

Legal Skills
Series

Convenient
half-day
format

Commercial Negotiations

Mastering complex contractual negotiation

29 July 2009

Conrad Treasury Hotel, Brisbane
365 Little Collins, Melbourne

Chairperson:

Khory McCormick, Partner, **Minter Ellison (Brisbane)**
Derek Minus, President, **Chartered Institute of Arbitrators (Melbourne)**

1:00 Registration

1:30 CASE STUDY: Complex contract negotiation: Achieving the best outcomes and commercial resolution in the shifting environment of lease negotiations

- Negotiating agreements for leases
- Managing impacts on landlord-tenant relationships
- Negotiation tactics – cooperation or antagonism, which best serves your client's interests
- Beyond legal terms of contract – emphasising commercial resolutions

Scott Argles, Senior Associate, **Deacons (Brisbane)**
Vanessa Flax, Senior Associate, **Blake Dawson (Melbourne)**

2:15 CASE STUDY: Negotiating critical terms of a commercial contract

- Negotiating terms from a customer and supplier perspective
- Creating an enforceable contract: Exclusion clauses and limitations of liability, indemnities, termination rights and general obligations
- Case study: examples of negotiations

David Downie, Partner, **McCullough Robertson (Brisbane)**
Josh Marchant, Partner, **Maddocks (Melbourne)**

3:00 Morning tea

3:30 SIMULATION: Mock commercial negotiation

Prepare to put your skills into practice! In this dynamic and interactive session, a mock scenario will be given to participants to deliberate on in groups. Questions will be put forward to the audience and panel and the best negotiated outcomes of an agreement will be assessed.

Facilitated by:

Dr Dominic Katter, Barrister, **Queensland Bar (Brisbane)**
Jason Ward, Barrister **(Brisbane)**
Michael Redfern, Consultant, **Russell Kennedy (Melbourne)**
Dr Clyde Croft SC, **Victorian Bar (Melbourne)**

Panellists:

David Downie, Partner, **McCullough Robertson (Brisbane)**
Scott Argles, Senior Associate, **Deacons (Brisbane)**
Josh Marchant, Partner, **Maddocks (Melbourne)**
Vanessa Flax, Senior Associate, **Blake Dawson (Melbourne)**

5:00 Close of workshop

Endorsed by:



Register Today! Ph: 1800 772 772
or visit www.lexisnexis.com.au/pd

Product of:



About your facilitators:

Dr Dominic Katter

Barrister, **Queensland Bar**

Prior to commencing at the Bar, Dr Dominic Katter was at Corrs Chambers Westgarth Lawyers, Brisbane. He previously worked for The Honourable Justice G. E. Fitzgerald AC, and the President of the Court of Appeal of Queensland. Later on he commenced his role as The Associate to The Honourable Justice I. D. F. Callinan AC, then of the High Court of Australia. He has appeared on three occasions as a junior counsel before the High Court of Australia. Dominic has the following qualifications: BA, LLB, LL.M(Qld), MPhil(Cantab), GDip(Mil Law)(Melb), SJD(QUT), psac, MCI Arb(UK), MIAMA, Acc.M.LEADR, AImm, ANZILF(Mem), FTIA. At Cambridge he was awarded the Wakefield Scholarship, receiving bursaries from the Cambridge Commonwealth Trust and St Edmund's College and was made a Fellow of the Cambridge Commonwealth Society. He is an adjudicator under the BCIPA legislation. He has completed short courses at: the Harvard Law School; the Institute of Humanitarian Law, San Remo; the European University Institute, Florence; the Hague Academy of International Law; and, passed the fellowship exams with the Singapore Institute of Arbitrators. In 2007 he was a visiting scholar at St Edmund's College, Cambridge.

Michael Redfern

Consultant, **Russell Kennedy**

Michael Redfern is a consultant with Russell Kennedy and is accredited as a specialist with the Law Institute of Victoria in property law, commercial tenancy law and mediation. He is the co-author of *Australian Tenancy Practice & Precedents and Franchising Law & Practice*.

