



P.R.I.M.E. Finance Newsletter – March 2019

1. 2019 ANNUAL CONFERENCE SETS RECORD

As all who attended can attest, the 2019 Annual Conference held at the Peace Palace on February 4 and 5, 2019 was P.R.I.M.E.'s most successful event to date. We are very pleased to report that the attendance at this year's Conference was the best yet, with 324 attendees. We thank the moderators, speakers and attendees for their thoughtful contributions. The Conference materials are still available online at www.pfac2019.com and in our [website](#).

2. P.R.I.M.E. Experts Serve As External Review Panelists For Cds Dispute

In December 2018, three P.R.I.M.E. Finance Experts, **Jeffrey Golden**, **Prof. Charles Whitehead** and **Andy Brindle** handled an expedited arbitration as an External Review Panel as part of the Determinations Committee process for credit default swaps in the matter of *Sears Roebuck Acceptance Corp.* The question was presented to the Panel on December 6, 2018; briefs were submitted on Wednesday, December 12, 2018, and supplemental briefs were submitted on Tuesday, December 18; oral argument was held on December 19, 2018. The Panel issued its decision that day, and produced a seven-page written decision on December 21, 2018. The decision is available [here](#).

3. NEWS OF OUR EXPERTS

In October 2018, **George J Liakopoulos** was re-elected as member of the Board and Treasurer of the Association of Corporate Counsel Europe. **Mr. Liakopoulos** was also invited to sit as a member of the Expert Panel of European Issuers, a pan-European organization strategically positioned to represent the interests of publicly quoted companies from all sectors to the EU institutions.

Also in October, **Justice Myron Steele** spoke at the International Bar Association Annual Conference, as a panelist on *Prosecuting Unfounded Litigation, Tanking Settlements and Over-Drafting Contracts: Combating Unethical Lawyer Behavior*. **Justice Steele** was also re-elected Chair of the Weinberg Center for Corporate Governance at the University of Delaware.

In December 2018, **Prof. Spyridon (Spiros) V. Bazinas** spoke at a conference organized by the Interdisciplinary Association of Comparative and Private International Law in Vienna, Austria, on the EU proposal for a regulation on the law applicable to third-party effects of assignments of claims. **Prof. Bazinas** also taught a course on comparative and uniform secured finance course at the Sigmund Freud University Law School in Vienna, and completed a series of papers as a consultant for the Economic Development Board of Bahrain on the draft secured transactions law of Bahrain, which he helped prepare.

On January 16, 2019, **Prof. Georges Affaki** was appointed Foreign Trade Counselor for France by the French Prime Minister. **Prof. Affaki** also delivered a presentation titled *The International Arbitrator, Restrictive Measures and Countermeasures*, at the Paris Bar Association Commission on Arbitration, on 12 February 2019.

Also in January, **Markus Burianski** was nominated as member of the Joint ICCA / IBA Task Force on Data Privacy in International Arbitration. He was also nominated as member of the appointing committee of The German Arbitration Institute (DIS).

In the same month, **Prof. René Smits** published an [article](#) on the *Accountability of the European Central Bank* in *Ars Aequi*. **Prof. Smits** also contributed to updating [the list of Banking Union](#) related cases published by the European Banking Institute. Furthermore, **Prof. Smits** also published an [article](#) on *The European Central Bank v The Republic of Latvia* case in the European Law Blog and a [piece](#) titled *Towards a Single Standard of Professional Secrecy for Supervisory Authorities - A Reform Proposal*.

On February 7, 2019, **Prof. Jeffrey Golden** and **Simon Firth** spoke at an event organized by the London Shipping Law Centre called *All change? How International Financial Dispute Resolution is Being Restructured*.

In the same month, **Sharon Brown-Hruska** was named as the U.S. State Department's Chief Economist.

Also in February, **Rick Grove**, **Jelita Pandjaitan** and **Peter Werner** spoke at an ISDA conference in Singapore on Derivatives Disputes: *Litigating and Arbitrating the ISDA Master Agreements*.

Also in February, **Luc Frieden** was elected to the plenary assembly of the Luxembourgish Chamber of Commerce.

On March 4, 2019, **Gary DeWaal** published a [piece](#) in the National Law Review on the case of the *CFTC v DRW Investments, LLC and CEO Don Wilson* regarding the alleged manipulation of the USD Index 3 month Interest Rate Swap Futures Contract.

Also in March 2019, The Brookings Institute issued a [paper](#) by **Tim Massad** titled *It's Time to Strengthen the Regulation of Crypto-Assets*.

In the same month, The Legal 500 published its [International Arbitration Powerlist: United Kingdom](#) showcasing several of P.R.I.M.E. Finance Experts amongst the UK's leading practitioners working in the International Arbitration field. Our experts listed are **Michael Black QC, the Hon. Charles N Brower, Prof. Jeffrey Golden, Lord Goldsmith QC, Prof. Loukas Mistelis, Sir Bernard Rix and V.V. Veeder QC**.

On April 4, 2019, **Carolyn Lamm** will speak at the Harvard Law School concerning her experiences in the field of investment arbitration, as invited by the International Law Association and the Harvard International Arbitration Law Student Association.

