Dear Members and Readers:

Welcome to the Spring 2014 issue of the LACBA International Law Section’s International Law Journal. In the spirit of the Journal’s aim to update section members on legal issues in the realm of international law, this issue focuses on Expert Witnesses in International Arbitration. Speakers from the Second Annual International Arbitration Conference—International Arbitration in the Pacific Rim, which was a joint conference held by LACBA, the International Center for Dispute Resolution (ICDR), and the Chartered Institute of Arbitrators on May 10, 2013, wrote two of the articles included in this issue.

The conference focused on trends and legal developments in arbitral law and practice in the Pacific Rim region. Through roundtables, workshops, and mock hearings, leading international arbitrators from the United States, Canada, Hong Kong, Singapore, and England provided attendees with an opportunity to understand issues of expert witnesses in international arbitration, particularly efficiency and fairness; questions about arbitrating in Asia; how to make emergency interim relief work for you; and whether or not international arbitration serves general counsels’ needs. Among the highlights of the conference was the keynote address by Professor Jack Coe on investor state arbitration. More than 100 practitioners from California, New York, Texas, and other states attended the conference.

Mr. Robert A. de By’s article, *A New Focus for the Expert Witness Debate in International Arbitrations*, discusses refocusing the debate on expert witnesses from whether “neutral” tribunal-appointed experts are preferred over party-appointed experts to “whether sufficient opportunity exists to test the reliability of the witnesses’ expertise and opinion and . . . how to test for such reliability.” Mr. Jeffrey H. Dasteel’s article, *Experts in Arbitration*, covers how experts are handled in international arbitration, particularly party- and panel-appointed experts, as opposed to expert witnesses in domestic litigation and arbitration, and discusses considerations particular to expert witnesses in international arbitral proceedings that attorneys should be aware of, such as cost considerations.

The issue also includes Mr. Nathan D. O’Malley’s article, *Internationally Known*, which discusses the distinctions between IBA rules and usual practices in California regarding due process, discovery, and expert witnesses.

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We invite you to attend the Third Annual International Arbitration Conference that the LACBA International Law Section, along with ICDR, will be holding on May 8-9, 2014. This is a whole-day event that will serve as a platform for exchange of thought-provoking ideas in attorney-client privilege ethics, bias, and strategies on appointment of arbitrators in international arbitration. A focused discussion on cutting edge practical issues will be coupled with a wide range of topics like ICDR Rule Developments; ethical standards for counsel in international arbitration; strategies and considerations in the appointment of international arbitrators; attorney-client privilege, the confidentiality of statements made by in-house counsel, and other issues of privilege in international arbitration; and challenges and issues with bias and culture in international arbitration. Stephen R. Bond of Covington & Burling’s London office will give the keynote address. The event will take place at LACBA’s headquarters at 1055 West Seventh Street, Suite 2700 in Los Angeles. For additional details and information regarding the event, please visit the conference website http://2014.arbitrationla.com.

Sincerely,

Olga Zalomiy Phaedra Polychronis Katrina M. Parra
Chair Journal Editor Articles & Advising Editor