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## COMMERCIAL ARBITRATION

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The Queen's Award  
for Enterprise 2008



# COMMERCIAL ARBITRATION

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# Methodology

Welcome to the 2021 *Guide to the World's Leading Experts in Commercial Arbitration*, the international legal market's leading guide to the top legal practitioners advising on commercial arbitration.

When first published in 1994, the Expert Guides were the first-ever guides dedicated to leading individuals in the legal industry. Since then we have continued to focus on individuals considered by clients and peers to be the best in their field.

Our research process involves sending over 4,000 questionnaires to senior practitioners or in-house counsel involved in each practice area in over 80 jurisdictions, asking them to nominate leading practitioners based on their work and reputation. The results are analysed and screened for firm, network and alliance bias. The list of experts is then discussed and refined with advisers in legal centres worldwide.

Our researchers have compiled a list of specialists in 73 jurisdictions for this guide. These specialists have been independently offered the opportunity to enhance their listing with a professional biography. The biographies give readers valuable, detailed information regarding each lawyer's practice and, if appropriate, their work and clients.

We owe the success of this guide to all the in-house counsel and firms that completed questionnaires and met our researchers. Thank you. We hope you find the guide to be a useful tool. All information was believed to be correct at the time of going to press.

The research team

## EXPERT GUIDES RESEARCH

Expert Guides has been researching the world's legal markets for over 27 years, and has become one of the most trusted resources for international buyers of legal services.

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Each guide is also reprinted in full at [www.expertguides.com](http://www.expertguides.com)



## ASIA PACIFIC

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James Kwan is an International Arbitration partner in Hogan Lovells' Hong Kong office. He has extensive experience in arbitrations involving the infrastructure, engineering, energy, life sciences, chemicals and technology sectors. He has represented clients in arbitrations in Asia, the US, Middle East, and Europe under the major institutional and ad hoc rules, such as those of the ICC, HKIAC, SIAC, CIETAC, LCIA, AAA, DIAC, CAS and UNCITRAL.

James was awarded the *Lexology* Client Choice Award for Construction in 2020. He is recognised in legal directories as “best known for his tremendous skill in energy, infrastructure and construction disputes” (Chambers Global 2011), “extremely good, quality lawyer”, “high profile”, and “a very fine practitioner” (Who's Who Legal UAE 2008), and “singled out for his expertise in arbitration”, “genuine arbitration specialist ... he has a fine reputation.” (Asia Pacific Legal 500 2010/2011/2012).

Chambers Asia-Pacific 2021 states that “James Kwan is singled out by a client who notes his ‘awesome and acute business sense coupled with outstanding technical knowledge and world-class client service.’

Chambers Asia-Pacific 2020 states that “clients appreciate that James Kwan ‘provides solid advice and recommends courses of action that are very effective in dealing with the issues,’ adding: ‘He impressed us with his intelligent and structured approach to the case, his client focus and his hard work.’

Legal 500 Asia Pacific 2020 endorses him as ‘very hands-on’...an ‘expert in arbitration’ with ‘great analytical skills.’

According to Who's Who Legal 2018, he is “esteemed for his work in construction arbitration across the world where he provides ‘an excellent service’”, and his clients “consider him an expert on the tactical side of arbitration, drawing attention to his mindset of ‘very good commercial thinking, insightful and strategic thinking, and analysis of the facts and dispute.’” (Chambers Asia Pacific 2018). Named as one of the Hot 100 Lawyers of 2011 by Asian Legal Business, he was described as “a world leader in arbitration and construction law”, “has an intimate knowledge of the different arbitration models throughout the region” and “one of the finest international arbitration lawyers in Asia.”

Chambers Asia Pacific 2017 states: “Clients recommend James Kwan for his ‘thorough understanding of commercial disputes and arbitration,’ along with his ‘strategic thinking, research into key issues and structuring of arguments.’ He has a focus on international commercial arbitration, with a track record of involvement in disputes relating to the infrastructure, energy and life sciences sectors.”

James is the co-editor of *Construction Arbitration in Hong Kong: A Practical Guide* (Wolters Kluwer, 2015). He is the author of a chapter in *The Hong Kong Arbitration Ordinance Commentary and Annotations* (Sweet & Maxwell, 2011) and *Arbitration in China: A Practical Guide* (Sweet & Maxwell, 2004).



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David is a full time international arbitrator, with extensive experience in over 150 arbitrations in Asia, the Middle East, Africa and Europe.

He is a specialist in all forms of dispute resolution including arbitration, litigation and alternative dispute resolution. He is an experienced Mediator.

David has been resident in Asia since 1980, and has over 40 years experience.

He has extensive experience in disputes concerning construction, resources, joint ventures, shareholder agreements, shipping, telecommunications, and investor stake.

He has acted as Chairman, party-appointed arbitrator, or sole arbitrator under the auspices of the SIAC, BANI, HKIAC, AIAC, CIETAC, ICC, PCA, AAA, LCIA, TAI, KCAB, VIAC and ad hoc.

In the Best of the Best Expert Guides, David was named as one of the world's leading experts in commercial arbitration, and construction.

In recent editions of *Global Counsel 3000*, *Who's Who of Commercial Arbitration*, *Chambers Asia*, *PLC Which Lawyer* and *Asia Pacific Legal 500*, David was named as a leading arbitrator.

*Chambers Asia* described him as “pre-eminent and widely experienced”, and “one of the top arbitrators in the region” who is “excellent at pretty much everything he is doing”, and “well able to control an arbitration” and “culturally sensitive”.

*Asia Pacific Legal 500* said David is “one of the top arbitrators in the region”.



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José Rosell has written a number of articles on international arbitration. He is a member of the Editorial Committee of the Paris Journal of International Arbitration. He has participated as a speaker and moderator in numerous conferences and gives lectures in several universities. He is a member of the board of the French Branch of the International Law Association (ILA) and a member of the ILA International Committee on International Commercial Arbitration.

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CLYDE & CO

## FRANCE

# Paris – The Capital of International Arbitration

All you need to know about Paris, the ICC and the advantages of arbitration proceedings in France

**Nadia Darwazeh**  
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Paris has always enjoyed an outstanding reputation as a location for the seat of international arbitration proceedings. In many ways, Paris is the capital of international arbitration because the city offers a multitude of advantages as a place of arbitration.

## The ICC, the leading international arbitral institution, is based in Paris

Paris' long-standing reputation as a centre of arbitration is closely intertwined with the fact that the global headquarters of the International Chamber of Commerce (ICC) and its Court of International Arbitration are located in the heart of the city and have been ever since its establishment in 1923.

