

**The Practice of International Commercial Arbitration:  
Beginning, Middle and End**

*Part I: Commencing an International Commercial Arbitration:  
Fundamentals and Strategy and featuring Corporate  
Perspectives on the Arbitral Process*

**FACULTY BIOGRAPHIES**



**ARIF HYDER ALI** is Co-Chair of Weil Gotshal's International Arbitration Group. His international dispute resolution experience and client representation spans continents and cultures, national political establishments and inter-governmental organizations, private companies and state-owned enterprises, sovereign governments and private individuals. Prior to entering private practice, Mr. Ali was Senior Counsel at the World Intellectual Property Organization's (WIPO) Arbitration and Mediation Center, a Section Chief at the UN Compensation Commission, and practiced international arbitration and public international law in Paris, France. He is also an Adjunct Professor of Law at Georgetown University, where he teaches international commercial and investment arbitration, and an Honorary Lecturer at the University of Dundee's Centre for Energy, Mining and Petroleum Law and Policy. He earned his B.A., *summa cum laude*, from Columbia University and his J.D. from the New York University School of Law. He is fluent in French, Spanish, Hindi and Urdu, and also speaks Portuguese and Bengali.



**NOELLE BERRYMAN** is counsel in the international arbitration team of the London office of Wilmer Cutler Pickering Hale and Dorr LLP. Her broad experience in international disputes has included representing companies in the oil and gas, energy, and telecommunications industries in international commercial arbitrations under LCIA, ICDR, ICC, Vienna, and UNCITRAL Rules, as well as advising corporations that were the subject of U.S. Foreign Corrupt Practices Act, U.S. Congressional, and ad hoc investigations. She is a graduate of Rice University and The University of Texas School of Law.



**DAVID BRYNMOR THOMAS** is a Barrister, specialising in the conduct of complex commercial disputes, in particular International Commercial Arbitrations and English High Court proceedings. He has conducted disputes across a wide range of industry sectors, including major infrastructure projects and energy related disputes. Having originally qualified in Medicine before studying Law, David is particularly comfortable dealing with cases and conducting cross-examination with a highly scientific or technical basis. As well as his principal work as Counsel, David sits as an arbitrator in institutional and ad hoc arbitrations, including arbitrations under the Rules of the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA) and the UNCITRAL Arbitration Rules. David is a member, nominated by the United Kingdom Committee, of the International Chamber of Commerce's Commission on Arbitration. He is a Trustee of the Chartered Institute of Arbitrators, which he represented at the UNCITRAL Working Group on International Commercial Arbitration, participating in the Working Group's deliberations on amendments to the UNCITRAL Model Law and the UNCITRAL Arbitration Rules.



**PEDRO ALBERTO COSTA BRAGA DE OLIVEIRA** is General Counsel - Brazil at Enel Green Power, a company dedicated to generation of renewable energy from wind, solar, geothermal, hydroelectric water flow and biomass energy sources. Pedro Costa Braga leads a small team of 6 lawyers, which provides legal advice on a wide range of issues related to the company's renewable energy business in Brazil, including international and domestic dispute resolution. Prior to joining Enel, Pedro Costa Braga practiced with law firms based in São Paulo and Madrid. He earned his J.D. from the *Universidade Cândido Mendes* and his LL.M. from the University of Houston Law Center. Besides Portuguese, Pedro Costa Braga speaks English and Spanish, and has a working knowledge of Italian.



