

The Activities

Timetable

from September 2011	Preparation of how to write a memorandum, International Arbitration and CISG
October 7, 2011	Distribution of the "problem" in form of an extract from a case file. The "problem" serves as basis for the Moot Court competition
December 8, 2011	Deadline for submission of Claimant's memorandum
January 19, 2012	Deadline for submission of Respondent's memorandum
until March 2012	Preparation for the oral pleadings
March 29 - April 5, 2012	Oral pleadings in Vienna

Diary

April 19, 2012

The traditional welcome back reception with the dean was our last official event. Professor Gornig welcomed the Moot team with kind words and a glass of champagne (or alternatively orange juice), handed us our certificates and took time to talk about our experiences with the Moot Court. This welcoming was a worthy ending that will be fondly remembered for a long time along with many other experiences during the Moot. Thank you!

March 29 to April 4, 2012

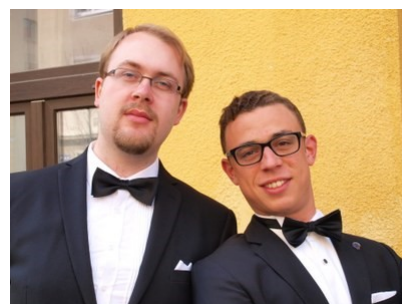
One word: VIENNA.

Writing this article is an unthankful job. How can words ever describe what happened during that unbelievable week in Vienna? Let me try it with facts first: 300 teams from more than 150 countries, about 1000 Mooties together in one of Europe's most beautiful cities. No, numbers cannot describe this. How could they? It was a feeling which defined that week. The feeling of being part in one of the greatest and rewarding projects a law student's mind can imagine. The feeling of meeting people from literally all over the world, the feeling of getting to know them, competing with them and sharing unforgettable moments with them.

Receptions in the most astonishing historic buildings in Vienna, intense "showdowns" in small and stuffy pleading rooms, parties in legendary clubs and bars. Only an event like this can create such friendships across countries and continents. All this was Vienna.

At the information event about the Vis Moot we were told the slogan "the Moot has changed my life." We all thought this was a pretty lame phrase. Today we know it better. Once touched by the spirit of the Moot, you will never be the same again. Once a Mootie, always a Mootie!

Because of all this we are not sad that we did not get a winners' certificate for mom's refrigerator. We won so much more!



March 25 to 26, 2012 (Visit from Canada – the Queen's University)

Meet people – this is another aspect of the moot.

You meet people from all over the world and sometimes friendships will develop that can last for longer than the moot itself. This was the case with last year's teams from Queen's University and Marburg.

Already last year, the Queen's team visited Marburg right before departing for Vienna. As both teams enjoyed this visit, also this year's teams met. On Sunday, the Queen's team arrived in Marburg and stayed until Monday afternoon.

Of course we had some pleadings in the meantime, but we also enjoyed the other side of the moot – and had a barbeque at the banks of the river Lahn. We would be glad to welcome also next year's Queen's team!

March 22 to 23, 2012 (Düsseldorf Pre-Moot)

Our last pre-moot before the final competition in Vienna took place in Düsseldorf. We already arrived there on Thursday and attended a very nice welcoming reception where we met most of the other teams.

On Friday we had our first pleadings with the teams from New South Wales and Bochum. They all took place in different law firms, offering different and sometimes amazing perspectives on the city of Düsseldorf. In the evening all teams met at a brewery to complete the day.

After our last pleading on Saturday morning we went to the Higher Regional Court of Düsseldorf to watch the final pleading which took place between the teams of Hamburg and Sydney. In the end, our team seized the sixth place in this pre-moot.

March 10 to 11, 2012 (Budapest Pre-Moot)

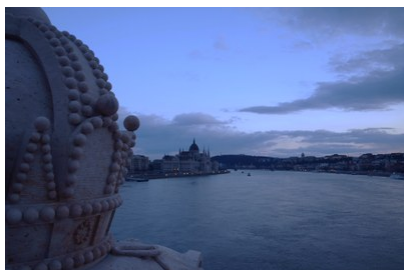
Our second foreign-country pre-moot took place in Budapest (Hungary). We traveled by train and arrived already on Wednesday so that we could have some free time on Thursday to visit the city.

