



# EUROPEAN AIR LAW ASSOCIATION



7th MUNICH LIABILITY SEMINAR

Liability and claims handling  
in the air transport and aerospace industries

Monday, 18 January 2010  
Kempinski Hotel - Airport Munich

Ever since the series of MUNICH LIABILITY SEMINARS was started by the EUROPEAN AIR LAW ASSOCIATION (EALA) in 1997 liability developments and claims handling in the air transport and aerospace industries were the focus of these conferences, presented and discussed by leading experts and prominent moderators.

The 7th Munich Liability Seminar will cover a wide range of topical issues:

- The opening panel will provide an update on current EU developments, such as recent case law regarding Regulation (EC) 261/2004 on denied boarding, long delays and cancellations of flights (particularly the very controversial decision of the EC Court of Justice of 19 November 2009 granting compensation in cases of delay and defining 'extraordinary circumstances'), EASA's regulatory system and its impact on liability disputes and the agenda of the EU Commission with respect to lost luggage and a passenger compensation fund for airline bankruptcies. The proposal to revise the liability limits under the 1999 Montreal Convention will be addressed, too.
- The second panel will discuss the new Unlawful Interference Compensation Convention, the controversial instrument adopted at the Diplomatic Conference convened by ICAO in spring 2009.
- In the third panel recent developments in the fields of product liability and cargo carrier liability will be presented by experts confronted with these issues on a daily basis as in-house counsel of a helicopter manufacturer and of an airfreight carrier.
- The panel with the title 'Country focus: Turkey and the United Arab Emirates' will pay special attention to the problems encountered by carriers from these countries when flying to Europe as well as providing insight into special liability issues in these countries.

- The closing panel will be a mock mediation. This dynamic session is a simulated mediation of wrongful death claims arising from a mass air disaster involving a scheduled commercial jet aircraft. The first part of the mock mediation will explore issues of liability and proportionate fault. The second part will focus on various damages issues. The fact pattern will be sent to the delegates prior to the seminar.

We invite all aviation lawyers, airline, insurance industry, aerospace and airport representatives as well as government officials and academics to join us for this comprehensive programme.

The one-day format and the timing of the very successful first six LIABILITY SEMINARS have been retained in order to allow the delegates to travel to and from Munich the same day from most places in Europe. The venue is as always the award winning Kempinski Hotel Airport Munich, a few steps away from the gates of Munich Airport, a young and dynamic airport with very high rankings in international airport surveys.

You are cordially invited to attend the Conference Dinner on Sunday evening, 17 January 2010 (not included in the registration fee). The dinner speech will be given by Mr. Lorne Clark, a former Canadian Ambassador, who was IATA VP, General Counsel and Corporate Secretary 1994-2002. Mr. Clark was intimately involved in modernising the Warsaw System and negotiating the 2001 Cape Town Convention on aircraft financing/leasing. In December 2009 Mr. Clark will be head of a delegation to the U.N Climate Change Conference in Copenhagen.

EALA is grateful to Munich Airport for again contributing generously towards the costs of the seminar.



## PROGRAMME

SUNDAY, 17 JANUARY 2010

CONFERENCE DINNER

19:15 Cocktail Reception

20:00 Dinner  
Dinner Speaker:  
Ambassador Lorne S. Clark, Beaumont & Son - Aviation at Clyde & Co, London

# PROGRAMME

**MONDAY, 18 JANUARY 2010**

LIABILITY SEMINAR

09:00 – 10:00 **Registration** Coffee, tea

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10:00 – 10:10 **Welcome Address:** Prof. Pablo Mendes de Leon, Leiden University, President of EALA

**Introduction:** Dr. P. Nikolai Ehlers, Ehlers Ehlers & Partner, Munich - Berlin

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10:10 – 11:15 **EU Update**

**Moderator:** Prof. Dr. Alexander von Ziegler, Schellenberg Wittmer, Zurich

**Panellists:** Regulation (EC) 261/2004 on denied boarding, long delays and cancellations of flights:  
Prof. Dr. Wolf Müller-Rostin, Ehlers Ehlers & Partner,  
and former General Counsel, DELVAG Aviation Insurance

The possible impact of the evolving EASA regulatory system on present and future liability disputes:  
Fredrik Kämpfe, Deputy-Chief Legal Adviser, EASA, Cologne

