



Association Suisse de l'Arbitrage  
Schweiz. Vereinigung für Schiedsgerichtsbarkeit  
Associazione Svizzera per l'Arbitrato  
Swiss Arbitration Association



## ASIAN-EUROPEAN M&A AND DISPUTE RESOLUTION DAY:

### CORPORATE ACQUISITIONS AND RESULTING DISPUTES

Jointly organized by the Inter-Pacific Bar Association (**IPBA**)  
and the Swiss Arbitration Association (**ASA**)

#### Conference in a Nutshell:

From the top 10 Swiss M&A transactions in 2016, two (20%) involved successful Chinese bidders (SYNGENTA and GATEGROUP). CHEMCHINA's takeover of SYNGENTA, which closed on 26 June 2017, is the largest foreign acquisition by a Chinese company so far (USD 43 billion) and one of the largest M&A transactions worldwide. According to a recent BRINK study, the total M&A deal value in the Asia-Pacific region was over USD 720 billion in 2016. It is expected that M&A activity with Asian companies in Switzerland and Europe will significantly increase in the years to come.

This Conference addresses the specific cultural and legal challenges raised by M&A transactions involving Asian parties, including the risks - bearing in mind that approximately one third of M&A transactions end up in some form of dispute resolution process.

The Inter-Pacific Bar Association (IPBA) is the leading bar association in the Asian-Pacific Region with over 1,500 members from more than 65 jurisdictions worldwide. The Swiss Arbitration Association (ASA) is a non-profit association and leading arbitration think-tank in Europe with over 1,200 members.

**Corporate executives, M&A specialists, bankers, corporate advisors and lawyers will benefit from attending the Conference.**

#### Date:

14 September 2017, 09:00 – 16:45

#### Conference Forum:

SHELLENBERG WITTMER LTD, 15bis, rue des Alpes, 1211 Geneva 1 / Switzerland

## Program

08:15-09:00	Registration	
09:00-09:15	Welcome address	<b>Elliott Geisinger</b> ASA President, Switzerland
		<b>Bernhard F Meyer</b> IPBA Council Member Conference Chair, Switzerland
09:15 – 10:45	<b>Session A:</b> <b>Setting the Stage for Asian-European Crossborder M&amp;A Transactions</b> 1) The cultural context 2) Regulatory environment and financing in Asia 3) Regulatory environment and financing in Europe	<b>Moderator:</b> <b>Gerhard Wegen, Germany</b> <b>Speakers:</b> <b>André Brunschweiler, Switzerland</b> <b>Lidong Pan, China</b> <b>Jan Bogaert, Hong Kong</b>
10:45 – 11:15	Coffee Break	
11:15 – 12:45	<b>Session B:</b> <b>How to Avoid M&amp;A Pitfalls with Asian Parties</b> 4) Pre-acquisition considerations/tender process 5) Negotiating and closing the deal 6) Post-acquisition integration phase	<b>Moderator:</b> <b>Jingzhou Tao, China</b> <b>Speakers:</b> <b>Mona Bhide, India</b> <b>Junichi Ikeda, Japan</b> <b>Ben Qi, China</b>
13:00 – 14:30	Lunch	
14:30 – 16:30	<b>Session C:</b> <b>Finding Value in Post M&amp;A Disputes:</b> 7) Dispute resolution options (state courts, arbitration, mediation, etc.) 8) Why arbitration is the preferred way and tactical considerations (NYC, place, applicable law, etc.) <b>Arbitration Roundtable:</b> 9) A moderated roundtable discussion with seasoned arbitration specialists concerning arbitration options in Asia and Europe (“Pros and Cons” of fora and procedures).	<b>Co-Moderators:</b> <b>Hiroyuki Tezuka, Japan, and</b> <b>Urs Lustenberger, Switzerland</b> <b>Speakers:</b> <b>Martin Wiebecke, Switzerland</b> <b>Peter Thorp, France</b> <b>Roundtable-Speakers:</b> <b>Dorothee Ruckteschler, Germany</b> <b>Jonathan Wood, Singapore/UK</b> <b>Justyna Szpara, Poland</b> <b>Desai Vyapak, India</b> <b>José Rosell, Denmark</b> <b>Mel Schwing, Australia</b> <b>Michael Cartier, Switzerland</b>
16:30 – 16:45	Closing Remarks – End of Conference	<b>Bernhard F Meyer</b> IPBA Council Member Conference Chair, Switzerland