Oil and Gas Investment Arbitrations:
Protecting Oil and Gas Projects against Political Risk

The Environment, Energy and Natural Resources Center of the University of Houston Law Center, Georgetown's International Law Institute and the Washburn Oil and Gas Law Center invite you to the Oil and Gas Investment Arbitration Conference discussing the latest topics in the field with a group of international guest speakers.

Hilton Hotel – University of Houston
4800 Calhoun Rd, Houston, TX 77004
Friday, October 31, 2014
Time: 8 am – 5 pm
This program is accredited for 6 hours of Texas CLE
Oil and Gas Investment Arbitrations

PROGRAM

Co-Chairs: Julian Cardenas (Environment, Energy & Natural Resources Center, Univ. of Houston); Ian Laird (Crowell & Moring LLP; ILI); Frédéric Sourgens (Washburn Oil and Gas Law Center)

Panel 1: Structuring Oil and Gas Investments in Mexico

This panel will discuss the regulatory implications that foreign investors in Mexico's oil and gas industry must consider. The panel will address the availability of investor-state arbitration as a risk mitigation tool, as well as address the anticipated flexible structure of petroleum contracts, including their dispute resolution provisions.

Speakers: Fernando Cano (Squire Patton Boggs); Ricardo Colmenter (Entra Consulting); Steve Otillar (Akin Gump); Jose Luis Herrera Vaca and Francisco Rivero (ReedSmith)

Panel 2: May national oil companies efficiently breach their contracts? The problem of applicable law

Recent arbitrations in the international oil and gas industry have highlighted the problem of extreme price fluctuations in the oil and gas sector. These disputes have showcased that liquidated damages clauses included in project agreements can deprive investors of significant value. This panel will discuss whether national oil companies are permitted to efficiently breach their contracts or whether they are prohibited from doing so by fundamental principles of good faith recognized both at international law and under the lex petrolea.

Speakers: Mark Stadnyk (Norton Rose Fulbright); Jennifer Smith (Baker Botts); Alfredo De Jesus O. (Univ. Paris XI); Diego Gosis (Gommsmith), and Jennifer Price (King & Spalding)

Panel 3: Frack that! Can investment treaties provide effective protections against fracking bans?

An ever greater number of jurisdictions, both foreign and domestic, are considering or have instituted bans of natural gas extraction by means of hydraulic fracturing. International investment treaties typically prohibit host states from unreasonably or arbitrarily impairing and from expropriating investments without payment of adequate compensation. This panel will discuss whether qualifying investors could avail themselves of international investment treaties to seek protection in case of fracking bans.

Speakers: Timothy McCrum (Crowell & Moring); Sebastian Manciaux (CREDIMI-France); David Exstrum (Lario Oil & Gas Co.), David Pierce (Washburn) Teddy Baldwin (Baker & McKenzie); Barclay Nicholson (Norton Rose Fulbright)

Panel 4: Hey, that was my oil! Structuring against the risk of adverse continental shelf decisions

Significant oil and gas reserves are located in geographically contested areas. This panel will discuss what potential recourse oil and gas companies may have to protect against the loss from disputes over contested areas and how to improve their legal protection against this risk.

Speakers: Jennifer Permesly (Chaffetz Lindsey); Hugh Carlson (Three Crowns); Tai-Heng Cheng (Quinn Emmanuel); Günter Handi (Tulane Law School); Jonathan Gimblett (Covington & Burling); and Baiju Vasani (Jones Day)