It is fair to say that the ICC is the leading international arbitral institution having administered to date more than 25,000 arbitrations around the world. In 2019, ICC arbitrations were seated in more than 110 cities in over 60 countries across the globe, with the most popular seats being Paris, London, Geneva and Singapore.

The fact that Paris has established itself as a major arbitral seat is no doubt due in part to the ICC's radiance as well as the ICC's continuous striving to stay on the cusp of innovation, as evidenced most recently by the 2012 ICC Rules of Arbitration. It was also the ICC that provided the United Nations with the first draft of what became perhaps the most successful and widely used international convention, namely the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 (more commonly known as just the "New York Convention") over 60 years ago. This convention, to which 168 countries have since acceded, is of paramount importance for international arbitration as it provides a strong legal framework for the recognition and enforcement of arbitral awards around the world. Unsurprisingly, France was one of the inaugural countries that signed the New York Convention back in 1958. Indeed, Paris is also a preferred seat of arbitration because France is a country that has historically been and continues to be very much pro-arbitration.

## French law strongly favors arbitration

Paris has long been recognized as an impartial and neutral jurisdiction within which to conduct arbitrations due to the fact that both French laws and courts are supportive of arbitration. Similar to Germany, France has codified these laws in its Code de procédure civile (Code of Civil Procedure). The provisions of the French Code of Civil Procedure dealing with arbitration, which date back to 1981, were revised in 2011 (the "2011 law") in order to codify the well-established



French case law developed over the past thirty years and to introduce a number of innovations.

## Autonomy of the arbitration agreement

As a starting point, the 2011 law confirms the long-established principle of the autonomy of the arbitration agreement, whereby the arbitration agreement is deemed to be independent from the contract itself (Article 1447). Therefore, the arbitration clause is severable from the main contract, allowing an arbitration to proceed even if the contract is purportedly or actually invalid. Moreover, unlike many other jurisdictions, the agreement to arbitrate is not subject to any formal requirements (Article 1507), thus permitting parties to arbitrate with more ease and ultimately providing them with security that the clause detailing their agreement to arbitrate will be enforced. French law also established the principle of "competence-competence" very early on, pursuant to which the arbitral tribunal has the power to determine whether it has jurisdiction under an arbitration clause. Apart from these "bells and whistles" provisions that one would expect to see today in any modern arbitration law, the 2011 law introduced a number of innovative features, a few of which are discussed below.

## Independence of the arbitral process

The 2011 law also confirms the independence of the arbitral process from the influence of the French courts and actually encourages the courts to take measures to aid arbitral proceedings. In fact, the new



law goes so far as to refer to the relevant court judge merely as a “supporting judge” (juge d’appui), thereby reflecting the well-established French tradition that judges shall not unduly interfere in the arbitral process. Rather, French judges view their role as one of supporting the arbitral process.

In the same vein and in line with only a handful of other jurisdictions, the 2011 law grants parties the novel option of waiving their right to set aside an award (Article 1522). Indeed, while state courts may not review an award on the merits, a party may apply to have the award annulled at the seat of arbitration based on certain procedural grounds (Article 1520). This review is referred to as set-aside proceedings and the grounds for doing so in France are limited to serious procedural irregularities, as is the case in other jurisdictions. However, by providing parties with the ability to waive their right to annulment proceedings, French law allows them to further insulate the award from the state courts.

### Efficiency of enforcement

The 2011 law has also further increases the efficiency of the enforcement of an award. Indeed, awards rendered in France are now directly enforceable even if set-aside proceedings are pending (Article 1526). Before 2011, one was not able to seek enforcement of an award until set-aside proceedings had been concluded. Accordingly, parties who were unsuccessful when the award was rendered could use such set-aside proceedings as a tactic to delay enforcement, even if they had no chance of getting the award set aside. The 2011 law therefore now dissuades parties from frivolously applying to set aside an award because even if such proceedings are initiated, enforcement measures will continue to run their course.

In addition to these innovative features, it is important to remember that the choice of Paris as a seat of arbitration does not equate with the use of French language or French law in the arbitration. Indeed, even though Paris is consistently the number one seat chosen in ICC arbitrations, in 2019, 79% of approved awards were rendered in English, 7% in French and 1% in German. By the same token, 16% were governed by English law and 10% were governed by French law. Furthermore, if the parties choose Paris as the seat of arbitration, they can of course agree to hold the hearings anywhere else that is most convenient to them.

### French courts have a reliable pro-arbitration track record

As those familiar with arbitration will know, in order to provide for a good seat of arbitration, a modern arbitration law is only one piece of the puzzle. The other equally important piece is state courts at the seat that apply the arbitration law properly, meaning they refrain from interfering with the arbitration process and instead support it.

France’s court system provides for a neutral and impartial jurisdiction with specialized courts accustomed to dealing with issues arising out of arbitrations at all stages of the proceedings.

A number of renowned French court decisions illustrate particularly well how supportive the French courts are of arbitration. For example, in the *Dallah v. Pakistan* case, unlike the United Kingdom Supreme Court, the Paris Court of Appeals (Cour d’appel) gave full effect to the underlying arbitration agreement (in the UK: [2010] UKSC 46; in France: docket No 09/28533). In this case, an arbitral tribunal sitting in Paris rendered an award against the respondent, the government of Pakistan. The claimant brought enforcement proceedings in England to enforce the award, which Pakistan sought to resist. The English courts applied French law and ruled that contrary to the Tribunal’s decision Pakistan was not bound by the arbitration clause because the actual signatory of the agreement was a trust created by the Ministry of Religious Affairs. Accordingly, the English courts refused to enforce the award. At the same time, Pakistan had applied to the French courts to have the Paris-seated award set aside. The Paris Court of Appeals, which was confronted with the same question, namely whether Pakistan was bound by the arbitration clause as a matter of French law, reached the opposite conclusion to that of the English courts. The French court ruled that Pakistan was bound by the arbitration clause by virtue of its actions both before and after the contract was concluded. 10 years later, in the case of *Kabab-jl v Kout Food Group*, a similar saga unfolded with the French courts upholding the award and the English courts refusing to do so. The French court’s decision in *Dallah* and in *Kabab-jl* are good examples of the courts’ more liberal approach to upholding arbitration clauses.

