

2ND ANNUAL ITA WINTER FORUM

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Biltmore Hotel
Miami, Florida

WINTER FORUM CO-CHAIRS



Joe Matthews is of counsel with the Law Firm of Colson Hicks Eidson working in the Firm's Miami and Washington, DC offices. He is a Wesley Sturges Scholar, graduating first in his class from the University of Miami School of Law in 1977, where he was an editor of the Law Review. Just prior to joining the Firm, Mr. Matthews served as Special Counsel to United States Senator Bob Graham. He is the current Dean of the International Academy of Trial Lawyers, a fellow of the American Board of Trial Advocates and past President of the Dade County Trial Lawyers Association. Since 1996, Mr. Matthews has been listed in The Best Lawyers in America, Leading American Lawyers and International Who's Who of Professionals. An active participant in the arbitration process as both advocate and arbitrator, Mr. Matthews has served as arbitrator in more than 125 cases administered by the AAA, ICDR, the International Chamber of Commerce, ICSID and other prestigious arbitration forums, as well as *ad hoc* proceedings. Mr. Matthews is a member of the board of directors of the American Arbitration Association. He has lectured extensively on various areas of law, technology, trial skills and procedures, arbitration and ethics to local, state, national and international conferences. He has taught at universities in the U.K., China and Mongolia. He is a past member of the adjunct faculty at the University of Miami Law School, was Associate Editor of the Commercial Section for The Journal of the Academy of Florida Trial Lawyers and was a Supreme Court Appointee to the Florida Board of Bar Examiners.



Professor Jarrod Wong is Associate Professor of Law at the University of the Pacific, McGeorge School of Law in Sacramento, California. Educated and trained at major legal institutions in both the U.S. and Europe, Professor Wong has centered his scholarship on issues in international dispute resolution. His articles have been published in the *Minnesota Law Review*, *Tulane Law Review*, *George Mason Law Review*, and *Florida State University Law Review*, among others. Professor Wong has delivered his papers at major international arbitration conferences around the world, including the Seventh Annual Fordham Law School Conference on International Arbitration and Mediation, the Fifteenth Investment Treaty Forum of the British Institute of International and Comparative Law, and the Annual International Arbitration Conference held at National Taiwan University. Prior to joining the academy, Professor Wong served as legal adviser to The Honorable Charles N. Brower at the Iran-United States Claims Tribunal. He was also formerly associated with Cravath, Swaine & Moore in New York, and O'Melveny & Myers in San Francisco. He holds various law degrees from Cambridge University, University of Chicago and University of California, Berkeley.

CHAIR, INSTITUTE FOR TRANSNATION ARBITRATION



R. DOAK BISHOP - Partner in King & Spalding's Houston Office. Co-Chair of Firm's International Arbitration Practice Group. B.A. degree with high honors and departmental distinction from Southern Methodist University (1973), and J.D. degree with honors from the University of Texas Law School (1976), Research Editor of the Texas Law Review. Over 35 years of legal practice, with a focus on international arbitration and foreign investment disputes. Board Certified in Civil

Trial Law by the Texas Board of Legal Specialization. Board of Directors of the American Arbitration Association; Board of Trustees of the Center for American and International Law; Chair of the Institute of Transnational Arbitration; Member, U.S. delegation to the NAFTA Advisory Committee on Private Commercial Disputes; Advisor to the American Law Institute's Restatement of the Law (3rd) of International Commercial Arbitration; Adjunct Professor, SMU Law School (1999) (International Commercial Arbitration) and University of Houston Law School (2002) (Foreign Investment Disputes); Co-Chair, International Litigation Committee of ABA's Litigation Section (1998-2000); Chair, Litigation Section of the State Bar of Texas (1998-1999). Specialties in international arbitration of international energy disputes, investment and infrastructure disputes, construction disputes, and environment issues. Registered more than 30 ICSID arbitrations and represented investors in about 40 investment arbitrations against foreign governments. Arbitrator in about 70 arbitrations, including NAFTA and BIT arbitrations under the UNCITRAL Rules. Editor, *The Art of Advocacy in International Arbitration* (2nd ed. Juris Publishing 2010); co-author with Professor James Crawford and Professor Michael Reisman, *Foreign Investment Disputes: Cases, Materials and Commentaries* (Kluwers, 2005); Editor, *Enforcement of Arbitral Awards Against Sovereigns* (Juris 2009).

