

ORAL ADVOCACY (1): AN OVERVIEW

SL: Hello, I'm Sabrina.

EN: I'm Eric.

SL, EN: Welcome to a Quick Guide to Oral Advocacy!

SL: In this series, we'll walk you through some English language tips for oral advocacy in legal proceedings. If you are new to oral advocacy, this series is definitely a good place for you to start!

EN: And throughout the series, we'll be using examples from a moot problem, which was originally used in the International ADR Mooting Competition 2014 held at City University of Hong Kong. ADR here stands for Alternative Dispute Resolution. Let's start by getting familiar with the case, which is an international commercial dispute: the dispute is set in the fictional state of Gondwana. The two parties to this dispute are Conglomerated Nanyu Tobacco Ltd. (the Claimant) and Real Quik Convenience Stores Ltd. (the Respondent). In hearings before an Arbitration Tribunal, the parties are called the Claimant and the Respondent, whereas in court hearings before a judge, they are called the Plaintiff and the Defendant.

SL: These two parties had entered into an agreement under which the Respondent would provide some space to display the Claimant's products and promotional merchandise in its stores. However, the Gondwandan government had recently imposed restrictions on the sale of tobacco products, including the introduction of packaging requirements and a national ban on smoking in public and indoor areas. The Respondent decided to terminate the Agreement because compliance with the previously agreed terms would become impossible under these new regulations.

EN: So now, an important issue is whether the Claimant is entitled to liquidated damages because of the Respondent's early termination of the Agreement. The moot deals with an Application for Arbitration against the Respondent.

SL: In the coming episodes, you'll also get to know a few 'characters', all of whom are experienced

mooters. Let us introduce them to you.

EN: The Claimant's team: Patrick Williams, Heather Costelloe. The Respondent's team: Mansi Sood, Priyanka Madan. You'll also find Harp Singh and Lavesb Kirpalani in some examples.

SL: We hope you'll enjoy the series and get a lot out of it!

SL, EN: See you soon!