**ALAN R. CRAIN** is Senior Vice President & General Counsel of Baker Hughes Incorporated, a global technology and services company with operations in over 90 countries. He has been General Counsel of two other large multinationals. He has more than 25 year's experience as an arbitrator in a broad range of cases involving international commercial matters. He has served on more than 50 tribunals for the A.A.A., I.C.D.R., NYSE, NASD, I.C.C. and for arbitration under the UNCITRAL Rules, usually as chairman. He is a member of the Board of Directors of the American Arbitration Association (AAA). He was an adjunct Professor of International Law at the University of Houston for 10 years. He is an expert in corporate governance and has been a director of a multibillion dollar NYSE corporation, and has advised other boards of directors for over 20 years. He has been Chairman of the Houston World Affairs Council and the Houston Committee on Foreign Relations as well as serving on the Executive Board of the Philadelphia Committee on Foreign Relations. He has received many honors and awards, including the *Best General Counsel Award* from the Houston Business Journal and the *Lifetime Achievement Award* from the Texas General Counsel Forum. In addition to his J.D., Mr. Crain has earned an M.B.A. and M.S. and B.S. degrees in Engineering.



**JOHN FELLAS** is partner in the New York office of Hughes Hubbard & Reed LLP, practicing in the fields of international litigation and arbitration. He has practiced in both the U.S. and England, and as well as being a member of the New York Bar, he is also a Solicitor of the Supreme Court of England and Wales. He has served as counsel, and as chair, sole arbitrator and co-arbitrator, in arbitrations under the AAA, ICC and ad hoc rules. He also serves on the Mediation Panel of the District Court for the Southern District of New York. He has been recognized by, among others, Who's Who Legal – The International Who's Who Of Business Lawyers (International Arbitration); Chambers USA - Guide to America's Leading Business Lawyers (International Arbitration); Chambers Global (International Arbitration); The Best Lawyers In America (International Arbitration). He is co-editor of International Commercial Arbitration in New York (Oxford University Press 2010). He received a B.A. (Hons.) from the University of Durham, England, and both an LL.M. and an S.J.D. from the Harvard Law School.



**JOHN L. GARDINER** is co-head of Skadden's International Litigation and Arbitration Group. He concentrates his practice in the resolution of complex, high exposure, multijurisdictional disputes before federal and state courts, as well as leading arbitral institutions. He is among *The Best Lawyers in America 2012* and he is listed in the *International Who's Who of Commercial Arbitrators 2011*. He also is one of the world's best international arbitration lawyers and was named both by *Chambers Global: The World's Leading Lawyers for Business 2006-2007* and *Chambers USA: America's Leading Lawyers for Business 2005-2011*. Mr. Gardiner's extensive litigation and arbitration experience covers a wide range of breach disputes in the aluminum, energy, insurance/reinsurance, telecommunications, construction and finance sectors. He also has acted as arbitrator in complex international corporate disputes and as mediator in intricate corporate and partnership separation situations. He has participated as counsel in many successful mediations and expert proceedings both internationally and domestically.



**CHRISTOPHER GIBSON** is a Vice-Chair of ITA's Academic Council and an Associate Dean and Professor of Law at Suffolk University Law School. He is an expert in international law, international arbitration and intellectual property issues. Before joining Suffolk Law School, Professor Gibson was a founding partner of Steptoe & Johnson's London office, where he specialized in the areas of international arbitration, as well as intellectual property and technology disputes and transactions. Prior to joining Steptoe, Professor Gibson was Head of the Electronic Commerce Section at the World Intellectual Property Organization (WIPO) and a Senior Legal Counsel in its Arbitration and Mediation Center, a Section Chief at the UN Compensation Commission, and a Legal Assistant at the Iran-United States Claims Tribunal. Professor Gibson teaches and writes in the areas of international dispute resolution, intellectual property, international trade and investment, and Internet law and technology.



**JUDITH GILL, Q.C.** specializes in international arbitration, both institutional and ad hoc, under ICSID, LCIA, ICC and AAA Rules. She also sits as an arbitrator. Judith is qualified as a Solicitor Advocate and frequently appears as an advocate in arbitration proceedings. Judith is only the second woman solicitor-advocate to be appointed QC and the first with an international arbitration practice. Judith's practice covers a broad range of subjects including insurance, joint ventures, distributorships, healthcare, banking and investment treaty arbitration. She is a

Director of the LCIA, a former member of the LCIA Court and a member of the ICC UK Arbitration Group. Judith has also been appointed to the Board of Directors of both the Singapore International Arbitration Centre and the American Arbitration Association and is the Immediate Past Co-Chair of the Arbitration Committee of the IBA. Judith is joint author of the leading textbook "Russell on Arbitration" and has published widely on international arbitration.



