The Vienna team’s first stop on the road to the final competition in Austria was in Belgrade, Serbia, where we were invited to compete in our very first international pre-moot. We spent the months leading up to this event practicing in the comfort of our own school and city, but were ready to see if our arguments stood up against teams outside the mid-west. We were pleasantly surprised to find that for the most part they did, though some arguments may have gotten lost in the fog of jet lag.

Overall, Belgrade provided the perfect opportunity for the Vienna team to test out new arguments and stylistic changes in a comfortable, yet challenging environment. Between our two teams, Loyola had the chance to argue against teams from Bulgaria, Macedonia, Turkey, and Germany. This gave us insight into how other teams from different legal backgrounds approached and divided a problem we though was straight forward. Not only that, but it also allowed us to receive constructive feedback from arbitrators working in the field of international commercial arbitration, some of whom where hearing the arguments for the first time.

In between preparing for and delivering arguments, the Vienna team also had the chance to explore a bit of Belgrade, which our coaches had warned us offered the true charm of a post-Soviet nation. In our hours off we would frequent cafes, visit local monuments, and enjoy the company of our fellow-mooties at the local campus restaurant, El Derecho. By the end of our four-day stay in Belgrade we were ready to head off to Zagreb to continue perfecting our oral arguments before the final competition in Vienna.
Zagreb Pre-Moot
By: Maureen Moody

From Belgrade, the team set off for a smaller pre-moot in Zagreb, Croatia. The Zagreb pre-moot was a more intimate setting than in Belgrade, making the practice rounds more like a workshop than a competition. In this closer environment, the team tried out new arguments and talked through the most challenging aspects of the Vis problem. Being with other students and coaches who, like us, had dedicated their semesters to pouring over every detail of the record and every page of Pace Law School’s CISG database helped us grow as advocates and improve our arguments. We were particularly fortunate to meet and speak with Professor Harry Flechtner of the University of Pittsburgh School of Law, who wrote an article that played a prominent role in this year’s Vis problem, and argue again in front of Professor Davor Babic of the University of Zagreb, who had attended one of our team practices at home in Chicago.

Just as in the Belgrade pre-moot, our team improved tremendously by arguing against schools from across Europe and the United States. Every argument against a new team was an opportunity to learn how the same facts and law could be argued in a fresh way. As an added bonus, we attended a lecture given to students at the University of Zagreb by our very own Professor Moses. Seeing firsthand how respected Professor Moses is in the international arbitration community made us proud of Loyola and proud to be her students.

Unlike the Belgrade pre-moot, we had time in Zagreb to get to know the students we were competing against. This made the experience all the more rewarding as we built lasting friendships with students from the University of Zagreb and University of Pittsburgh. We extended a standing offer for all of them to come visit us in Chicago, which we hope they will take us up on soon.

We left Zagreb feeling confident and excited for the main show in Vienna, having worked the remaining kinks out of our arguments and enjoyed a wonderful time with international arbitration students from around the globe.
Vienna
By: Louis-Raymond Gomes

We said goodbye to our Coach, Professor McFadden in the streets of Zagreb as he sent us off to Vienna in a van under the care of Professor Moses. Four hours later we were in Vienna. It is safe to say that we were all amazed by the beauty of the city. And being from Paris myself, I have to admit that I started pitting the cities against each other. We settled in our hotel and that night professor Moses took us to eat a famous Austrian dish: a Schnitzel!

The next day, we had the immeasurable honor to argue our case at the Austrian Supreme Court in front of a Supreme Court Justice: This pre-moot was a great way for our team to prepare for the actual competition. The setting and the distinguished arbitrators we had made it an even more intense experience.

That same night we attended the opening ceremony. It is only then that we really grasped the magnitude of the competition: 311 teams, 1983 competitors, and more coaches and arbitrators.

Professor Harry Fletcher, star of the Vis Moot performed his famous “Vis Moot Song” and another one relating to the problem. Being a leading scholar on this year’s problem, he made sure to let the audience know on which side of the fence he stood.

Loyola’s Vienna Team Members at the Austrian Supreme Court

After this we were ready to tackle the Moot. Leslie and I argued our first round against Erasmus as Claimant and our second one against Tashkent as Respondent the next day. By then, the experience we had gained in Belgrade, Zagreb and at the Supreme Court was a definite boost to our performance. After our two rounds, Maureen and Kelly also completed their rounds the following days.

Then came the dreaded announcement of the sixty-five teams that would advance to the next round. We were very anxious as each name that was called meant one less spot to the next round for Loyola. Ultimately we did not advance. We were all disappointed but at the same time grateful for the experience and opportunity we had to participate in the Vis Moot. As Professor Moses said in her address at the Austrian Supreme Court, we were all winners to begin with no matter what. And she was right. Although we did not advance, we were now able to engage with the teams we had become friends with in all the pre-moots in a much more relaxed setting, not having to worry about arguing the next day.