### Paris offers a plethora of practical advantages

Finally, there are also numerous practical considerations that combine to make Paris an excellent choice for the seat of arbitration. It has top-notch lawyers that are experts in the field, offers a central location in Europe and has excellent transportation connections. It also offers numerous facilities for conducting arbitrations including the ICC Hearing Centre founded in 2008, and the European headquarters of the World Bank for investor-state arbitrations administered under the rules of the international centre for the settlement of investment disputes (ICSID).

Last but not least, apart from the favorable legal framework for international arbitrations that Paris offers, choosing Paris also has the benefit that once a long day of meetings or hearings is over, one can enjoy an apéritif at one of Paris’ quintessential sidewalk cafés and hopefully close off a successful day with a memorable dinner at one of the many fine Parisian restaurants.

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Arne has extensive experience advising domestic and multinational companies as well as States and State-owned entities in international commercial arbitrations and investment treaty arbitrations. He has experience with disputes conducted under the ICSID Convention, most major institutional rules (including ICC, LCIA, HKIAC, SCAI, SCC, DIS, DIS-IHK and DIS-Sport Rules), the UNCITRAL *ad hoc* rules as well as with pure *ad hoc* arbitration.

He handles disputes across industry sectors. Recent examples include automotive, construction, energy, health / pharma, mining & metals, TMT and real estate. Arne also advises clients on sports law issues such as the status and transfer of players as well as licensing rights.

In addition to his role as counsel, Arne is also acting as (sole/presiding) arbitrator. He is a Fellow of the Malaysian Institute of Arbitrators (FMI Arb) and was appointed to the list of arbitrators of the Japan Commercial Arbitration Association (JCAA), the Panel of Arbitrators of the Asian International Arbitration Centre (AIAC), the arbitrator and mediator pool of the Court of Arbitration of Art (CAfA) and the Panel of Mediators of the Energy Community in Vienna.

Arne has been recognized and recommended for his dispute resolution expertise by the leading directories. Clients and peers describe him as “a prominent name in the investment arbitration space”, “THE name for investment arbitration in Germany”, “very smart”, “an excellent lawyer and arbitrator” and “phenomenally hard working”.

Arne regularly speaks on international arbitration topics and teaches courses and workshops on dispute resolution around the world. Arne serves as delegate of the German National Committee of the ICC on the ICC Commission on Arbitration and ADR. In 2017, Arne was appointed by the ICC International Court of Arbitration as Regional Representative for the Europe Chapter of the ICC YAF (with a two year mandate). In 2021, he was appointed as Group Advisor for the 2021/22 cycle of the renowned Young ICCA mentoring programme.

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Ulrike Gantenberg is the founder of Gantenberg Dispute Experts and highly recognized in the field of dispute resolution – in particular for national and international arbitration. She acts as counsel and arbitrator in complex litigation and international arbitration proceedings (ad hoc, DIS, ICC, LCIA, VIAC, SCC etc.). Two main core areas of Ulrike's practice are turn-key construction (including energy related projects) and post M&A. She relies on her extensive experience as an advisor for corporate and M&A.

As a qualified German lawyer with experience of working in France, Ulrike Gantenberg is particularly dedicated to international work due to her international clients and her global network. Besides German, she speaks English and French fluently. Her experience includes arbitration proceedings under various jurisdictions (including Germany, Denmark, Greece, Austria, Switzerland, Sweden, Finland and Turkey). Her vast experience as arbitrator impacts her quality of counsel work. Ulrike combines technical expertise with strategic advice to pursue or defend claims on behalf of her clients. She frequently speaks and publishes on issues of international arbitration and international private law.

Ulrike Gantenberg is a member of the board of directors of the German Institution of Arbitration (DIS), member of the chair of the working group for alternative dispute resolution of the German Bar Association (DAV), Member of the Arbitration Court of the Swiss Chambers' Arbitration Institute (SCAI), Member of the International Advisory Board of VIAC and co-heads the Dispute Resolution Forum Duesseldorf/Koeln (DRF).

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Denis Gebhardt is a partner of GRIP LEGAL specializing in litigation/arbitration and corporate clients. He represents companies and entrepreneurs in complex conflict situations and drafts commercial contract documents. Denis Gebhardt is particularly specialized in arbitration and corporate litigation. He uses his experience as the arbitrator in more than 100 national and international arbitration proceedings to represent clients in courts of arbitration. "Best Lawyers" features Denis Gebhardt as a recommended lawyer for arbitration proceedings. He also brings his comprehensive expertise in corporate litigation to conduct corporate transactions. In this capacity he is also a co-author in the Munich Handbook for Corporate Litigation and the Handbook for Company Transactions by Hölters.

Denis Gebhardt studied law at the Justus-Liebig-University in Giessen, where he also gained a Ph.D. on the subject "Models for the reform of the transfer system for professional soccer players from a legal and a realistic point of view". Following the referendarship (Referendariat) at the district court of Frankfurt am Main Denis studied Transnational Business Practice at the McGeorge School of Law in Sacramento/USA, where he added a Master of Laws (LL.M.) degree to his CV. As part of this master program Denis also worked for the US American law firm Nelson Mullins in Atlanta. On his return to Germany Denis began his legal career at the law firm Hölters & Elsing (now Orrick Herrington & Sutcliffe LLP) in Düsseldorf where he was elected as partner in 2007. In the year 2003, Denis was admitted as an attorney-at-law in the US federal state of New York, and in the year 2005 as one of a small number of foreign lawyers at the US Supreme Court. After two further periods as partner of a medium-sized German and a US American law firm respectively, Denis founded a boutique law firm in 2015, "Gebhardt Legal", specializing in litigation/arbitration and corporate clients. This is the expertise Denis Gebhardt brings to GRIP LEGAL.

In Düsseldorf Denis is involved as "Tischbaas" (chairman of a subgroup of members) and chairman of a chamber of the internal court of arbitration of the local heritage club, "Düsseldorfer Jonges". He is married with two children.

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Nicola Dunleavy is Senior Counsel/SC and a partner in Matheson's Commercial Litigation and Dispute Resolution Department, with a broad commercial litigation, investigations and arbitration practice. Nicola is regularly appointed to represent clients in complex, multi-jurisdictional commercial disputes, including arising from mergers and acquisitions and EU law, and in constitutional litigation. Sectors include technology and telecommunications, pharmaceutical, chemicals, food and drink, waste, water, energy, mining, and transport. Nicola represents clients in investigations by the EU Commission, ComReg, and other regulators and in defending criminal prosecutions. Nicola has very significant experience in major development, energy and real estate disputes, including planning environmental and safety judicial review and disputes.