LUNCHEON SPEAKERS



Gary Born is the chair of the International Arbitration Practice Group at law firm Wilmer Cutler Pickering Hale and Dorr LLP and is one of the world's leading authorities in the fields of international arbitration and litigation. Mr. Born has been involved as counsel in more than 550 arbitrations, under all leading arbitral regimes, including several of the largest arbitrations in both ICC and ad hoc history. He has been ranked for the past 15 years as one of the world's leading international arbitration practitioners. He received the *Global Arbitration Review's* inaugural "Advocate of the Year" award in 2011 and was recently voted the "World's Best International Litigator" He sits as arbitrator, having served in some 150 institutional and ad hoc arbitrations. Mr. Born is a graduate of Haverford College (BA 1978, *summa cum laude*) and the University of Pennsylvania (JD 1981, *summa cum laude*). He clerked for Judge Henry J Friendly on the US Court of Appeals for the Second Circuit and Justice William H Rehnquist on the US Supreme Court. Mr. Born has published a number of leading works on international arbitration, international litigation and other forms of dispute resolution. He is the author of *International Commercial Arbitration* (Kluwer 2009), the preeminent treatise in the field and recipient of the American Society of International Law's Certificate of Merit in 2010 and *International Arbitration: Law and Practice* (Kluwer 2012). He is also the author of *International Forum Selection and Arbitration Agreements: Drafting and Enforcing* (Kluwer 2010), *International Arbitration: Cases and Materials* (Aspen 2011), and *International Civil Litigation in United States Courts* (Aspen 5th ed. 2011). Mr. Born is an Honorary Professor of Law at St. Gallen University and has an Honorary Doctorate at Wayne State University, U.S.A. He has taught law at Harvard Law School, Stanford Law School, St. Gallen University, Georgetown University Law Center, National University of Singapore, University of Virginia College of Law, University College London and the University of Arizona College of Law.



Linda J. Silberman, Professor Linda Silberman is the Martin Lipton Professor of Law at New York University School of Law. She is a graduate of the University of Michigan and the University of Michigan Law School and later a Fulbright Scholar in London, England. She joined the NYU faculty in 1971, where she teaches and writes in the areas of Transnational Litigation, International Commercial Arbitration, Civil Procedure, Comparative Civil Procedure, International Family Law, and Alternative Dispute Resolution. Her articles have been cited by the Supreme Court of the United States, the Supreme Court of the UK, and numerous other courts in the United States and abroad. Professor Silberman is presently Co-

Director of the NYU Center on Transnational Litigation and Commercial Law. Professor Silberman is co-author of a leading Civil Procedure casebook (Silberman, Stein & Wolff, *Civil Procedure: Theory and Practice*), now in its 3rd edition, and of a comparative civil procedure book, *Civil Litigation in Comparative Context* (2007). She was co-Reporter for the American Law Institute Project entitled *Recognition and Enforcement of Foreign Judgments: Analysis and Proposed Federal Statute*. She is presently serves as an Adviser to the Institute's proposed *Restatement of the Law Third on International Commercial Arbitration* and is a member of the ITA Academic Council. Professor Silberman is a member of the International Commercial Disputes Committee of the Association of the Bar of the City of New York and the New York Arbitration Club. She is a member of the State Department Advisory Committee on Private International Law and has recently been part of a small consultative group advising the State Department on implementation of the Hague Choice of Court Convention. She has also been a member of numerous U.S. State Department delegations to the Hague Conference on Private International Law. She is a Fellow of the American Bar Foundation. Prior to joining the NYU faculty, Professor Silberman practiced law with the Sonnenschein, Nath & Rosenthal law firm in Chicago, Illinois. In 1985-86, she was Professor in Residence at the U.S. Department of Justice and in fall 2009, Scholar-in-Residence at WilmerHale in London, England.