The actual pre-moot took place on Friday and Saturday at CEU, the Central European University in Budapest. The pleadings were of good quality and the

arbitrators' feedback was very useful.

Our team reached the highest overall score and thereby won the pre-moot in both categories "best team" and "best individual oralist" (Masud Ulfat).

After the pre-moot was over on Saturday evening, we went out with some of the other teams and had the opportunity to get to know each other. Before we traveled home on Monday, we again could visit the city and do some sightseeing. All in all, the pre-moot was a great success and the trip to Budapest was a good experience. Therefore we would like to thank everyone who made that possible.



March 5, 2012 (4th Marburg Mini Moot)

Today the 4th Marburg Mini Moot took place in the „Alte Aula“. The Mini Moot is another exercise for the Marburg Team and befriended teams. Since the first year of Marburg's participation in the Vis Moot, Marburg's teams invite students and others who are interested to this event. It is the one possibility for "outsiders" to gain insights into the Moot.

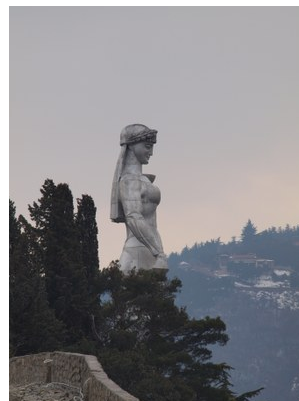
This year we were pleased to welcome both the teams from Frankfurt and Bochum. There were three pleadings in total in which the audience could see behind the curtain.

We would like to take this opportunity to thank everyone – especially our arbitrators - who helped to make the 4th Mini Moot possible!

February 21 to 27, 2012 (Tbilisi Pre-Moot)

On Tuesday, 21 February, we arrived in Georgia for the 1st Tbilisi Pre-Moot. Before meeting the other teams, we decided to travel around a bit in order to get to know our host country a bit better. During the two and a half days before the start of the pre-moot, we toured Tbilisi, traveled to Mount Kazbegi (the third highest mountain of Georgia – where some of us got a pretty decent sunburn) and visited the ancient cave town of Uplistsikhe. The Pre-Moot itself (starting with a conference in which renowned arbitration practitioners gave lectures) was well-organized and overall very pleasant. Competing with teams from Latvia, Belarus, Georgia, Kosovo and one team from Berlin, we managed to take first place. Glad about our victory we embarked on our journey home early (very early!!) next morning.

After a brief detour into London city we arrived safely in Marburg later that evening.



February 20, 2012

Before leaving for departure to Tbilisi today, we had the very interesting possibility to visit one of our sponsors.

This possibility was interesting because of this sponsor being one the biggest independent foundry in Europe which among other things manufactures motor blocks and brake discs for truck and car producers.

Firstly, the CEO and the head of the legal department introduced their company and answered our questions about orders, supply chains and compliance.

Afterwards we had a guided tour through the foundry. This was a stark contrast to the pleadings in Frankfurt and therefore even more impressive.

Instead of heaps of paper we had a view on molten metal, robots and production lines and were shown how the metal is filled in casting molds to finally become motor blocks.



February 16 and 17, 2011 (Frankfurt Advocacy School)

Like in the last years, our team had the opportunity to participate in the Frankfurt Advocacy School. For two days we had the chance to improve our communication and presentation skills, get to know and exchange with a variety of other German teams at a large Frankfurt-based law firm.

We learned surprising things about breathing techniques and obtained insights into the daily business of a lawyer working primarily in international dispute resolution and arbitration. He told us some astonishing "war stories". Also the social framework program was just great: Food and drinks in the cosy atmosphere of the "Äppelwoi-Klaus", a lovely old Frankfurt pub. Frankfurt Advocacy School was a great opportunity to share experiences and network with other Mooties as well as with practitioners.

