

Commercial and Construction Law Masterclass

Hardwicke

17th April, 2018, from 12.00pm

Shangri-La Hotel

Sheikh Zayed Road, Dubai

United Arab Emirates



About the masterclass

(4 CPD hours)

We are delighted to invite you to a half day programme of seminars featuring world leading experts in commercial, contractual and construction law. Learn to manage and understand risk, resolve disputes and ensure you and your clients have full awareness of the latest developments in the Gulf region.



Register your interest

Tickets will cost £120 GBP/AED 620 each.

Register your interest by clicking below and we will be in touch to confirm your booking and payment details shortly.

[Register here](#)

Programme



12.00–12.45: *Arrival and lunch*

12.45–13.00: **Opening address**
Paul Reed QC (Hardwicke)

13.00–13.30: **Commercial Risks and Opportunities for the Gulf Legal Sector in 2018 and Beyond**
Ramsey Jurdi (DLA Piper)

13.30–14.30: **E-Disclosure in International Arbitration**
Charles Raffin (Hardwicke), Michael Wheeler (Hardwicke),
and Vijay Rathour (Grant Thornton UK)

14.30–14.45: *Break*

14.45–15.45: **Dealing with Disputes**
Beau McLaren (HFW) and James Plant (HFW)

15.45–16.30: **Fire Damage/Fire in Tall Buildings**
Christopher Miers (Probyn Miers International Construction ADR)

16.30–16.45: *Break*

16.45–17.15: **Working with the Local Courts**
Faisal Attia (DWF)

17.15–18.15: **Enforcement**
Laurence Page (Hardwicke) and Shane Jury (Clifford Chance)

18.15–18.30: **Closing panel discussion**

18.30–21.00: *Drinks and networking*

12.45–13.00

Opening address

Paul Reed QC (Hardwicke)



Paul Reed QC is a barrister at Hardwicke Chambers. He is a leading commercial practitioner specialising in construction, professional liability, property damage and insurance work. Paul is regularly instructed in substantial, technical and complex civil, commercial, construction, insurance and professional negligence disputes. As well as being a popular and experienced advocate in court and in arbitration, he is also highly regarded for adjudication and advisory work.

Paul has an extensive international practice, and he appears regularly in the Middle East on disputes arising out of the construction, infrastructure and energy sectors.

13.00–13.30

Commercial Risks and Opportunities for the Gulf Legal Sector in 2018 and Beyond

Ramsey Jurdi (DLA Piper)



Ramsey Jurdi is a Dubai-based Partner at DLA Piper and the former President of the American Business Council of Dubai. With over 10 years of experience and nine offices in the Gulf Cooperation Council countries, Ramsey will share his outlook and insights on the current state of the legal market and economic opportunities generally.

Ramsey's legal practice includes U.S. economic sanctions, investigations, and foreign investment in the Gulf, and accordingly Ramsey will share insights from his practice on geopolitical developments and risks for 2018 and beyond. Ramsey is admitted to practice law in New York and is a graduate of the George Washington University School of Law.

The talk will cover:

- A comparison of growth and shrinkage in the legal sector in the Gulf by geography;
- The opportunities in Saudi Arabia in particular; and
- Discussion of geopolitical developments in the region.

13.30–14.30

The talk will cover:

- Approaches to electronic evidence in IA: far reaching discovery and/or targeted production;
- Commentary on Aspects of Key Stages: (i) document preservation, (ii) document review (including an appraisal of key Technology Assisted Review tools available), and, (iii) seeking and providing production; and
- Some privacy and data protection issues for review.

E-Disclosure in International Arbitration

Charles Raffin (Hardwicke), Michael Wheeler (Hardwicke), and Vijay Rathour (Grant Thornton UK)



Charles Raffin is a barrister at Hardwicke Chambers, who specialises in commercial, commercial chancery and insolvency work and has a wealth of experience in domestic and international arbitration. He advises regularly on insolvency matters, company and corporate governance issues/disputes, civil fraud and related professional negligence issues. His broad commercial practice includes acting frequently in cross border sale of goods, agency and franchising disputes, as well as disputes arising out of construction projects.

Charles' practice has a strong international edge, regularly acting for instructing firms and/or clients based all over the globe. Much of Charles' practice involves working with Foreign Counsel, expert witnesses of foreign law and with conflicts of laws issues. Charles acts as an expert of English law in foreign proceedings. A contributor to a number of publications, Charles is co-author of *"Electronic Disclosure Law and Practice"*, Oxford University Press, first edition October 2017.



Michael Wheeler is a Commercial and Insurance specialist with a particular focus on construction and engineering disputes, insurance coverage, property damage and professional negligence claims. A robust advocate and pragmatic advisor, Michael deals with high-value, technical and complex cases. His practice has a global reach and he deals with cases in Eastern Europe, the Middle East, the Far East and the Caribbean. Michael has particular expertise in both domestic and international arbitration as well as appearing regularly in the TCC and the Commercial Court and other international forums.

Michael is also well placed to advise clients as to effective and efficient methods of handling e-disclosure and information management. He is the author of the leading textbook on e-disclosure together with Charles Raffin (see above) and he regularly lectures on the topic.



Vijay Rathour is a former barrister and solicitor and in his role at Grant Thornton he now leads a team dedicated to the delivery of solutions for large scale, complex and high intensity investigations, regulatory responses and digital solutions. He has managed data collection exercises internationally including in Africa, the Middle East, the CIS and Asia. These projects included intensive on-the-ground data scoping exercises to assess the clients' challenges and devise an effective and efficient investigation strategy for civil, criminal and regulatory matters.