Ultimately, participating in the Vis Moot has been the highlight of my law school experience. And I am very grateful for everyone who made it possible for us to go abroad. I look forward to remaining an active alumni of the moot and want to help those coming after me enjoy the same experience I had.
The Vis Moot Competition

By: Kelly Cannon

When I, along with fifteen of my fellow Loyola colleagues began this journey together in the fall of 2015 as part of Professor Moses’s class “International Commercial Arbitration and the CISG,” I could not have anticipated the ways in which the Vis would alter the course of my life, both personally and professionally. Before all of the memories for a lifetime took place, however, a lot of hard work and sacrifice stood between each Vis hopeful and our dreams of competing internationally on one of Loyola’s prestigious Vis Moot teams.

Enrolling in Professor Moses’s course in the fall semester was the first step towards the ultimate goal of competing abroad. Ultimately, four students each year are chosen to travel to Vienna, Austria to compete in the Willem C. Vis International Commercial Arbitration Moot. Four others are selected to compete in a comparable competition called the Willem C. Vis (East) International Commercial Arbitration Moot, which takes place in Hong Kong. The course put sixteen of us through a rigorous training period in which we mastered the substantive law, learned how to make oral arguments in an arbitration setting, and wrote memorandums based on the competition problem. Out of four memorandums written by the class in the fall, the two memorandums for the Claimant were submitted to the Vis Moot and Vis Moot East respectively. Once we were chosen for the team, the hard work really began. Before leaving for the trip we practiced nearly every weekend and would also travel to downtown law firms to practice in professional settings during the work week. In Vienna, the many late nights and early mornings continued as we revised our arguments daily based on feedback from arbitrators and novel ideas from fellow competitors.

The Vis Moot was the defining experience of my time at law school. It led me to the professional path I wanted to pursue and influenced me to apply and accept an offer to study at King’s College London as a candidate for the degree of Master of Laws in International Dispute Resolution after I graduated from Loyola in the spring of 2016. As Professor Moses had explained to many of the 2016 Vis participants at the Graf & Pitkowitz Pre-Moot at the Palace of Justice in Vienna, Austria, we were all already winners just by virtue of our participation in this life-changing event. Her words still ring true for me to this day. Without this experience, I truly would not have found the career path about which I am now so passionate. As the only 3L on the Vienna team, I undertook this commitment with an eye towards my future because the Vis experience is so much more than a competition. It is the opportunity of a lifetime to make lifelong friends, professional contacts, and it just might be the beginning of a very exciting career!
Shanghai – Chinese Customs for a Business Dinner

By: Matt Swiderski

My father does a lot of business in Shanghai each year. A few months prior to our trip for Vis Moot, my father met with a co-worker named Nan, and he was kind enough to offer to take our team out to dinner. Initially, I didn’t think much of the offer other than an opportunity for our team to receive a free meal (Shanghai and Hong Kong are pricey!).

To my surprise, Nan hosted the best dinner I have ever experienced and introduced the team to the Chinese customs for a business dinner. Although Nan knew this was not per se a “business dinner,” he wanted to introduce us to the different cultural concepts that he is accustomed to.

First, at a business dinner the head person or highest ranking (Nan in this case) sits facing the door. Nan had a special napkin, which was red and rolled differently than everyone else’s at the table. I noticed this immediately walking into our private room and wondered why his napkin was different. The number two person, Jeff – who is an American but has been working in Shanghai for three years - sits across from the highest-ranking person with their back to the door. The guest of honor sits to the right of the head person. This aspect was quite humorous for us all as Nan directed us where to sit and made sure that I sat right next to him. The remainder of the hosts and guests are spread out around the table, and the tables are always round for business dinners as well.

As my coach and teammates quickly learned (in particular, Kevin Harris and I) drinking is an important part of the dinner. The host drink is normally baijiu - Chinese liquor made from grain, which contains very high alcohol content.

Toasting goes along with the importance of the alcohol. The head person makes the first three toasts and they are typically bottoms up (called Ganbei). Each toast is a welcome to the guests and the importance of the relationship. Once the head person is done with the three toasts, the second highest ranking does three as well. At this point, it was only Kevin and I attempting to continue to drink the baijiu; a task harder than it sounds. No guests are allowed to toast until the six are complete. It is then customary for the guest of honor to do three toasts – I managed to try one at the end of dinner. During the meal, I wondered how this became a custom in China. Chinese believe that when a person drinks, the truth comes out. As a result, when a group gathers for the first time, the Chinese use this as a means of establishing a relationship.
After the remainder of dinner, Nan then wanted to take the group to a bar or nightclub of sorts. As fate would have it, the majority of the Vis Moot teams were at the same bar Nan took us to. In this moment, I could not believe where I was and the people I was surrounded with. Our team was not only socializing with Nan and his employees, but Vis Moot teams from Amsterdam, Mexico, Brazil, Singapore, Hungary and Germany. It was one of the most interesting nights I have experienced. Most importantly, I believe it brought our team closer together because we were able to get away from the Vis Moot problem and enjoy a night filled with Chinese customs.