Nicola is a member of the Court of the London Court of International Arbitration and leads Matheson's arbitration team. Nicola is an advocate in alternative dispute resolution, such as expert determination, adjudication and mediation. Nicola is President of Arbitration Ireland, a Chartered Tax Advisor and an Associate of the Chartered Institute of Arbitrators.

**Experience Highlights**

Representative matters include:

- Representing a client in a broadband licensing dispute in ICC arbitration against a State body.
- Acting for Royalty Pharma in litigation related to its \$6.5 billion bid for Elan.
- Representing a US oil and gas company in a judicial review of a decision of the Commission for Energy Regulation in the Commercial Court.
- Defending regulatory investigations and criminal prosecutions for regulatory (pricing, tax), safety and environmental offences.
- Defending a UK telecommunications company in Commercial Court proceedings regarding a disputed break clause in a lease.
- Leading a Commercial Court dispute between Gibraltar and US shareholders regarding ownership of shares in a Irish biotech company, and related intellectual property.
- Successfully representing Russian companies in two Commercial Court challenges to arbitral awards.
- Representing a major European utility (French-headquartered) in respect of two successful court challenges to government procurement procedures.
- Acting for a multinational energy client in a dispute under a gas tolling agreement, governed by ICC arbitration rules.

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Maurice Courvoisier focuses on international commercial disputes. He has represented clients in numerous arbitrations, both ad hoc and institutional, at seats in and outside Switzerland. Matters included a wide range of legal areas (such as sales, distribution and licensing, research and development, joint ventures, M&A, IP/IT, and logistics) and industries (such as construction, engineering, pharmaceutical, aviation, oil and gas, entertainment, transport, and telecom).

Maurice has dealt with pre- and post-arbitration issues (such as attachments and injunctions, recognition and enforcement of arbitral awards, and challenging arbitral awards with the Swiss Federal Supreme Court) and has advised clients regarding international judicial assistance matters (like the taking of evidence in Switzerland for foreign dispute resolution instances). He sits as an arbitrator and speaks and publishes regularly on dispute resolution topics.

Maurice completed his graduate and postgraduate studies at Basel University (lic. iur. 1995; Dr. iur. 2001) and Columbia University in New York (LL.M. 1998). He was a research and teaching fellow for Prof Dr Ingeborg Schwenzer and Swiss Federal Supreme Court Judge Prof Dr Thomas Geiser. Maurice was admitted to the Basel Bar in 2000 and to the New York Bar in 2001. He has been involved in international dispute resolution ever since then.

Maurice is a member of the Swiss Arbitration Association (ASA), the German Institution for Arbitration (DIS), the American Bar Association (ABA), the International Bar Association (IBA), as well as the Basel and the New York Bar Associations. He is the vice-president of the Basel Bar Association. In 2012 the Swiss Federal Government has appointed him to the Swiss Federal Arbitral Commission on the Exploitation of Copyrights. Maurice is a former member of the Arbitration Court of the Swiss Arbitration Center. He speaks German, English, French and Italian.

With over 240 lawyers, Walder Wyss is one of the largest Swiss law firms, with offices in Zurich, Geneva, Basel, Berne, Lausanne and Lugano. It offers a full range of services for the business community in Switzerland, as well as public, private and international clients. Walder Wyss' practice teams handle business transactions, banking and finance matters, taxes, arbitration and litigation as well as IP/IT and competition matters. Walder Wyss' dispute resolution team is one of the largest and most experienced teams in Switzerland.

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Dr Franz X Stirnimann Fuentes is a recognized international arbitrator and Swiss litigator with over 20 years of experience in international and Swiss dispute resolution, who is regularly appointed as presiding, sole or co-arbitrator in arbitrations in Switzerland, Europe, and Latin America.

After working as a partner in major Swiss and US law firms, he founded STIRNIMANN FUENTES Dispute Resolution, an independent law firm based in Geneva, Switzerland, specialized in providing arbitrator services and representing clients in international arbitrations and in civil and commercial litigations before Swiss courts.

Dr Stirnimann Fuentes is of Swiss and Latin American origin. He is both civil and common law trained and admitted to practice in Switzerland as well as England & Wales and New York. He is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and has been appointed by the Government of Switzerland to the ICSID Panel of Conciliators. He holds a PhD from the University of Zurich, an LLM from Georgetown University and a JD from the Universities of Fribourg and Durham. In addition to his ranking in the Expert guides, he is ranked by Chambers Global, Chambers Europe, Who's Who Legal, and Best Lawyers, among others, for arbitration and dispute resolution.

Dr Stirnimann Fuentes has acted as counsel and arbitrator in over 80 international arbitrations, both commercial and investor-State, in English, Spanish, German and French, under the rules of the major arbitration institutions, and under the laws of civil as well as common law jurisdictions. He is also a Swiss court litigator with trial experience in more than 50 commercial cases before courts in both the German and French speaking part of Switzerland and the Swiss Supreme Court. He specializes in disputes relating to international joint ventures, M&A, shareholders, manufacture, licensing/IP, sales and investment disputes in the energy, mining, aviation, telecommunications, construction, infrastructure and finance sector and also regularly acts as transactional counsel in these areas.

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## TURKEY

# Dispute Resolution in Digital Age

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## Introduction

Arbitration benefits from a great increase in the use of technology which has directly effected the conduct of proceedings. More particularly, with the digitalization, the way that we conduct arbitration proceedings has been changed to reflect the current needs of parties with an aim of increasing time and cost efficiency. In this line and a measure against the COVID-19 pandemic, virtual hearings have become common.

The general awareness of the environmental issues has also been a subject matter discussed in the legal industry. There have been global initiatives such as the signing of the Paris Agreement on climate change as well as trends to reduce carbon footprints and green pledges.

Accordingly, this article firstly deals with (i) virtual hearings (ii) electronic submissions and (iii) the green pledge.

## Virtual Hearings

COVID-19 caused arbitrators, parties, arbitral institutions, and all participants to adapt to new conditions. Virtual hearings are among the tools participants discovered throughout the pandemic. We have experienced different approaches from various institutions, whereas some canceled or delayed hearings and some such as the International Chamber of Commerce (“ICC”) adapted very rapidly and published guidelines on the effects of COVID-19 and virtual hearings to assist its users.

Guidance Note on Possible Measures Aimed at Mitigating the Effects of the COVID-19 Pandemic (“ICC Guidance”) is a good example. Besides the ICC Guidance, another important tool is the Seoul Protocol on Video Conferencing in International Arbitrations that provides useful recommendations mainly on documents, venue, witnesses, observers, technical issues, interpretation, and recording. American Arbitration Association (“AAA”) also published virtual hearing guides, orders, and procedures.

