERWALLS

The logo for Setterwalls consists of a large, stylized blue 'S' and a smaller blue 'W' positioned below it. To the right of the 'S' is the word 'VINGE' in a green, serif font. Below the 'S' and 'W' is the word 'SETTERWALLS' in a smaller, blue, sans-serif font.

WHITE & CASE