**TERESA GIOVANNINI** has acted as counsel and arbitrator in more than 140 international arbitrations, either *ad hoc* or administered by various institutions (AAA/ICDR, CCIG, ICC, ICHEIC, ICSID, LCIA, SCC, Chamber of Commerce of Milan, Chamber of Commerce of Venice and Chamber of Commerce of Ticino). Teresa Giovannini is a member of several panels of arbitrators, including the ICC Swiss National Committee, the ICDR, the Beijing Arbitration

Commission (BAC), the CIETAC, the CRCICA, the DIAC, the ICHEIC and the LCIA. Since 2012 she has been included on the ICOM-WIPO List of Mediators with specific expertise in art and cultural heritage. Teresa Giovannini was a member and vice-president of the LCIA Court from 2006 until 2011. She is currently a member of the Council of the ICC Institute of World Business Law, of the International Law Association Committee on Arbitration (Swiss Member), of the IBA Sub-Committee on Conflicts of Interest, of the Board of Directors of the American Arbitration Association, of the Advisory Board of the Transnational Arbitration Association, of the LCIA Company and of the Club of Arbitrators of the Milan Chamber of National and International Arbitration. She is also a member of many other professional associations, including ASA (Swiss Arbitration Association), the Swiss Society of International Law, the Swiss Society of Jurists, the *Comité français de l'arbitrage*, the International Arbitration Institute, the International Arbitration Club, and the International Bar Association (Arbitration and Art, Cultural Institutions and Heritage Law Committees). Teresa Giovannini is ranked by Chambers Europe since 2009, by Chambers Global since 2000 (Switzerland - Dispute resolution - Arbitrators) and by the International Who's Who of Commercial Arbitration since 2007. She is a frequent lecturer in the field of international arbitration (e.g. IBA, ICC Institute, ICCA, BIICL, CIArb, etc.) and the author of many articles on the subject.



**CARLA POWERS HERRON** - Before joining Shell in 2000, Carla was a trial lawyer for twenty-two years and an equity partner in Shook, Hardy & Bacon, L.L.P. She specialized in complex commercial and product liability cases, representing such clients as Philip Morris, Inc. (tobacco litigation), Koch Industries (royalty and shareholder litigation), Bristol-Myers Squibb (pharmaceutical and medical device litigation) and the City of Houston Municipal Employees' Pension System (securities litigation). In addition to maintaining a full-time practice, Carla was adjunct professor of law at the University of Houston Law Center for fourteen years, teaching trial advocacy, mass tort litigation and pre-trial procedure. She was worldwide head of litigation for the Shell Group, responsible for overseeing the Group's most significant litigation around the world and maintaining systems for litigation/dispute resolution identification, logging, reporting and risk assessment, until 2011 when she took a sabbatical from the practice of law to write her second book. Her first book, *Matches in the Gas Tank*, was published in November 2009.



**JAMES HOSKING** is a partner in the New York international arbitration and litigation boutique Chaffetz Lindsey LLP. He was previously a partner in the New York office of a major international law firm. His practice focuses primarily on commercial and investment treaty arbitration, and he has been counsel in arbitrations under all the major institutional rules and *ad hoc*. His team currently handles over \$8 billion of disputes involving more than a dozen countries. His caseload includes matters arising out of corporate acquisitions, energy, oil and gas, pharmaceuticals, licensing agreements, re/insurance, investment treaties and the financial crisis. He is the co-author of the first commentary on the ICDR International Rules, was co-editor of the TDM symposium on IP rights and investment treaties, and in 2007 received the AAA Distinguished Service Award. James previously practiced in New Zealand.