ICC Guidance is not only related to virtual hearings but rather covers a wide range of issues. What comes across interesting in 2020 is that, the ICC regulated virtual hearings explicitly in its 2021 Arbitration Rules. Even though this revision is not made as a result of the effects of COVID-19 the timing of the 2021 ICC Rules of Arbitration very well fitted with the needs of the practitioners. Even before the revision, the wide discretion given by the ICC to the arbitral tribunals allowed the conduct of virtual hearings. Currently, this issue is regulated explicitly in Article 26 of the 2021 ICC Rules of Arbitration,



which states that hearings can be conducted remotely by videoconference, telephone, or other appropriate means of communication.

ICC Guidance provides tips to the users by focusing on cost and time-effective measures. It recommends procedural considerations to ensure due process. There are certain issues an arbitral tribunal should consider; type of the hearing, time zones, travel barriers, duration of the hearing, number of parties/experts/witnesses, recording, interpretation, the procedure for taking evidence, and electronic hearing bundle are some of them. ICC Guidance further recommends parties to agree on a cyber protocol and lists suggested provisions. This is an important document and a tool that parties should consider to comply with, which deals with issues such as data privacy rules and ensuring cybersecurity.

There is no doubt that one of the biggest advantages of virtual hearings is the reduction of costs. One of the major drawbacks of arbitration is the costs associated with it and thus is a very sensitive issue. Accordingly attention must be paid by arbitral tribunals while deciding on procedural considerations.

Another important consideration is the enforceability of the award. In this respect, it should always be kept in mind that having a virtual hearing should never be an obstacle before the enforcement of the award. This issue can arise especially if parties do not want to hold a virtual hearing or one of them does not and an arbitral tribunal decides to do so. An arbitral tribunal can decide to hold a virtual hearing even if the parties do not agree, in this case, the arbitral tribunal when



## TURKEY

making a decision should consider the circumstances and make sure equality of the parties and due process is ensured.

There are benefits of virtual hearings but these do not come without concerns. It is fair to say that overall experience is very positive and the demand for conducting virtual hearings is increasing. All participants have learned from the procedural deficiencies and have gained experience. Major concerns that capture attention are ensuring due process, difficulty in giving oral submissions and cross-examining witnesses, cybersecurity, and data protection.

Due process is a concern as it can be more difficult to ensure equality between the parties. For example, if an arbitrator does not pay attention to the time zones of the parties it risks creating a privilege to one of them. Therefore utmost diligence should be paid to every detail. Practitioners are also adapting and learning new techniques for giving oral submissions and cross-examination. With the decrease use of gestures and eye contact, the sequence of questions directed to witnesses as well as the usage of demonstrative exhibits will play an important role in virtual hearings. The technical infrastructure is also vital, slow internet connection or lack of technical support may result in due process concerns. Experience shows that parties may be inclined to and suggest turning off their cameras during the hearing because of slow internet connection which raises questions as to the identification of the person testifying. With experience and more detailed regulations, guidelines, notes published by arbitral institutions procedural obstacles may be overcome and the conduct of efficient virtual hearings will undoubtedly increase.

### Electronic Submissions

It is safe to say that digitalization of arbitration and the use of Information Technology (IT) solutions shall inevitably contribute to a greener arbitration. A report dealing with Information Technology in International Arbitration prepared by the ICC Commission on Arbitration and ADR, dated 2017, shows that, IT solutions were not widely used in international arbitration. However, that does not mean there are no efforts to increase the use of IT solutions. Within this context, document management systems are worth mentioning. These platforms encourage parties to refrain from printing all sorts of documents. With the increase use of technology, online bundles have become more popular as well.

A good example of document management systems is the NetCase platform which is a document management platform that allowed parties to electronically follow the course of the arbitration. The NetCase was presented by the ICC as early as 2005 but has been abandoned. The ICC has also announced that parties will be able to rely on fully digitalised services through a new case management platform, which will allow documents such as terms of references and awards to be concluded electronically. This will also allow parties to be notified electronically.

Currently, there are other arbitral institutions that offer such systems such as the AAA, World Intellectual Property Organization and Stockholm Chamber of Commerce. These systems also provide for more efficient and cost-effective arbitral proceedings. It is also noteworthy that, many institutions including the ICC have allowed electronic submissions during the COVID-19 pandemic as also provided under the ICC Guidance.

Similar to other institutions, under the ICC Rules of Arbitration, arbitral tribunals have the power to decide whether or not to order

the production of documentary evidence, including electronic documents, and to manage any such process in a fair and efficient way. The ICC Arbitration Commission Report on Managing E-Document Production is also worth reviewing by practitioners. Arbitral tribunals consider various issues when making orders related to production of documents, and it is safe to say that these days, more environmentally friendly choices are being made by arbitral tribunals.

As a result of concerns such as cybersecurity, data security, drafting procedural orders related to usage of platforms, a working group including practitioners from different law firms was established. Such working group prepared the Protocol for Online Case Management in International Arbitration ("Protocol"). This Protocol seeks to deliver a globally consistent approach to the use of online case management platforms in international arbitration.

Apart from these platforms arbitral institutions offer, there are various programs available that may be used by practitioners. The International Bar Association ("IBA") provides guidance related to these platforms. As stated by the IBA, there are platforms which allow to host, manage, organise, sort, and transfer voluminous documents and submissions gathered and/or exchanged in an arbitration.

### The Green Pledge

It is clear that, the awareness of environmental issues including the reduction of carbon footprints has increased recently. This increase of awareness can be classified as a global trend that includes not only efforts from the legal industry but from various other industries. The efforts to make arbitration more environmentally friendly includes the green pledge ("Green Pledge").

The Green Pledge seeks to raise awareness of the significant carbon footprint of the arbitration community and aims to encourage all arbitration practitioners to commit to the Campaign's (the Campaign for Greener Arbitrations) Guiding Principles and reduce their carbon emissions. The Guiding Principles set out examples that may be easily implemented by practitioners. These include creating a work space with a reduced environmental footprint by looking for opportunities to reduce energy consumption and waste, corresponding electronically, unless hard copy correspondence is expressly needed in the circumstances, while also being mindful that email has a carbon footprint requesting the use of electronic rather than hard copies of documents and promoting the use of electronic bundles at hearings, and using, suppliers and service providers who are committed to reducing their environmental footprint (including for the purposes of arranging an arbitration hearing). The Guiding Principles also mention the use of videoconferencing facilities as an alternative to travel which includes holding virtual hearings rather than in person hearings, a topic dealt with above.