FACULTY



Kate Brown de Vejar is Counsel in the international arbitration group of Curtis, Mallet-Prevost, Colt & Mosle, and is based in Mexico City. She has represented both corporations and sovereign states in international arbitrations under the leading institutional and *ad hoc* arbitration rules, in connection with disputes involving a wide range of sectors, including aeronautical, construction and engineering, financial services, mining and resources, oil and gas, pharmaceuticals, tax, transport, telecommunications and water treatment. An

Australian national, Ms. Brown de Vejar is a member of the Australian Delegation to UNCITRAL Working Group II, recently charged with revising the UNCITRAL Arbitration Rules. She is an Assistant Editor of the *World Arbitration & Mediation Review*, a Member of the Editorial Committee of the International Arbitration Case Law Database, and co-coordinator of Young ICCA's Mentoring Programme. She is also a Member of the Advisory Body to the Construction Industry Arbitration Center of Mexico (CAIC), where she heads the Working Group on the development of guidelines for acting as appointing authority under the UNCITRAL Arbitration Rules. As well as regularly publishing and speaking on international arbitration topics, Ms. Brown de Vejar is a guest lecturer on international dispute resolution at the Tecnológico de Monterrey, Mexico City. Admitted to practice in both Australia and New York, she is fluent in English, French and Spanish.



Elisabeth Eljuri is Global Practice Leader of the Latin American Practice of Norton Rose. She joined the firm as a partner in 1998. She is also head of the corporate department of the Caracas office and a senior member of the International Arbitration Practice of the firm. Elisabeth received her law degree cum laude from UCAB and an LLM from Harvard Law School. She is very active both on the transactional as well as the disputes side of the energy practice. In 2012, *Who's Who in Oil and Gas* again selected Elisabeth as one of

the top 10 energy practitioners worldwide, stating that "*Eljuri is without question one of the world's leading oil and gas lawyers... Eljuri has provided assistance in high profile disputes and transactions for Fortune 500 energy clients over the course of a fantastic career.*" Likewise, in 2011, *Chambers Global* ranked Elisabeth as one of the top 20 oil and gas lawyers in Latin America and *Star Individual* for Venezuela. On the commercial disputes side, *Who's Who in Commercial Arbitration* has ranked Elisabeth for several years. Elisabeth frequently

acts as co-counsel in international arbitrations, including ICC and ICSID cases. She has also been retained as independent expert in several international arbitrations or proceedings and spoken/published extensively in the area of resources investment disputes, including in the most recent ICC's 10th Annual Miami Conference. Since 2005 she has been a Director of the Association of International Petroleum Negotiators (AIPN) and she is currently President-Elect of the association based in Texas. Elisabeth is admitted to practice in Venezuela and in New York State.



J. Martin Hunter was a partner in the firm formerly known as Freshfields for 27 years, latterly leading the firm's International Arbitration Group. On retiring from the firm in 1994 he re-qualified as a barrister and joined Essex Court Chambers, where he continues to practise in the field of international arbitration. In 1995 he was appointed to the newly-established chair of International Dispute Resolution at Nottingham Trent University, and he was appointed as an Emeritus Professor of that University in 2010. He also teaches international arbitration with post-graduate students as a visiting professor at several universities around the world, including King's College London, University of Miami Law School, Central European University in Budapest, and KIIT Law School in Bhubaneswar, India. He is a member of the Council of ICCA, and has participated in the work of a number of organisations active in the field of international arbitration, including the AAA, the IBA, the ITA's Academic Council, the ICC's Court, the LCIA's Court and UNCITRAL. He has served as chairman of the Board of Trustees of the Dubai International Arbitration Centre, and was deputy-chairman of the UK Government's committee on arbitration law reform, which was responsible for steering the English Arbitration Act 1996 through Parliament. He has also been published extensively in specialist arbitration journals and elsewhere over the last twenty-five years. His co-authored books include *Redfern & Hunter on International Arbitration* (five editions so far, with others); *The English Arbitration Act 1996: Text and Notes* (with Toby Landau); and the arbitration title of Halsbury's Laws (with Ben Pilling).