**STEPHEN JAGUSCH** is a Partner and Global Head of Arbitration at Allen & Overy LLP. He specialises in investment treaty arbitration. He has acted as adviser and advocate in dozens of international arbitrations conducted in many countries across the world and subject to a wide variety of governing substantive and procedural laws. In addition to acting as adviser and advocate, Stephen regularly sits as an arbitrator in international arbitrations, both institutional and *ad hoc*. He has lectured extensively on international arbitration around the world and is recognised as an expert in investment treaty arbitration in all leading directories on such matters, including Martindale-Hubbell, The International Who's Who of Business Lawyers (and of Commercial Arbitration), the Legal Media Group (Experts in Commercial Arbitration), Chambers & Partners and Chambers Global, and the Legal 500. The Global Arbitration Review identified him as a "leader of the 'young' international arbitration bar" and one of London's "superarbitrators" to watch.





**JEAN E. KALICKI** is a Partner at Arnold & Porter LLP, specializing in international arbitration as both arbitrator and counsel. As arbitrator she has served as chair, sole arbitrator and co-arbitrator in a wide variety of commercial and investment disputes, before ICSID, the ICC, the AAA and the ICDR. As counsel she has particular experience in investment treaty disputes and has represented both investors and States, in roughly equal numbers, in disputes arising under bilateral investment treaties, NAFTA and the Energy Charter Treaty. In commercial cases, Ms. Kalicki has represented clients (including the United Nations) in disputes involving five continents. Ms. Kalicki is a member of the AAA Board of Directors, the ICC Commission on Arbitration, and the Chartered Institute of Arbitrators, and teaches as an adjunct professor at both Georgetown University Law Center and American University Washington College. Selected as one of the “Best Lawyers in America” for international arbitration and by Global Arbitration Review as one of the top 30 Women in Arbitration worldwide, Ms. Kalicki is the long-time co-chair of the DC Bar's International Dispute Resolution Committee and a member of the Executive Committee of the Institute for Transnational Arbitration.



**MARK KANTOR** - Until he retired from Milbank, Tweed, Hadley & McCloy LLP at the end of 1999, Mark Kantor was a partner in the Corporate and Project Finance Groups of the Firm. He currently serves as an arbitrator and mediator, and teaches courses in International Business Transactions and in International Arbitration as an Adjunct Professor at the Georgetown University Law Center. He is also a Senior Research Fellow at the Vale Columbia Program on Sustainable International Investment (a joint enterprise of Columbia Law School and the Earth Institute at Columbia University). In addition, he is Editor in Chief of Transnational Dispute Management, the global dispute resolution journal. He is listed in *inter alia* Who's Who Commercial Arbitration, Chambers USA (International Arbitration), and Best Lawyers in America (International Arbitration). Among other publications, he is the author of Valuation for Arbitration: Compensation Standards, Valuation Methods and Expert Evidence (Kluwer 2008).



**ERIC C. LIEBELER** is the Vice President and Associate General Counsel (Litigation) for Siemens Corporation. He manages all United States-related litigation for Siemens, and was previously the Chief Litigation Counsel for Honeywell's Automation and Control Solutions division. While in private practice before that, he was a partner at Kirkland & Ellis LLP. He is an occasional competitor at the World Series of Poker.



**WENDY J. MILES** is a partner at Wilmer Cutler Pickering Hale and Dorr in London and specializes in international arbitration. She has acted as advisor and advocate for international companies and states or state parties in arbitration proceedings conducted in a number of jurisdictions and under various rules including ICC, LCIA, HKIAC, PCA and UNCITRAL. Wendy regularly deals with both private and public international law issues. She recently has been involved in several energy-related arbitrations under both ICC and LCIA rules arising from disputes relating to off-shore oil rights and an ad hoc arbitration proceeding in a dispute arising out of a major construction project on the South Asian sub-continent. In 2009, Wendy was lead co-counsel for southern Sudan in the Abyei Arbitration boundary dispute in the oil-rich Sudan (with the entire proceedings subject to live media coverage via the internet). Wendy continues to represent clients in proceedings in the energy, telecommunications, media, insurance, construction, financial services and pharmaceutical sectors, as well as sitting as arbitrator.