A similar approach is seen in mediation. The Mediators Green Pledge was launched in October 2020 which was inspired by the Campaign for Greener Arbitrations and the Green Pledge.

### Conclusion

The digitalisation of arbitration is expected to result in reduced costs, reduced carbon footprint, and increase the efficiency of the proceedings. Virtual hearings, electronic submissions, document management systems, and the platforms established by the arbitral institutions will play a vital role in reaching such expectations.

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“Ercüment Erdem is ‘easily accessible, persuasive and a good listener with strong evaluation skills.’” – Legal 500

“Ercüment Erdem in particular is ‘one of the best lawyers we have ever worked with during our business life.’” – GAR 100

“Ercument Erdem is an ‘incredibly experienced international lawyer’ who ‘as a professor of law, can give both practical advice and in-depth analysis on interpretation of the law’. He regularly advises domestic and foreign clients on the Turkish law elements of cross-border transactions.” – Chambers Global



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Adedoyin Oyinkan Rhodes-Vivour, SAN is the founding partner of Doyin Rhodes-Vivour & Co, a firm of solicitors, advocates and arbitrators. The firm specializes in providing corporate commercial, litigation and arbitration/ADR services. Adedoyin is a chartered arbitrator and fellow of the Chartered Institute of Arbitrators and is active in international arbitration. She holds an International Practice Diploma in Arbitration. She is a CEDR [UK] accredited mediator. She is a member of the International Chamber of Commerce (ICC) International Court of Arbitration and a member of the ICC Commission on Arbitration & ADR. She is a Vice-President of the London Court of International Arbitration African Users' Council. She was a member of the Court of the Permanent Court of Arbitration (PCA), The Hague, Netherlands pursuant to her nomination by Nigeria (2010 – 2016). She is a member of the world bank group sanctions Board.

Adedoyin was educated at the University of Lagos [LLB Hons], University of Lagos [LLM] and King's College London, University of London [M.A, International Peace & Security], graduating in 1980, 1986, and 2002, respectively. She is a barrister and solicitor of the Supreme Court of Nigeria [admitted in 1981] and was elevated to the privileged rank of Senior Advocate of Nigeria (equivalent to a Queen's Counsel) in 2019. She is a Notary Public of Nigeria. She is a member of the Nigerian Bar Association, International Bar Association, Chartered Institute of Arbitrators, and International Council for Commercial Arbitration.

She has practiced law for nearly four decades and conducts arbitration extensively both domestically and internationally in various disputes across a wide range of industries including corporate, construction, infrastructure projects, energy, maritime, banking and finance and involving complex issues. She has acted as counsel in various arbitration proceedings and has received various recognitions including listing by Africa Arbitration Academy as one of the Africa's 30 Arbitration Powerlist of the year 2020, distinguished Arbitrator of the Year 2020 by Arbitrator Intelligence and recognised in Who is Who Legal ,Expert Guides and Women in Business Law (Commercial Arbitration) as a top commercial Arbitration Practitioner.

Adedoyin has conducted arbitrations under various rules including LCIA ,ICC and UNCITRAL .She is listed on various arbitration panels including the Panel of the Chartered Institute of Arbitrators [UK], London Court of International Arbitration database of neutrals(LCIA), International Centre for Dispute Resolution [ICDR], Singapore International Arbitration Centre [SIAC],Dubai International Arbitration Centre [DIAC] Kigali International Arbitration Centre [KIAC Schenzhen International Arbitration Centre [SCIA]Maritime Arbitrators Association of Nigeria [MAAN], Asian International Arbitration Centre (previously known as Kuala Lumpur Regional Centre for Arbitration), Lagos Regional Centre for International Commercial Arbitration . She is listed on the Panel of Neutrals of the Lagos and Abuja Multi-door Courthouses.





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John J. Buckley, Jr, Senior Counsel with Williams & Connolly LLP, is the founder and former head of the firm's international arbitration practice group. A Fellow of the Chartered Institute of Arbitrators, he serves as arbitrator (chair, co-arbitrator, and sole arbitrator). John has been Visiting Clinical Lecturer at Yale Law School, teaching advocacy in international arbitration.

His experience in commercial and investor-state arbitration spans a wide range of industries and issues, including energy, oil & gas, patents, IP licensing, technology (telecommunications, medical devices), foreign Investment (M&A, share purchase, joint venture), civil engineering and construction, financial services, and professional liability. His arbitrations have involved proceedings under AAA, CPR, ICDR, ICC, ICSID and HKIAC rules as well as ad hoc arbitrations.

He is an arbitrator on the Dispute Settlement Roster of the US–Mexico–Canada Agreement (USMCA) for resolving State-to-State disputes. He is listed on the arbitrator rosters of the American Arbitration Association (AAA), the International Centre for Dispute Resolution (ICDR), the International Institute for Conflict Prevention & Resolution (CPR), the International Arbitration Institute (Paris), and the Chartered Institute of Arbitrators. He is also a member of CPR's specialty panels for International/Cross Border, Energy, Oil & Gas, and Hedge Fund disputes.

A member of CPR's Advisory Council and Arbitration Committee, John co-chairs CPR's Rules Revision Committee and Model Clause Task Force and chairs its Fast Track Rules Committee. He is also a member of the ICC Task Force on ADR and Arbitration, the Advisory Board of the Institute for Transnational Arbitration, the International Arbitration Institute, the International Bar Association's Arbitration Committee, and the London Court of International Arbitration's North American Users' Council.

John earned his A.B., *magna cum laude*, Phi Beta Kappa, from Georgetown University and his J.D., with honors, from The University of Chicago, where he was Editor-in-Chief of *The University of Chicago Law Review* and elected to the Order of the Coif. After law school, he clerked both for Judge John Minor Wisdom of the US Court of Appeals for the Fifth Circuit and for Associate US Supreme Court Justice Lewis F. Powell, Jr. John later joined the US Department of Justice where he served as special assistant to US Attorney General Edward H. Levi before joining Williams & Connolly, where he was a partner from 1981 to 2018. He is a member of the bars of the District of Columbia and New York and many federal courts, including the Supreme Court of the United States.