Also on April 4, 2019, **George Handjinicolaou** will be honored by the Hellenic American Bankers Association as its 2019 Executive of the Year at its annual Awards Dinner at the Union League Club of New York.

In the same month, **Juan Fernando Armesto** will become the next vice president of the International Council for Commercial Arbitration (ICCA).

In August 2019, **Prof. Cally Jordan** will be returning to London to teach for a semester at Georgetown's Centre for Transnational Legal Studies. Currently, she is preparing the second edition of her book *International Capital Markets: Law and Institutions*, published by Oxford University Press. As with the first edition, **Prof. Jeffrey Golden** is the consultant editor. **Prof. Jordan** will also be continuing her activities as a Senior Research Fellow at the C.D. Howe Institute in Toronto.

IN MEMORIAM: GABRIEL MOSS QC

On March 15, 2019, Gabriel Moss QC passed away. His practice was wide-ranging, encompassing banking law, company law, financial services, commercial chancery, off-shore law and litigation, and corporate insolvency law. P.R.I.M.E. Finance remembers with gratitude his valuable and insightful contributions to its work and discussions and extends its condolences to his family.

4. NEW PANEL APPOINTMENTS

In March 2019, P.R.I.M.E. Finance proudly confirmed 12 new appointments to its Panel of Experts. The inclusion of these experienced individuals, who represent diverse financial and legal backgrounds, brings the number of experts in our list to more than 180, each of whom has on average 30 years of relevant market and legal experience. The 12 new members of the Panel are:

- **Rollin Chan**, Consultant, Nixon Peabody CWL (Hong Kong); previously Head of Legal, Deutsche Bank (China) Co Ltd.
- **Francis Edwards**, Head of Derivatives and Structured Finance Practice, Clifford Chance (Greater China).
- **Ernest C. Goodrich**, former Managing Director and Senior Counsel, Deutsche Bank AG (New York); former Vice Chairman, International Swaps and Derivatives Association.
- **Jane Jiang**, Litigation and Dispute Resolution Partner, Allen & Overy LLP (Shanghai).
- **Ida Levine**, Principal, Two Rivers Associates Ltd (London); former Director and Senior Vice President, Capital Group - American Funds/Capital International Ltd (London).
- **David Dali Liu**, Senior Partner, JunHe LLP (Shanghai); Dean and Law Professor, the Lawyer College of East University of Politics and Law.
- **Ali Malek QC**, Barrister, 3 Verulam Buildings (London); former Chairman, Commercial Bar Association (London).
- **Lord Mance**, Arbitrator, 7 King's Bench Walk (London); former Deputy President of the Supreme Court of the United Kingdom.

- **Jelita Pandjaitan**, Partner and Head of the Southeast Asia Disputes Practice, Linklaters Singapore Pte. Ltd.
- **Ellen Pesch**, Partner and Co-head of OTC Derivatives Industry Group, Sidley Austin LLP (New York).
- **Nish Shetty**, Partner, Clifford Chance Asia (Singapore).
- **Mathias Wittinghofer**, Partner, Herbert Smith Freehills Germany LLP, double-qualified Rechtsanwalt in Germany and solicitor in England and Wales; Fellow, Chartered Institute of Arbitrators.

5. LEXISNEXIS PUBLICATIONS

P.R.I.M.E. Finance Experts **Carolyn Jackson** and **Habib Motani** were featured in the LexisNexis law blog on the issue of the impact of a no deal Brexit on derivatives contracts. The full piece can be found [here](#).

6. P.R.I.M.E. FINANCE SERVICES AND NOMINATION OF NEW EXPERTS

P.R.I.M.E. Finance continues to administer requests for expert witness services. All such inquiries should be directed to [Camilla Perera – De Wit](#), Head of the Secretariat of P.R.I.M.E. Finance, with a copy to the [Secretariat](#).

We continue to expand our global presence and invite additional nominations, even as the number of Experts grows. All nominees, unless given written notice otherwise, should assume that their applications remain under consideration and shall receive due consideration. For further information, please see our [webpage](#) at or contact the [Secretariat](#).

7. FRIENDS OF P.R.I.M.E.

Friends of P.R.I.M.E. is the principal means by which our Experts, market participants and other interested parties can show their financial support for P.R.I.M.E. The P.R.I.M.E. Finance Foundation is a not-for-profit Dutch foundation, which relies heavily on the *pro bono* spirited efforts and intellectual contribution of its Experts and Board members. P.R.I.M.E. Finance cherishes its independence, and donations through Friends of P.R.I.M.E. help preserve this. We also established a U.S.-based entity known as PRIME Finance Dispute Resolution and Education Foundation in order to apply for grants from U.S.-based Foundations and allow our U.S.-based Friends to become Friends of P.R.I.M.E. in a tax efficient manner. All monies raised through Friends of P.R.I.M.E. go directly to program support.

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8. PRESS COVERAGE

Find recent press articles and other media coverage concerning P.R.I.M.E. Finance [here](#).

9. CONTACT US

For questions, please contact the [Secretariat](#). Follow P.R.I.M.E. Finance on [LinkedIn](#) and [Twitter!](#)

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