**BONARD MOLINA GARCÍA** is principal at Windrose LLP. He has worked on a variety of international arbitrations, representing private companies as well as sovereign States investor-State and commercial arbitrations. He has also represented sovereign States in litigation before United States federal courts. Mr. Molina García is a graduate of Loyola University Maryland (B.A., 2001), Catholic University of America (M.A., 2003), and Georgetown University Law Center (J.D., 2006).



**JAN PAULSSON** is co-head of our international arbitration and public international law groups and has acted as counsel or arbitrator in many hundreds of international arbitrations, conducted notably under the rules of the ICC, UNCITRAL, ICSID, LCIA, AAA and the Stockholm Institute. He also acted as ad hoc arbitrator at the Olympic Games in Atlanta, Nagano and Sydney. In addition, he has acted before public international law tribunals, including the International Court of Justice. Jan is President of the International Council for Commercial Arbitration, President of the Administrative Tribunals of the OECD and the EBRD, Vice-President of the ICC International Court of Arbitration and a board member of the AAA. He is a former President of the London Court of International Arbitration and the World Bank Administrative Tribunal. Jan holds the Michael Klein Distinguished Scholar Chair and is head of a graduate programme in international arbitration at the School of Law of the University of Miami. He is also a Centennial Professor at the London School of Economics. He is the author of several textbooks and numerous articles on the subject of international arbitration, in particular the standard reference work *International Chamber of Commerce Arbitration* (3rd edition 2000) which he co-authored with Messrs. W.L. Craig and W.W. Park, and his monograph *Denial of Justice in International Law* which was published by Cambridge University Press in 2005. Jan holds degrees from Harvard College, Yale Law School (where he was an editor of the *Yale Law Journal*) and the University of Paris. He is a US-qualified attorney and an *Avocat à la Cour* in France. He speaks English, French, Spanish and Swedish.





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**LUCY REED**, who currently serves as Chair of the ITA, co-heads the Freshfields global international arbitration group. She represents private and public clients and occasionally sits as arbitrator in international arbitrations under the major rules. Lucy is a member of the LCIA Court and the ICC Commission on Arbitration, and was recently designated by ICSID to the ICSID Panel of Arbitrators. She has served as an arbitrator on the Eritrea-Ethiopia Claims Commission, co-director of the Claims Resolution Tribunal for Dormant Accounts in Switzerland and, while with the State Department, the U.S. Agent to the Iran-U.S. Claims Tribunal. Lucy is co-author of the **Freshfields Guide to Arbitration Clauses in International Contracts** and the **Guide to ICSID Arbitration** (both published by Kluwer). She served as President of the American Society of International Law (2008-2010) and is a member of the Council on Foreign Relations.



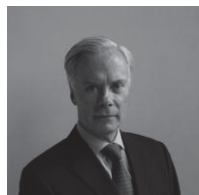
**KLAUS REICHERT, S.C.** is a barrister in practice at Brick Court Chambers in London and at the Bar of Ireland. He has served as arbitrator and counsel in over one hundred international cases in many jurisdictions pursuant to rules including LCIA, ICC, ICDR, UNCITRAL, LCIA-DIFC and ICSID. He is a member of the LPD Council of the International Bar Association, the Executive Boards of the ITA and Arbitration Ireland and the ICC Irish National Committee. He was counsel for Dallah in the landmark case on the New York Convention before the English Courts. He was the chair of the Host Committee for ICCA 2008 in Dublin and in 2012 lectured on international arbitration at The Hague Academy of International Law, Seminar for Advanced Studies.