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After leading BigLaw teams for years in high stakes and precedent setting cases in US courts and international arbitration tribunals, Mr Chao in May 2019 launched a boutique firm enabling him to sit as arbitrator, mediator, advisor, and special master. He was a partner for over 25 years at a 1,000 lawyer global firm where he led the international litigation and arbitration practice, and thereafter he served for 6 years as US head of the international arbitration practice of a 4,200 lawyer global firm. His experience as first chair advocate in five disputes where the amount at issue exceeded \$1 billion and in multiple others where the amount was in the hundreds of millions of dollars, his comfort with complex commercial transactions and IP disputes. His familiarity with many industries and fields of practice, and his work with clients and firms across continents, give him a “big picture,” multi-cultural perspective on alternative dispute resolution.

Mr Chao has led teams in arbitration proceedings around the world under the rules of the ICC, ICDR, LCIA, UNCITRAL, AAA and JAMS, and has sat under the rules of the ICC, ICDR, AAA and SIAC, as presiding, sole, and wing arbitrator.

Mr Chao has appeared in federal trial courts around the US and in the state courts throughout California. He has argued 13 times before the US Court of Appeals for the Ninth Circuit, including to an 11-member en banc panel, once before the Fifth Circuit, once before the US Supreme Court, and five times before the California State Court of Appeal. He has second chaired four additional Ninth Circuit arguments, one Tenth Circuit argument, and one additional US Supreme Court argument.

Mr Chao is listed in Best Lawyers in America for arbitration, mediation, and commercial litigation, and was named by Best Lawyers as the “2018 San Francisco Arbitration Lawyer of the Year” and the “2020 San Francisco Mediation Lawyer of the Year.” Best Lawyers recognizes a single lawyer in each practice and location with a “Lawyer of the Year” award based on peer feedback from the legal community.

In September 2018, Mr Chao was named by California's legal publication, The Daily Journal, as one of California's “Top 100 Lawyers.” He received the Daily Journal's prestigious “2019 California Lawyer Attorney of the Year” award for thought leadership regarding international arbitration. He is included in GAR's “International Who's Who in Commercial Arbitration,” and has been recognized by Chambers and other publications. He is the co-author of the chapter on mediation in Thomson Reuters' leading treatise Business and Commercial Litigation in Federal Courts (forthcoming 5th ed. 2021).

Mr Chao was a US member of the ICC Arbitration Commission, and served as one of 31 advisors to the American Law Institute project to draft the Restatement of the US Law of International Commercial and Investor-State Arbitration. He serves on the AAA/ICDR Council and is the co-head of its international advisory committee.

Mr Chao's very recent arbitrator appointments have involved telecom, bioscience, venture capital, beauty products, agricultural and food, and shipping companies. His most recent cases as arbitration advocate have involved large-dollar investment and joint venture disputes.

Mr Chao earned his B.A. degree in economics with Distinction and Departmental Honors from Stanford University, and his J.D. degree from Harvard Law School.

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Grant Hanessian is an independent arbitrator in New York, specializing in international commercial and investor-state disputes.

For more than three decades, Mr Hanessian has acted as counsel and arbitrator in a wide range of commercial and investment disputes arising under the laws of many common and civil law countries and public international law. Prior to July 2020, he was a partner at Baker McKenzie, where he practiced for 33 years, and served as global co-head of the firm's International Arbitration Practice and head of its International Arbitration Practice in North America and New York office Litigation Department.

Mr Hanessian was the US member on the International Chamber of Commerce's International Court of Arbitration in Paris from 2015 to 2021 and chair of the Arbitration Committee of the US Council for International Business (US national committee of the ICC) from 2015 to 2020; he is a member of the ICC's Commission on Arbitration and its Task Forces on Arbitration Involving States or State Entities and on Financial Institutions and International Arbitration (leader of Investment Arbitration and Banking & Finance work stream).

He is also a member of the American Arbitration Association—International Centre for Dispute Resolution's International Advisory Committee and its Advisory Committee on Brazil, Vice President (for US) of the London Court of Arbitration's North American Users' Council, a member of the Singapore International Arbitration Centre's User's Council, the International Arbitration Club of New York, the Arbitration Committee of the International Institute for Conflict Prevention and Resolution, the New York City Bar Association's Committee on International Commercial Disputes, Club Español del Arbitraje, and the Panel of Recognized International Market Experts in Finance (P.R.I.M.E.) Arbitration Rules Drafting Committee and is a fellow of the College of Commercial Arbitrators and founding board member of the New York International Arbitration Center.

Mr Hanessian is editor of ICDR Awards and Commentaries Vol. I (Juris Pub. 2012) and Vol. II (forthcoming Juris Pub. 2021) and co-editor of International Arbitration Checklists (Juris Pub., 3rd ed., 2016), Gulf War Claims Reporter (ILI/Kluwer, 1998), Baker & McKenzie's International Litigation & Arbitration Newsletter (2010-2020) and Baker & McKenzie's International Arbitration Yearbook (2009-2019), and has published more than 50 articles and book chapters on international dispute topics.

Mr Hanessian is an Adjunct Professor of Law at Fordham Law School, where he teaches the International Commercial Arbitration and LL.M. International Arbitration Practicum courses. He is a frequent speaker at arbitration conferences around the world.

Mr Hanessian is admitted to practice law in the State of New York. He received an LL.M. degree in International Law from Columbia University, a J.D. degree from New York University and a B.A. degree from the University of Pennsylvania.

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David Orta is Chair of the US International Arbitration Practice and of the Latin America International Arbitration Practice. *Chambers Global* and *Chambers Latin America* report that clients call David Orta a "tenacious" advocate, "a vastly experienced attorney who inspires real confidence, with a remarkable ability to see all the angles." They also report that Mr. Orta wins praise from clients for his dedication and "goes above and beyond to get the best result."

David is a trial lawyer and arbitration advocate with many years of experience successfully representing clients all over the world in complex international arbitrations (including investor-state (treaty) arbitrations and complex, international commercial arbitrations) and complex, commercial transnational litigations. David's clients and cases have spanned most continents, including North America, Central America, South America, Europe, Asia, Africa and Australia. David represents both governments and investors in international arbitration matters. His experience spans many sectors, including energy, oil and gas, transportation, infrastructure, construction, power plant, telecommunications, mining, and post-merger and acquisition disputes. He also serves as arbitrator and expert in international investment and commercial arbitration disputes.

David has handled numerous investor-state arbitrations under bilateral and multilateral investment treaties administered under the auspices of the International Centre for Settlement of Investment Disputes (ICSID). David also has represented clients in treaty and commercial ad hoc arbitrations administered under UNCITRAL Rules and international commercial arbitrations administered by the International Court of Arbitration of the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA) and the International Centre for Dispute Resolution (ICDR/AAA). David also has handled many commercial, transnational litigations within and outside of the United States, including post-M&A and asset sale disputes, arbitral award enforcement proceedings and asset recovery litigation.