The event ended with a farewell party at the "sky lounge" where we had a spectacular view over the nightly Frankfurt skyline while we enjoyed our well-earned after-work drinks.



February, 13 2012

On Monday, the time had come: For the first time after three weeks of internal preparation we met other moot teams from all over Germany in Stuttgart.

There we participated in the DIS40 Pre-Moot, which took place at a prestigious law firm. We met teams from the Universities of Freiburg, Erlangen, Saarbrücken and Tübingen. Our first external pleadings against Freiburg and Saarbrücken have been a great experience for the whole team. In the end all teams did their job well. Especially helpful were the feedback rounds following each pleading which gave us the opportunity to work on our entire appearance in front of an arbitral tribunal.

During the week we then had further opportunities to meet other teams. On **Tuesday** we visited an internationally operating German law firm in Frankfurt am Main. In an extraordinary atmosphere above the roofs of Frankfurt on the 25th floor we had our next pleading against the team of the University of Heidelberg.

On **Wednesday** we even had two appointments. In the morning we visited Sweden's leading international law firm. There we had our next pleading against the team of the University of Mainz in very enjoyable surroundings.

After that our next appointment was only scheduled for the evening, imposing the question what to do with our spare time. The team spontaneously decided to visit the Frankfurt zoo! This was a very funny trip for all of us, especially because we even got the possibility to watch the seal feeding.

In the evening we visited one of Europe's leading law firms in business law where we had our next hearing date. This meeting was especially helpful for us because we pleaded against our own team members. Thus, the arbitrators were able to assess our arguments, body language and the entire appearance very intensely. Afterwards we had the opportunity to collect further advice while enjoying food and drinks with our hosts in a very pleasant atmosphere.

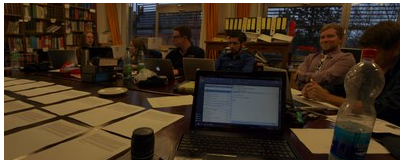
This was the perfect ending to an exciting day!



January 23, 2012

The drafting phase ended last Thursday (January 19, 2012) with the submission of the Memorandum for Respondent. This submission was more relaxed than the last submission since the team was more familiar with the whole procedure. For that reason we even managed to submit the Memorandum a little bit earlier (about 3 minutes) than the last time.

Now the preparation for the oral phase begins. After an introduction in "Oral Advocacy", the team is going to practice their oral skills in the following days, weeks and months. Firstly, we will practice our skills internally. Then we will practice by pleading against other teams before tribunals in different law firms. Participation in several pre-moots is also scheduled. Those pre-moots are smaller competitions that allow additional practice and give the teams the opportunity to see how they measure up.



December 14, 2011

The matching memoranda were sent out yesterday. From today on we will represent Respondent, Equatoriana Control Systems, Inc. It is interesting to argue for the opposite side now.

The memorandum we will respond to was prepared by the West Bengal National University of Juridical Sciences in Kolkata. Our own memorandum on behalf of Claimant was sent to DePaul University in Chicago.

This also means that we will meet the teams from DePaul University as well as West Bengal National University at the oral hearings in Vienna.

As our memorandum on behalf of Respondent is due on January 19, 2012, we only have half the time we had for our last memorandum!

Let's get started!

December 9, 2011

Yesterday was our D-DAY. The "Deadline Day". We had to accomplish our Memorandum for Claimant and submit it via e-mail until midnight. Although we considered us being on schedule, the last hours became a little hectic. Correction over correction had to be included. We struggled hard to wipe out any typo we could find, polish our sentences to the very best and of course: formalities, formalities and formalities!

A time consuming and exhausting process. So we ordered pizza right into the library and only coffee and ambition kept us awake and working. Our plan to be done by about 11 pm turned out to be an illusion. With the clock ticking, our nerves went to the edge. It was getting very close but in the end we made it. At 23:59:52 we finally sent out our memo - just 8 seconds before reaching the deadline!

