

Training
of National
Judges in EU
Competition Law

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Judges in EU
Competition Law



23th - 25th March 2023

Evidence Access

**University of Valencia
Law School**

Manager: Prof. Dr. Juan Ignacio Ruiz Peris.

Deputy: Mrs. Justice Purificación Martorell and
Mr. Paul Hitchgins.

Secretary: Dr. Carmen Rodilla Martí & Dr. Carlos
Gómez Asensio

DEFKOMCOURT 6
Facultad de Derecho
Avda. Tarongers s/n 46022 Valencia
Grade Hall



Funded by the Training
of National Judges Programme
of the European Union
HT. 6147/SI2.857815

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DE VALÈNCIA

Departament de Dret Mercantil
"Manuel Broseta Pont"

PROGRAMME

THURSDAY 23TH MARCH 2023

16:00 - 16:30 Registration

16:30 Wellcome address

Judicial Authorities

Prof. Dr. Javier Palao (Dean of the Law Faculty)

Prof. Dr. Juan Ignacio Ruiz Peris (Manager of the DEFCOMCOURT 6 Project)

17:00 • **Opening Speech: - Procedural matters for evidence's access in competition damages claim's litigation.**
Justice José María Ribelles, Section 15 Court of Appeals Barcelona.

18:00 Coffee break

18:30 **Panel 1 "Access to the administrative file".**
Moderated by Prof. Dr. Juan Ignacio Ruiz Peris (UV)

- **Scope of the right and mechanisms of access.**
Speaker: Mr. Vivien Terrien, Référendaire, General Court of the EU, Luxembourg
- **Protection of leniency materials and its limits.**
Speaker: Justice Santos Gandarillas Marcos, Section 6, National Court of Appeals.
- **The role and practice of national and EU competition authorities.**
Speaker: Mr. Miguel Bordiú, CNMC's Council Secretary.

20:00 Cocktail.

FRIDAY 24TH MARCH 2023

09:30 **Panel 2 ": The impact of disclosure on civil procedure".**
Moderated by Mr. Paul Hitchings, Managing Partner, Hitchings & Co., Madrid

- **Its common law origin and practice.**
Speaker: Mr. Paul Hitchings Managing Partner, Hitchings & Co., Madrid.
- **Experiences in national EU civil Law procedures.**
Speaker: Mr. Jiri Kindl Partner, Skils, Prague.
- **Impact in how evidence is practised in proceedings and on the burden and standard of proof (C-312/21, Tráficos Manuel Ferrer).**
Speaker: Mrs. Mariya Serafimova, Legal Assistant, Chambers of Advocate General J. Kokott, Court of Justice of EU, Luxembourg

11:00 Coffee break.

11:30 **Panel 3 "The disclosure request and order".**
Moderated by Mrs. Justice Purificación Martorell, Section 9 Court of Appeals of Valencia.

- **Procedural questions: moment, hearing, decision, remedies.**
Speaker: Mr. Justice. Alfonso Muñoz Paredes JM 1 Oviedo.
- **Justification and proportionality. Guarantees and sanctions.**
Speaker: Mrs Justice Ana María Gallego Sánchez JM 12 Madrid.

14:00 Lunch

16:00 **Panel 4 "Confidentiality".**
Moderated by Prof. Dr. Juan Ignacio Ruiz Peris (UV).

- **What is confidential?**
Speaker: Prof. Dr. Juan Ignacio Ruiz Peris (UV)
- **Mechanisms to protect confidentiality.**
Speaker: Mrs. Natalie Dostert, Justice Vice President Paris Commercial Court.
- **Use of datarooms and other competition authority practices.** Speaker: Mr. Justice Eduardo Pastor JM 3 Valencia.

18:00 Coffe break.

18:30 **Workshop: Exchange of experiences of disclosure in practice in the jurisdiction of the participants following a common questionnaire.**
Guided by Mrs. Justice María Arantzazu Ortiz Gonzalez, Section 5 Court of Appeals of Mallorca.

21:00 Dinner.

SATURDAY 25TH MARCH 2023

10:00 **Mock Trial: Disclosure hearing.**
Guided by Mr. Justice Eduardo Pastor, JM3 Valencia.

12:00 Coffe break

12:30 • **Closing judicial speech: Proposals to improve civil procedure in order to access to evidence incardination.**
Speaker: Mrs. Justice Purificación Martorell Section 9 Court of Appeals of Valencia.

13:30 **Closing ceremony**

14:00 Spanish wine