FAN Kun (PhD (*summa cum laude*), LL.M. (NYU, Parix XII)) – Visiting Scholar at the Harvard-Yenching Institute, Harvard University, and Assistant Professor at the Faculty of Law, Chinese University of Hong Kong. Prof. Fan has studied and worked in China, Singapore, U.S.A., Switzerland, France and Hong Kong, and speaks Chinese, English and French. Her doctoral dissertation was awarded the *Best Thesis in International Studies* by the Swiss Network for International Studies Award 2011. She is author of the book [Arbitration in China: A Legal and Cultural Analysis](#) (Hart) and has published extensively in international arbitration, with pieces in publications such as *Harvard Negotiation Law Review*, *Yearbook of Private International Law*, *Journal of International Arbitration*, *ICC Bulletin*. She is a former Deputy Counsel of the ICC International Court of Arbitration and now practices as a Senior Consultant for Arbitration Asia. She is called to the New York Bar, Member of the Chartered Institute of Arbitrators, Accredited Mediator and Domain Names Panelist of the Hong Kong International Arbitration Center.



Philip J. McConnaughay is the Dean and Donald J. Farage Professor of Law and International Affairs of Penn State University Dickinson School of Law. Dean McConnaughay is the author of several scholarly articles and edited books concerning international commercial dispute resolution, the regulation of international commerce, and the role of arbitration in economic development. He has lectured on development and intellectual property issues in Vietnam, China, and Europe and has been a visiting professor at Northwest University in Xi'an, China. For ten years he was a resident partner in Tokyo and Hong Kong with Morrison & Foerster, an international law firm. Dean McConnaughay represented Fujitsu Limited in the celebrated multi-billion dollar IBM/Fujitsu Arbitration. He

served as an advisor to a Government of Indonesia project to draft a new arbitration law, and he consulted with the U.S. Department of Justice in the antitrust prosecution of Microsoft Corporation.



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.



Catherine Rogers is a scholar of international arbitration and professional ethics at Penn State Law. Her scholarship focuses on the convergence of the public and private in international adjudication, and on the reconceptualization of the attorney as a global actor. Professor Rogers has taught, lectured and published extensively on these topics around the world, including as an invited participant at two Stanford-Yale Junior Faculty Fora. Her forthcoming book, *Ethics in International Arbitration*, will be published in 2013 by Oxford University Press. Professor Rogers is an Associate Reporter for the American Law Institute's new *Restatement of the Law (Third) of International Commercial Arbitration*. She has served as an expert on topics of international arbitration and global legal ethics for various international organizations, including the OECD, UNCITRAL, the International Judicial Academy, the American Society of International Law, and the International Bar Association. Before entering academia, Professor Rogers practiced international litigation and arbitration in New York, Hong Kong, and San Francisco. Professor Rogers was formerly on the law faculties of Università Commerciale Luigi Bocconi in Milan, Italy, and Louisiana State University Law Center.



Jeremy K. Sharpe is Chief of Investment Arbitration in the Office of the Legal Adviser at the U.S. Department of State, representing the United States in investor-state and state-to-state disputes arising under bilateral investment treaties and investment chapters of free trade agreements, such as NAFTA and CAFTA. He also is an adjunct professor at Georgetown University Law Center, where he teaches courses on international dispute resolution. He has served as the Legal Adviser to U.S. Embassy Baghdad and as an Attorney-Adviser in the State Department's Office of African and Near Eastern Affairs and Office of International Claims and Investment Disputes. He previously practiced arbitration with White & Case LLP and served as Legal Assistant to Judge Charles N. Brower at the Iran-United States Claims Tribunal. He received his J.D. from New York University School of Law and LL.M. from Harvard Law School.



Stephan Schill is a Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg. Prior to that, he clerked for The Honorable Charles N. Brower, 20 Essex Street, London, and for Judge Abdul G. Koroma at the International Court of Justice. He holds a degree of Dr. iur. from Johann Wolfgang Goethe-Universität, Frankfurt/Main, and an LL.M. from New York University. His expertise covers general international law and international dispute settlement, international investment law and arbitration, EU law, the European Convention on Human Rights, and comparative public law. He is admitted to the bar in Germany and New York and has acted as counsel before the European Court of Human Rights.

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