Afterwards the completion of the first half of our written phase in the Moot had to be celebrated. So team and coaches went to the old town and did not leave the pub until it closed in the early morning.



October 14, 2011

Since last Friday, we have „a problem“ which we would like to outline as promised:

Claimant, Mediterraneo Elite Conferences Services, Ltd. sues Respondent, Equatoriana Control Systems, Inc. for damages that occurred because Respondent delivered too late.

Claimant purchased a yacht and wanted to refurbish it to make it available as a venue for business conferences. Therefore, it purchased Respondent's master control system. This system contained a CPU which Respondent purchased from a third company. This CPU finally contained a chip which this third company purchased from a manufacturer.

Suddenly, a fire in the manufacturer's plant destroyed most of its production capabilities. As a result, the manufacturer delivered the chips too late. Consequently, the CPUs did not arrive in time and Respondent was not able to fulfill its contractual obligations. Therefore, Claimant needed to rent another ship and is now claiming damages for the incurred renting and brokerage fees.

Respondent on the other hand states that it is exempted from liability since the fire was an act of God and the late delivery consequently was beyond its control. Furthermore, Respondent claims that Claimant's damages for renting the ship should not be taken into account because the contract was achieved through bribery.

This morning we discussed our first outline and have determined our goals for the next week. There is some work lying ahead of us, but we are in a very good mood (and moot!) and therefore even a 12-hour workday is enjoyable!

Oktober 7, 2011 (Vis Day 2011 in Frankfurt / Beginning of the Hot Phase)

Together with some other "Mooties" from all around Germany we spent a day at the Frankfurt office of a worldwide operating law firm specialised in commercial law. One last time we were prepared for the upcoming moot court. Experienced lecturers gave us a lot of valuable tips on how to write a memorandum and to do successful research in international law.

With this event our preparation phase has finally terminated since the problem for the 19th Wilhelm C. Vis Moot Court was distributed today at approximately 5.30 pm. Thus we finally entered the "hot phase" of the project. Fortunately, the documents were printed and handed to us by the law firm, thus we could start reading the eagerly awaited problem on our way back to Marburg.

In our next entry you will find a short overview on the case and its problems!

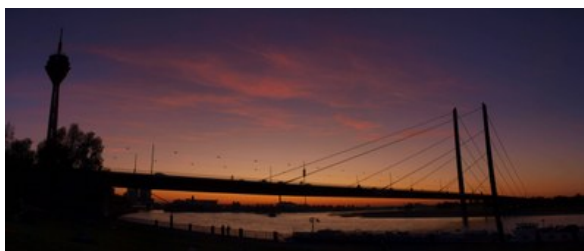
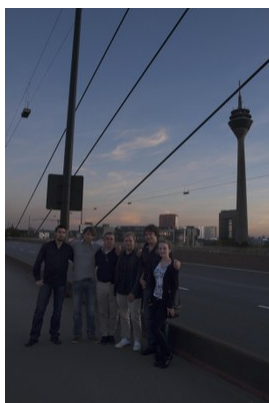


September 26 to 30, 2011 (Düsseldorf International Arbitration School)

From September 26 to 30, we attended the Düsseldorf International Arbitration School. For five days we heard lectures on arbitration, oral and written advocacy and more given by well-known scholars and practitioners.

The school was primarily designed for Vis Moot teams but it also attracted some audience from outside the university. The lectures were accompanied by pleasant evening programs such as receptions at law firms or tours through the old city of Düsseldorf.

The culmination of the week was the Düsseldorf International Arbitration Conference at which we could catch a glimpse of non-moot-related topics such as state investor arbitration and reinsurance arbitration.



September 12 to 14, 2011 (Frankfurt Drafting School)

The Frankfurt Drafting School lasted for three days. Four of our six team members (André, Hauke, Marco, Michel) participated. Altogether ten teams from Germany and one team from Switzerland participated.