The agenda of the EU Commission regarding the lost luggage problem:  
Salvatore D'Acunto, Head of unit, Services of general economic interest, passengers' rights and infringements  
(TREN -A-3), EU Commission, Brussels

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11:15 – 11:30 **Coffee, tea**

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11:30 – 12:10 **The 2009 Unlawful Interference Compensation Convention ('Terrorist Convention')**

**Moderator:** Prof. Pablo Mendes de Leon, Leiden University

**Panellists:** Henrik Kjellin, Senior Adviser, Ministry of Justice, Stockholm, and Chairman of the Legal Committee, ICAO  
Michael Gill, Senior Legal Counsel, IATA, Geneva

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12:10 – 12:45 **Product Liability and Airfreight Carrier Liability – Recent Developments**

**Moderator:** Jean-Michel Fobe, Putzeys Shawn Coulson Alliance, Brussels

**Panellists:** Stéphanie Rostren, Senior Legal Counsel, Eurocopter, Donauwörth  
Eva Kurek, Head of Legal Services, Lufthansa Cargo, Frankfurt

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12:50 – 14:05 **Lunch**

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14:10 – 15:00 **Country Focus: Turkey and the United Arab Emirates**

**Moderator:** Nicholas M.L. Hughes, Barlow Lyde & Gilbert, London

**Panellists:** Yasar Ozturk, Ozturk & Partners, Istanbul  
Etihad Airways Representative (tbc), Abu Dhabi

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15:00 – 15:20 **Coffee, tea**

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15:20 – 16:50 **Mock (simulated) Mediation of Complex Aviation Accident**

**Moderator:** Alan D. Reitzfeld, Holland & Knight, New York

**Panellists:** James B. Chaplin, Mediation, Inc., Ft. Lauderdale  
Ben Martin, Norton White, Sydney  
Neil R. McGilchrist, Gates and Partners, London  
James P. Kreindler, Kreindler & Kreindler, New York

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16:50 – 17:00 **Closing Remarks:** Prof. Mendes de Leon and Dr. Ehlers

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17:00 – 18:30 **Cocktail Reception**

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## CONFERENCE VENUE

Kempinski Hotel Airport Munich, Terminalstrasse/Mitte 20,  
85356 Munich, Germany.  
Phone: +49/89/9782-3650 Fax: +49/89/9782 3613,  
e-mail: reservations@kempinski-airport.de;  
www.kempinski-airport.de

## REGISTRATIONS AND ENQUIRIES

The closing date for registrations is 8 January 2010,  
although the organisers may, at their discretion, accept  
later reservations. Acceptance of registrations is conditional  
upon availability of space.

Registrations may be made by completing the enclosed  
form and sending it to the:

European Air Law Association  
c/o Dr. P. Nikolai Ehlers  
Ehlers, Ehlers & Partner  
Widenmayerstrasse 29  
80538 Munich, Germany  
Phone: +49/89/2109 690  
Fax: +49/89/2109 6999

No registrations will be accepted without payment. Upon  
payment we will send you a registration confirmation.

## REGISTRATION FEE

Seminar (including lunch, coffee and tea breaks, cocktail  
reception):

EUR 590 for members (as of 1 December 2009).  
EUR 690 for non-members.

Please note that the reduced registration fee for members is  
available only to those who have become paid-up members  
or whose companies/organisations have become paid-up  
corporate members for 2009 by 1 December 2009.

Payment may be made, please, in either of the following  
ways (in order of preference):

- Direct transfer to the following bank account, identifying  
the name of the attendee:  
Bank: Deutsche Bank AG, Promenadeplatz 15,  
D-80333 Munich, Germany  
Account no.: 166 2709 (sort code: 700 700 24),  
IBAN: DE97 7007 0024 0166 2709 00  
SWIFT code: DEUTDE33MUC  
Holder of account: Dr. P. Nikolai Ehlers (re: European  
Air Law Association).  
In case of bank transfer, please make sure that any  
banking fees charged by the bank in your country or by  
the bank in Germany will be borne by you.
- Cheque drawn on a German bank.

## CONFERENCE DINNER

All delegates are invited to attend the Conference Dinner. It  
will take place on Sunday, 17 January 2010. Drinks will be  
served at 19:15 in the Atrium and dinner at 20:00 in the  
restaurant of the Kempinski Hotel Airport Munich.  
EUR 120 will be charged per person for the Conference  
Dinner (including drinks).

