**Mock Case**

**Directions to the Participants**

**General comments:**

* The Case Materials are voluminous and require solid individual preparation in advance by each of the participants;
* The participants will be divided into and work in teams of the Claimant and the Respondent during the Arbitration School;
* The coaches will assist the teams during the Arbitration School, however success of each of the team will depend much on (i) individual preparatory work of each of team members done in advance of the Arbitration School; and (ii) readiness of the participants to work under time pressure and in a team during the Arbitration School;
* No written documents (e.g. Statement of Claim, Statement of Defense) are required to be prepared by the teams during the Mock Case. The focus will be made on oral presentation of the case by each of the teams (the Claimant and the Respondent) during the mock hearing. However, to prepare to the mock hearing the participants shall individually analyze the Case Materials in advance and prepare well with their teams under the supervision of the coaches during the Arbitration School.

**Schedule:**

before the Arbitration School

* until 4 May: Individual work – study of the Case Materials and other Preparatory Materials;

during the Arbitration School:

* 4 May, 16:15-18:00: Work in groups with coaches (the Claimant and the Respondent) – preparing to the Hearing (Jurisdiction / Merits);
* 5 May, 16:30-18:00: Work in groups with coaches (the Claimant and the Respondent) – preparing to the Hearing (Jurisdiction / Merits), and/or Preparatory Mock Hearing;
* 6 May, 11:30-13:30: Mock Hearing: Jurisdiction & Merits.

**Coaches:**

* Claimant Team: Mykyta Nota and Oksana Varakina of Avellum Partners;
* Respondent Team: Volodymyr Yaremko and Oksana Karel of Arzinger.

**Suggestions for individual preparatory work:**

* Preparatory Materials consist of the Case Materials and legal authorities (attached). The participants are free to use any other materials which they deem appropriate;
* The participants are expected to prepare case for both the Claimant and the Respondent, since they will get to know their team only at the Arbitration School;
* Facts: it is crucial to know well all relevant facts in advance, including those on which there is agreement/disagreement between the Claimant and the Respondent;
* Determine applicable material and procedural laws to the dispute, in particular legal provisions to which the Parties refer in support of their case;
* Determine key issues which shall be considered by the Arbitral Tribunal in relation to jurisdiction and merits of the dispute;
* Determine arguments presented by the Parties in relation to each of the issues, as well as think whether there are any additional arguments;
* Track and study procedural documents within the Case Material to establish: procedural history of the case; current status and next steps of case consideration.

**Non-exhaustive list of Preparatory Materials (attached):**

* Case Materials;
* UNCITRAL Model Law on International Commercial Arbitration of 1985;
* ICC Arbitration Rules of 2012;
* The Uniform Rules of the International Chamber of Commerce for Demand Guarantees (URDG) (as amended in 2010, ICC Publication No. 758); and
* New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958.