Vijay assisted in the drafting of the disclosure protocols for the Technology and Construction Court, and the 2017 proposed amendments to the Civil Procedure Rules on Disclosure. He is a former ethical-hacker and technologist, currently working to develop more efficient means to conduct complex disclosure exercises.

14.45–15.45

The talk will cover:

- The main forums for resolving disputes in the GCC;
- Key considerations for arbitration in the Middle East; and
- The rise (and suitability) of ADR, such as DABs, adjudication, mediation and expert determination.

Dealing with Disputes

Beau McLaren (HFW) and James Plant (HFW)



Beau McLaren is a partner in HFW's Dubai office and heads up the firm's Construction and Construction Disputes practice in the Middle East. He has over 10 years' experience in the Middle East and is recognised in Chambers & Partners and Legal 500 for Construction and Dispute Resolution in the UAE. He advises on a range of construction projects and commercial disputes in the Gulf region, representing parties at every level of the supply chain. In addition to his front-end work, Beau advises clients on bringing and defending complex and high-value claims arising out of construction projects in all forums, but with a particular focus on construction-related arbitration. He regularly represents his clients in international and domestic arbitration proceedings and has extensive experience of institutional and ad hoc proceedings. Beau also sits as an arbitrator and is a Fellow of the Chartered Institute of Arbitrators.



James Plant is a senior associate in HFW's Dubai office specialising in construction and engineering law. He advises contractors, employers and consultants on every stage of construction and engineering projects, with a particular focus on dispute avoidance and dispute resolution. James is experienced in all forms of dispute resolution, including arbitration, litigation in local courts, mediation, adjudication and dispute boards, and routinely advises on disputes under UAE, Kuwaiti and Qatari law, as well as English law. He is experienced in handling most types of claims in the Middle East, including delay, disruption, variations, defects and termination claims.

15.45–16.30

The talk will cover:

- Fire risk and fire spread in tall buildings;
- Mitigating risk in existing and new property; and
- 2018 developments: working with the 2017 UAE Fire Code; stakeholder responsibilities.

Fire Damage/Fire in Tall Buildings

Christopher Miers (Probyn Miers International Construction ADR)



Christopher Miers is an Architect and a leading negotiator and advisor in his various capacities as Expert, Arbitrator, Mediator and Adjudicator. He sits on international Dispute Boards and as a FIDIC international Adjudicator. Christopher is the founder (1998) and CEO of Probyn Miers, the UK's leading team of Expert Architects on international construction ADR with offices in Dubai and London. Christopher and his team have brought their forensic expertise to many complex construction projects in the GCC.

Their publications on the avoidance and mitigation of fire risks in tall buildings are widely referred to in the current discussions and investigations taking place. Christopher has given expert evidence in DIAC and ICC arbitrations, is a DIAC registered Arbitrator and is an author of several publications.

16.45–17.15

The talk will cover:

- Overview of litigation process in the UAE;
- The role of court-appointed experts and management of evidence before local courts; and
- Applications for interim measures.

Working with the Local Courts

Faisal Attia (DWF)



Faisal Attia is an experienced construction law practitioner in the Dubai office of DWF. He is frequently called upon to advise clients, other law firms and QCs on the interpretation of Middle Eastern construction laws particularly in the context of arbitration and litigation. He is also acting as an expert witness on UAE Law in foreign court proceedings.

As one of the only Arabic-speaking construction law specialists in the MENA region, Faisal's practice concentrates on conducting arbitration and litigation for complex construction disputes across this region. He was previously appointed as State Counsel for the Egyptian Government where he acted in high-value construction and investor-state disputes and represented Egypt in a number of international arbitral proceedings. He also worked in London and Kuwait before moving to Dubai in 2011. In addition to practicing law, Faisal is a visiting law lecturer to universities in Europe and the Middle East and sits as an arbitrator.

17.15–18.15

The talk will cover:

- Enforcement of Foreign Arbitration Awards and Judgments in the Middle East;
- Nature, scope and application of state immunity;
- Enforcement of mortgages held by a finance party; and
- Conflicts of jurisdiction and Dubai Decree No. 19 of 2016.

Enforcement

Laurence Page (Hardwicke)
and Shane Jury (Clifford Chance)



Laurence Page is a barrister at Hardwicke Chambers. He has considerable experience advising and representing law firms and companies based in the Middle East across his specialist practice areas of high value commercial litigation and arbitration, construction, professional liability and insurance law. He has experience of many arbitral forums, the High Court, Court of Appeal (England and Wales), and the courts of the DIFC. Laurence's construction practice encompasses major projects and power disputes. He is also frequently retained in litigation concerning allegations of fraud, dishonesty other impropriety and has significant experience of acting in urgent applications. He has published widely in his specialist areas, and is a Member of the Chartered Institute of Arbitrators.



Shane Jury is a Senior Associate in the Litigation & Dispute Resolution team at Clifford Chance, based in Dubai. Shane specialises in commercial litigation and international arbitration, regularly acting for clients in the UAE in relation to litigation in the DIFC Courts and ADGM Courts, and in relation to domestic and international arbitrations. His particular focus is in complex banking and financial litigation, and general commercial litigation. Shane has full rights of audience to appear on behalf of clients in the DIFC Courts and also sits on the ADGM Court Young Members Group. He is the editor of the commentary on the DIFC Law of Obligations published by LexisNexis.

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About Hardwicke

Referred to by Legal 500 as “an amazing chambers with gifted barristers”, Hardwicke specialises in commercial, construction, insurance and property work both in the UK and internationally.

Hardwicke and its members are recommended in the legal directories for all these areas and also for property damage claims. Hardwicke recently won Legal 500’s Construction and Energy Chambers of the Year 2017 Award.

Key contacts



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