## HOTEL ACCOMMODATION

A limited number of rooms for the nights 17/18 and  
18/19 January 2010 have been reserved at the Kempinski  
Hotel Airport Munich (address and communication details  
see above at "Conference Venue") at a reduced rate of  
EUR 175 per night (single or double occupancy, including  
breakfast). Bookings should be made directly with the hotel  
(via phone, fax, e-mail or internet) and reference should be  
made to "EALA". The deadline for this offer is 8 January  
2010, but booking as early as possible is highly recom-  
mended.

## CANCELLATION / CHANGES

Cancellations can be accepted up to 12 January 2010,  
subject to deduction of EUR 80 to cover administration and  
overheads. Cancellations should be notified to EALA at  
the address given above (fax: +49/89/2109 6999). No  
refunds will be given for any cancellation received after 12  
January 2010. The name of the delegate may be changed  
at any time before commencement of the Seminar at no  
extra charge.

## PROGRAMME CONTENT

The language of the Seminar will be English. While every  
effort will be made to maintain the programme as de-  
scribed, the Association reserves the right to alter the con-  
tent or the names of the speakers without advance notice.

## CPD CREDITS

The Association has been authorised by the Solicitors Regu-  
lation Authority, the independent regulatory authority of  
the Law Society of England and Wales, to accredit courses  
for the purposes of the Authority's Continuous Professional  
Development Scheme, under reference BXX/EALA.

## NEDERLANDSE ORDE VAN ADVOKATEN

For Dutch lawyers only: For a certificate, please contact  
Mrs. Paula van der Wulp: p.vanderwulp@law.leidenuniv.nl

Visit our website at [www.eala.aero](http://www.eala.aero)

Company limited by guarantee – Company No. 6374877, registered in England and Wales

# EUROPEAN AIR LAW ASSOCIATION

Company limited by guarantee - Company No. 6374877, England

## 7th MUNICH LIABILITY SEMINAR

KEMPINSKI HOTEL - AIRPORT MUNICH

17 and 18 January 2010

### REGISTRATION FORM

To the: European Air Law Association  
c/o Dr. P. Nikolai Ehlers  
Ehlers, Ehlers & Partner  
Widenmayerstrasse 29  
D-80538 MUNICH  
GERMANY

Telephone: +49/89/2109690  
Telefax: +49/89/21096999

PLEASE PRINT

<b>Mr/Mrs/Ms/Other:</b>	
<b>Surname (family name):</b>	
<b>First name:</b>	
<b>Job title/function:</b>	
<b>Name of company/firm:</b>	
<b>Address:</b>	
<b>Telephone:</b>	
<b>Telefax:</b>	
<b>e-mail:</b>	
<b>Special dietary requirements:</b> (possibly available only against an extra charge)	

I am a paid-up member of EALA as of 1 December 2009:  yes  
My company/organisation is a paid-up corporate member  
of EALA as of 1 December 2009:  yes

Please note that the reduced registration fee is available only to those who have become paid-up members of EALA or whose company/organisation is a paid-up corporate member of EALA for 2009 by 1 December 2009.

#		Amount
	Place(s) conference only (membership rate)	EUR 590 each
	Place(s) conference only (non-membership rate)	EUR 690 each
	Place(s) conference and dinner (membership rate)	EUR 710 each
	Place(s) conference and dinner (non-membership rate)	EUR 810 each
	Place(s) guest for dinner only	EUR 120 each
	<b>Total:</b>	

Payment may be made in any of the following ways (in order of preference)

- Direct transfer to the following bank account, identifying the name of the attendee:  
Bank: Deutsche Bank AG, Promenadeplatz 15, D-80333 Munich, Germany  
Account no.: 166 2709 (sort code: 700 700 24), IBAN: DE97 7007 0024 0166 2709 00  
SWIFT code: DEUTDEDBMUC  
Holder of account: Dr. P. Nikolai Ehlers (re: European Air Law Association)

In case of bank transfer, please make sure that any banking fees charged by the bank in your country or by the bank in Germany will be borne by you.

- Cheque drawn on a German bank

Upon receipt of the registration fee a confirmation will be forwarded to the participant.