On Monday, September 12, 2011 the Frankfurt Drafting School began at the Casino Campus Westend. The teams were welcomed and had the opportunity to get to know each other. The first lecture by Dr. Heiko Haller about international commercial arbitration followed.

After having a lunch break at the Casino Mensa, the program continued with a lecture by Prof. Dr. Peter Huber, LL.M. about the United Nations Convention on Contracts for the International Sales of Goods. Later on, after a short guided tour through Frankfurt, the teams met at the "Apfelwein Klaus" to have dinner. Next to traditional Frankfurt dishes, everyone had the opportunity to taste the Frankfurt drink "Äppelwoi" (apple wine). In the course of the evening, the teams drank some "Bembel" (Jugs) together and had nice conversations.

The second day started with a lecture about the arbitration agreement by Dr. Michael Rohls, LL.M. The program continued with the main objective of the Frankfurt Drafting School, learning how to draft a memorandum. To gain basic knowledge and first practical experience, the teams took part in a workshop which was led by Dr. Mariel Dimsley, LL.M. and Dr. Simon Manner. There, the teams practised developing arguments and drafted short memoranda. The second day ended with having dinner at the "Urban Kitchen" and a visit of the Irish Pub "Waxy's".

The last day of the Frankfurt Drafting School began with a lecture by Dr. Stefan Kröll, LL.M. about recognition and enforcement of arbitral awards. The teams continued with the workshop from the day before after the lunch break.

At the end of the program the teams said goodbye and everyone agreed that the Frankfurt Drafting School was a great experience. Thus we would like to thank Jakob Sättler, President of the Frankfurt Moot Alumni Association e.V. and everyone who helped organising this great event.



September 2, 2011

"How to Draft a Memorandum" was today's topic. Marburg district attorney and former arbitration specialist Oliver Rust invited the team to his house to talk about drafting memoranda.

In preparation, we had to do a lot of reading for this exercise and were prepared for an intensive afternoon.

However, as we arrived at his house, we received a warm welcome by Oliver and his wife. With cookies (thanks to Wibke!) and occasional visits of "little spectators" the working atmosphere was quite pleasant.

Thus we could finish earlier than expected and we all went home with the good feeling that we will be able to avoid the biggest "drafting no-goes" in the future.

August 29, 2011

Today, after getting to know each other, the preparation for the moot 2011/12 started. Reinmar Wolff gave us a first introductory lecture on arbitration which was yet relatively unknown to us. By discussing the questionnaire we had to prepare, we worked out the basic rules and their meaning. At the end of a long day we knew a bit more about what to expect for the next half year.

July 22, 2011

Our first task today was the photo-shooting. The way to the meeting point was already quite strange because of all the people looking at us walking through the Marburg Oberstadt dressed in suits. The passerbies walking over the Hirsefeldsteg were looking even stranger at us as we took group photos in nearly every known geometrical formation in order to achieve the "perfect shot".



Not only while taking the pictures but also during the subsequent barbecue, the weather seemed to be well-disposed towards the moot court 2011/12: Contrary to the weather forecast the sun was shining.

During this barbecue our team had the chance to get to know the former mootie generations and to enjoy delicious wine, salad, meat and a fireplace. At this point we would again like to thank our host Oliver Rust.

We are now really looking forward to what is lying ahead of us and the stories told by the former teams definitely motivated us.

July 14, 2011

After a very exciting application phase, the new members of the fourth Marburg moot-team were determined by Wednesday, July 13, 2011.

Today, we finally had the chance to get to know the other members of the team while having breakfast together. Our two coaches and Reinmar Wolff were also there.

After we figured out who prefers which kind of movies we had to discuss some organisational issues. The next chance to spend time together with our team and some mooties from the last few years will be at a barbecue on July 22, 2011.

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Fb. 01 - Rechtswissenschaften, Universitätsstraße 6, 35032 Marburg
Tel. +49 6421/28-23101, Fax +49 6421/28-23181, eMail: dekan@jura.uni-marburg.de; mailto:dekan@jura.uni-marburg.de

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