Although I expected the dinner to be a social event that took our minds off of the competition, it showed me another part of the Vis Moot experience. As we interacted with people from all parts of the world, this dinner showed me how the cultures of the world are different. What may be socially acceptable in one part of the world, may be completely unacceptable in another. As it relates to the competition, I understand better how valuable the experience was: not only did I have to compete, but I learned firsthand the cultural differences that exist in our world.

What Shanghai Taught Me

By: Kevin Harris

My first trip to Shanghai was for an internship in the summer of 2011. I’d never been abroad, but wanted to get outside my comfort zone. I remember getting off the plane, seeing Mandarin characters on the signs, and thinking “you’ve really gotten yourself into it this time.” For once, I was right. That summer was one of the best of my life. I made friends from all over the world. I’ve had reunions with them in places like London, New York, and Chicago since. It was a special time.

My experience with the Vis Moot unfolded in much the same way. Entering my final year in law school, I had never been on a team and didn’t want to miss out on that experience. I wanted to get out of my comfort zone again. For me, public speaking checks that box. During the first eight weeks of class, we learned about international arbitration. The class was interesting, but I was still comfortable. Then the problem came out and I very quickly found myself thinking, once again, “you’ve really gotten yourself into it this time.”

Making the Hong Kong team required more commitment than I’d ever given in law school and it did not get any easier as we prepared for competition. We practiced four times a week for 5-6 weeks. Although I saw improvement from the team in our oral arguments, I was unsure of how we stacked up against other teams. At that point, I wasn’t concerned about just “giving it my all” or “being better than I was the day before.” I wanted to know that we were going to make Loyola, our coaches Josh “Phil Jackson of the Vis Moot” Heffernan and Erin “Vis Lombardi” Wenger, and Professors Moses and McFadden proud.

The Shanghai pre-moot removed all doubt. It was an amazing experience. We had a lot of success and gained a lot of confidence in our grasp of the problem and in our presentation skills. We got to know each other away from the problem and really bonded as a group. We also met amazing people from all over the world during the competition.
I also got to see many of the incredible sights I’d enjoyed on my first visit to Shanghai and introduce my teammates to a city that I love. All of that, the belief (and the excitement that accompanies it), the comradery, and the new friendships made our success in Hong Kong possible. It made all of the hard work and anxiety worthwhile. I will never forget the Vis Moot experience and the people I met. I came to realize that before we’d even left Shanghai for the larger competition in Hong Kong. It was a special time. Discomfort has its merits.

Shanghai Success
By: Dagny Broome

Our team walked into the first day of the Shanghai pre-moot nervous, excited and mentally preparing ourselves for a day of arguments. At the end of the pre-moot the four of us were confident and ready to succeed at the Hong Kong Moot Competition.

In Shanghai, there were many teams that we had faced who were extremely skilled and used arguments that were very persuasive. Before the announcement of the teams that were advancing into the elimination rounds, there was a sense of anticipation among our team members. We felt proud of our performance in the rounds but were up against very skilled teams. As the teams that were advancing were called, each of us was increasingly nervous until at last, Loyola University of Chicago was called. We had advanced to the round of 16.

We all gathered around and flipped a coin to see which pair of us would go into the next round, agreeing that the other pair would go if we advanced further. Liz and Matt won the toss and immediately we all started to plan out the next day’s argument. We were facing the University of Bucharest, a very skilled team. We then all prepared together, going over questions and new ways to approach the issues.

The next day, we all went into the round and wished Liz and Matt good luck. It was one of the most challenging rounds that we had faced and both Liz and Matt gave a great argument. Although we ultimately were not selected to move onto the next round, each of us felt very proud of our work in Shanghai, bolstered by individual awards and final scores that were given, which placed Loyola in second place out of over 30 different schools. Kevin Harris received the Best Oralist award and was cheered on by us as he went to the stage to receive his award from Dr. Ingeborg Schwenzer.

The team’s experience in Shanghai bolstered our confidence and prepared us for the competition in Hong Kong, in which Liz, Matt and Kevin all received Honorable Mentions for their performances.
Two days before the Willem C. Vis East Moot Competition, we arrived in Hong Kong. Our hotel was located in the heart of Kowloon, an urban area with shops and restaurants squished together along narrow and winding roads. Dagny and I had a beautiful view of Victoria Harbor and the Hong Kong Island skyline from our hotel room. After we unpacked our bags at the hotel and ate dinner at an English pub, we headed to bed.