**ANN RYAN ROBERTSON** is Counsel with Locke Lord LLP. In 2008, in recognition of her many accomplishments, Ms. Robertson was one of thirty women named an Extraordinary Woman in Texas Law by The Texas Lawyer. Ms. Robertson is the Chair of the North American Branch of the Chartered Institute of Arbitrators, a Fellow of the Chartered Institute of Arbitrators, a Member of the NAFTA 2022 Committee, a Founding Member of ArbitralWomen, and a Member of the Advisory Board of the Institute for Transnational Arbitration. Realizing the importance of training young lawyers, Ms. Robertson also coaches the University of Houston Law Center's Willem C. Vis Moot International Commercial Arbitration Moot team and is a past lecturer for the Academy of American and International Law. Ms. Robertson is frequently invited to address professional and continuing education groups, and has authored a number of articles on international dispute resolution issues.



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**EDUARDO SIQUEIROS** received his law degree from Escuela Libre de Derecho in Mexico City and subsequently an LL.M. degree from Harvard Law School in Cambridge, Massachusetts. He is a partner at the law firm of Barrera, Siqueiros y Torres Landa, S.C. in Mexico City. He has been a professor at Instituto Tecnológico Autónomo de México (ITAM) and most recently at Universidad Iberoamericana, as well as a speaker in diverse *fora* in Mexico and abroad lecturing on matters of private commercial law, international business transactions and arbitration, areas in which he concentrates his practice. He has participated in multiple domestic and international commercial disputes, both as an arbitrator and party counsel, and as an arbitrator in investor-state disputes before ICSID, including NAFTA Chapter XI disputes.



**ABBY COHEN SMUTNY** is recognized as one of the world's leading experts in international arbitration. Ms. Smutny represents clients in arbitrations before all major arbitral institutions, including ICSID, ICC, LCIA, ICDR, VIAC, as well as in arbitration under UNCITRAL Rules. Ms. Smutny is a Vice-Chair of the Institute for Transnational Arbitration, a member of the Executive Council and formerly a member of Executive Committee of the American Society of International Law, Vice-Chair of the Arbitration Committee of the International Bar Association, and a former Chair of the International Law Section of the Washington, DC Bar Association. She writes and speaks frequently on topics involving international arbitration and investor-State dispute resolution.



**TOM SPRANGE** is a partner and Solicitor Advocate in the London office of King & Spalding. He is a member of the firm's International Arbitration Group. Mr. Sprange's practice focuses on significant disputes, many with a multi-jurisdictional emphasis. He has acted as Counsel in over 60 international arbitrations in the leading arbitration institutes including the ICC, AAA, SCC, LCIA and ICSID as well as a number of Ad-Hoc arbitrations. He has also acted as Counsel in proceedings before the High Court of England and Wales. This experience includes acting for the Claimants in arbitral proceedings that involved one of the largest ever commercial arbitration awards; securing a settlement of \$1 billion in one of the largest ICSID claims pursued by an investor; acting for the Claimants in two of the leading authorities on worldwide freezing orders; and acting for the Defendant in one of the leading authorities relating to relief in support of arbitration pursuant to Section 44 of the Arbitration Act 1996. Mr. Sprange also has experience in conducting internal investigations, audits, and risk assessments for clients in the context of regulatory compliance, including of international and local anti-corruption and money laundering legislation. He has acted for large corporations, governments and individuals in this context. He is ranked in the *UK Chambers* and *UK Legal 500* directories for arbitration and dispute resolution. He is described as a "a real star", "impressive", is said to combine a "Mensa-like intellect with a down-to-earth attitude" and to "not just go the extra yard in defending his client's position, but the extra mile". Mr. Sprange frequently speaks and publishes on international arbitration and regulatory issues.



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Following his graduation from the University of California, Berkeley School of Law, he served as a law clerk to Judge Juan R. Torruella of the United States Court of Appeals for the First Circuit. Tom was a Fulbright Scholar in Ecuador from 2000 to 2001. He is a frequent author on international arbitration topics.



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