Dr Clyde Croft SC

Senior Counsel, Arbitrator and Mediator, **Victorian Bar**

Dr Clyde Croft SC practises as an arbitrator (internationally and domestically), as a mediator and as Senior Counsel, very extensively in the commercial law, property law, securities, leasing, equity and trusts, and in the building and construction areas. Dr Croft was National President of the Institute of Arbitrators and Mediators Australia for three years (1997 – 2000) and is now a National Councillor (2008 ongoing). He is also a Life Fellow, a Grade 1 Arbitrator and an accredited mediator of the Institute. He is now a Director and Treasurer of Australian Centre for International Commercial Arbitration, having been its foundation Vice – President (and Vice – President, 1996 – 2003). Dr Croft is a Fellow of Australian Centre for International Commercial Arbitration. He is the author and co-author of leading texts in many of these areas, including Retail Leases Victoria (Lexis Nexis looseleaf service) and various journal articles and seminar papers in these subject areas together with being a General Editor of the Australian Property Law Journal (LexisNexis).

Priority registration form Commercial Negotiations

4 easy ways to register

Phone: 1800 772 772

Fax: (02) 9422 2338

Online: www.lexisnexis.com.au/pd

Mail: Conference Co-ordinator, LexisNexis

Locked Bag 2222,

Chatswood Delivery Centre, Chatswood NSW 2067

Please complete sections A, B, C

TAX INVOICE

Conference code: QLD-PD2919 VIC-PD3019 ABN: 70 001 002 357

A Delegate details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Organisation: _____

Postal address: _____

Suburb Postcode State

Telephone: _____

Fax: _____

Email (required**): _____

B Event Pricing (please tick your selection)

Advance price* (register and pay before 27 June 2009)

Half-day conference \$400 + GST = \$440.00

Early bird price* (register and pay after 27 June and before 1 July 2009)

Half-day conference \$475 + GST = \$522.50

Standard price (register and pay after 1 July 2009)

Half-day conference \$550 + GST = \$605.00

* Early Bird, team discounts and any other discount cannot be taken concurrently

Package deal: Attend 2 = 10% off total price

Attend 3 = 20% off total price

Supporting Association 10% discount off standard price:

LEADR ACICA IAMA CIARB

Membership #: _____

PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

CANCELLATION

Your registration will be confirmed in writing when full payment has been received. LexisNexis will refund your registration fee in full less a \$165.00 administration cost if a request to cancel the registration is received in writing up to but not including 1 month prior to the event. If written notification is received any time up to but not including 2 weeks prior to the event, you will receive a 50% refund of your registration fee and seminar documents. No cancellation requests will be accepted after this time. You may nominate a replacement; however, no refund will be issued.

C Payment details

Payment is due upon registration. This document will be a Tax Invoice/Receipt for GST upon completion of payment.

Enclosed is my cheque for: \$ _____ made payable to LexisNexis

Pay by credit card: Please charge \$ _____ to

Mastercard Visa American Express

Card number: _____/_____/_____/_____

Expiry: ____/____

Name of cardholder: _____

Signature of cardholder: _____

Charge to my LexisNexis account: \$ _____

Account number: _____

Signature: _____

Name of approving manager: _____

Who Should Attend

- Lawyers, Solicitors, Associates, Partners
- Barristers
- In-house Counsel
- Government Lawyers

CONFERENCE RESOURCES

I am unable to attend but would like to purchase a set of conference papers for Commercial Negotiations \$150.00 + GST = \$165

IMPORTANT PRIVACY NOTICE:

The information you provide on this form is collected by Reed International Books Australia Pty Limited for the purposes of processing your registration or enquiry and keeping you informed of upcoming products, services and events. The information is disclosed from time to time to our related bodies corporate for these purposes. The provision of this information by you is voluntary but if you do not provide some or all of the requested information we may be unable to properly process your registration. You have both a right of access to the personal information we hold about you and to ask us to correct it if it is inaccurate or out of date. Please direct your enquiries to privacy@lexisnexis.com.au

Tick here if you DO NOT wish to receive information about upcoming events