Around midnight, however, the fire alarm sounded throughout the building. Terrified, I tried to wake up Dagny, but she wanted to sleep. Thankfully, the public address system gave directions in English and told us to stay in our room. I kept checking outside our door to see if anyone else knew what was happening. At last, the public address system announced that there was no actual fire and I got back into bed, having no idea what had just occurred.

We explored the city for the next two days, wandering around the street markets and shops, and enjoying all the new kinds of food that Hong Kong had to offer. We took a ferry to Macau, a Chinese territory settled by Portuguese traders in the 16th Century. Because our coach Erin had ventured to Macau before, she became our travel guide. We saw ancient temples, ate at a local restaurant called Fernando’s, and tasted egg tarts at Lord Stow’s Bakery. As the weekend came to a close, we became eager to face the competition and put our hard work to the test.

At the end of the general rounds, teams from across the world squeezed into a tiny auditorium and waited for the results. The master of ceremonies told the story of the first ever international arbitration claim in an effort to fill up the time and satisfy tradition. Finally, the director of the Vis East Moot began to announce the top 32 schools that made the cut for the elimination rounds. The available spots kept getting smaller and smaller as the director announced each school. Suddenly, Loyola was called! The train ride back to the hotel was a happy one.

Elizabeth and Matt both received honorable mentions.
That night our team agreed that Dagny and Kevin would take on the first round of eliminations. Up against the University College of London, I awoke excited and nervous. We took the subway as we always did, walked through the mall, and headed into the school. Crowded into a small classroom, time moved slowly as we waited for the arbitrators to start the round. Once the round started, Dagny and Kevin were off like Happy Valley Racecourse horses! The arbitrators relentlessly asked difficult questions and challenged each argument, but both Dagny and Kevin remained focused. During rebuttal, the University College of London attempted to use an analogy about a torn ball gown. Immediately, an arbitrator jumped on the competitor and inquired as to how the analogy related to the issue of contract damages. When the competitor stumbled as she explained, I thought that we had won. To our dismay, that was our final round.

On Sunday, Dagny and I decided to watch the final round of Singapore Management University versus The Chinese University of Hong Kong. Both teams effectively advocated on behalf of their side and presented an engaging performance. The round then transitioned into the award banquet and the rest of our team joined us for the luncheon. Our team received Honorable Mention for the Claimant Memorandum, Honorable Mention for the Respondent Memorandum, and three Honorable Mentions for Best Oral Advocate. Although we did not learn it then, our team placed fifth out of the 115 teams who competed in the general rounds.

When our team left Hong Kong, I was sad to leave and happy that we had accomplished so much. The Vis Moot East allowed us to meet so many impressive and inspiring people during our journey that the competition was truly a once in a lifetime experience. As this year’s competition comes to a close and each of us goes our separate ways, I can only hope that our new memories, friendships, and skills will last.
The opportunity to compete in Hong Kong and Vienna was made possible by the generous contributions from friends and former participants of Loyola’s Vis Moot Program and from the Chicago legal community. We thank you and hope that together we will continue to ensure future success for the Loyola Vis teams.

Peter B. Carey, Esq., is an alumnus of Loyola Chicago School of Law and has provided consistent support over the years. He has been an insightful arbitrator and generous donor. He also visited Vienna many times to arbitrate and to assist the team. His daughter, Ellie, participated on the first Loyola Vis Moot Team. He specializes in commercial litigation.

Freddi L. Greenberg, Esq., an alumna, has also generously supported the Vis Moot Program. She has a boutique energy practice in Evanston, Illinois, founded in 1983, which focuses on the electric and natural gas industries with a special focus on renewable energy.

Hanh Diep Meyers has contributed to the Vis Moot program in memory of her husband, John Meyers. Both Hanh and John were participants in the Vis Moot as members of the Vienna team.

Terry Moritz, Esq., an alumnus of Loyola Chicago School of Law, has generously supported the Vis Moot program. Mr. Moritz has more than 35 years of experience in the ADR setting, and is currently teaching an arbitration course at Loyola.

Silvia Rota, an alumna of Loyola Chicago School of Law graduate program, supports the Vis teams through contribution and through an endowed fund she and her brother have created in honor of their father, Dr. Aminta Rota.

Professor Margaret L. Moses contributed the royalties from her book on arbitration—The Principles and Practice of International Commercial Arbitration, published by Cambridge University Press.

The Loyola Vis Moot teams would also like to thank the following friends and alumni of Loyola:


Thank you again to all of the donors. We are very grateful for your support.