David has received various accolades for his work, including being named consistently as a Leading International Arbitration Advocate by *Chambers Global*, *Chambers Latin America*, *Chambers US*, *Legal 500*, *Euromoney's Expert's Guide to the World's Leading Commercial Arbitration* and being named consistently as "one of the world's leading commercial arbitrators" by the *International Who's Who Legal*. Most recently in 2021, David also was selected as one of 500 litigators selected from around the world by *Lawdragon 500* for Global Litigation. He was also named a Top 100 Lawyer for Arbitration & Litigation by *Latinvex* for 2018-2021. He has been named on two separate occasions (once by the *National Law Journal* and once by *Washingtonian Magazine*) as one of the Top 40 Lawyers under 40 in Washington, DC; selected numerous times for inclusion in *Super Lawyers*—Washington, D.C. for international arbitration. He regularly lectures on topics of international arbitration and public and private international law all around the world and has published numerous articles on topics of interest within the international arbitration community.

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Lawrence S Schaner serves as an arbitrator in international and complex commercial cases. He has been appointed in more than 60 cases, acting as presiding arbitrator, sole arbitrator, co-arbitrator, and emergency arbitrator. He serves on the panels of arbitrators of many of the world's leading arbitral institutions. His experience includes both administered and non-administered matters. His recent cases have been under the rules of the AAA, CPR, ICC, ICDR, JAMS, KCAB, LCIA, SCC and UNCITRAL, among others.

Mr Schaner has more than 30 years of experience handling high-stakes business disputes as both counsel and arbitrator. Until April 2017, he was a partner at Jenner & Block, in Chicago. Joining the firm in 1988, he co-founded and co-chaired the firm's international arbitration practice, serving as counsel in a wide range of significant disputes. He also represented clients in courts throughout the US as a member of the firm's litigation department. Since 2010, he has served as an Adjunct Professor at Northwestern University School of Law, where he teaches a seminar on international arbitration.

His recent work has featured various sectors and types of disputes, including: intellectual property, aerospace and defense, hospitality, joint ventures, mergers and acquisitions, distribution and franchise agreements, medical devices, the sale of goods, and other commercial contracts. Some of his other significant recent matters have involved major construction projects, insurance claims, fraud claims, and claims for antitrust violations.

Mr Schaner is a fellow of the College of Commercial Arbitrators, a fellow of the Chartered Institute of Arbitrators, a member of the ICC Commission on Arbitration, and a member of ICC USA's nominations commission. He is a co-editor of *International Arbitration in the United States* (Wolters Kluwer 2018) and the immediate past editor of the International Bar Association's journal, *Dispute Resolution International* (2012-2018). He has spoken and published extensively on international arbitration and cross-border dispute resolution topics. He is a member of many professional organizations in the United States and worldwide.

He was selected as an "ADR Champion" by the National Law Journal in 2016 and "Chicago International Arbitration – Commercial Lawyer of the Year" in 2014 by Best Lawyers in America. He was awarded the President's Prize by the Chartered Institute of Arbitrators in 2003 for receiving the highest mark on its Award Writing Examination.

Mr Schaner earned his JD from Stanford Law School in 1986 and AB from Duke University in 1982. He served as a law clerk to the Hon. Cecil F. Poole, US Court of Appeals for the Ninth Circuit, in San Francisco, from 1987-1988. He is a member of the bars of the States of California, Illinois and New York.

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King & Spalding  
Houston

**Michael L Morkin**  
Baker McKenzie  
Chicago

**Caline Mouawad**  
Chaffetz Lindsey  
New York

**Timothy G Nelson**  
Skadden Arps Slate Meagher & Flom  
New York

**Joseph E Neuhaus**  
Sullivan & Cromwell  
New York

**Michael D Nolan**  
Arbitration Chambers  
Washington DC

**Kevin O’Gorman**  
Norton Rose Fulbright  
Houston

**Luis O’Naghten**  
Hughes Hubbard & Reed  
Miami

**Philip D O’Neill Jr**  
Independent Arbitrator  
New York

**David M Orta** (See bio)  
Quinn Emanuel Urquhart & Sullivan  
Washington DC/New York

**Jennifer Permesly**  
Skadden Arps Slate Meagher & Flom  
New York

**John V H Pierce**  
WilmerHale  
New York/London

**Ina C Popova**  
Debevoise & Plimpton  
New York

**Dietmar W Prager**  
Debevoise & Plimpton  
New York

**Joseph R Profaizer**  
Paul Hastings  
Washington DC

**C Ryan Reetz**  
Bryan Cave Leighton Paisner  
Miami

**Paul S Reichler**  
Foley Hoag  
Washington DC

**Natalie L Reid**  
Debevoise & Plimpton  
New York

**Lisa M Richman**  
McDermott Will & Emery  
Washington DC

**David W Rivkin**  
Debevoise & Plimpton  
New York

**Ann Ryan Robertson**  
Locke Lord  
Houston

**Jeffrey A Rosenthal**  
Cleary Gottlieb Steen & Hamilton  
New York

**Christopher M Ryan**  
Shearman & Sterling  
Washington DC

**Aníbal Martín Sabater**  
Chaffetz Lindsey  
New York

**Claudia T Salomon**  
Independent Arbitrator  
New York

**Ank Santens**  
White & Case  
New York

**Lawrence S Schaner** (See bio)  
Schaner Dispute Resolution  
Chicago

**Jonathan D Schiller**  
Boies Schiller Flexner  
New York

**Edward T Schorr**  
Baker Botts  
New York

**Eric A Schwartz**  
Schwartz Arbitration  
New York

**Peter J W Sherwin**  
Proskauer Rose  
New York/Paris

**Jennifer M Smith**  
Independent Arbitrator  
Houston

**Steven L Smith**  
Jones Day  
San Francisco

**Liz Snodgrass**  
Three Crowns  
Washington DC

**Luke Sobota**  
Three Crowns  
Washington DC

**Ignacio Suárez Anzorena**  
Independent Arbitrator  
Washington DC

**Edna Sussman**  
Sussman ADR  
New York

**Christopher K Tahbaz**  
Debevoise & Plimpton  
New York

**Dan Tan**  
Dan Tan Law  
San Francisco

**John M Townsend**  
Hughes Hubbard & Reed  
Washington DC

**John A Trenor**

WilmerHale  
Washington DC

**Meg Utterback**

King & Wood Mallesons  
New York/Beijing

**Daniel E Vielleville**

Assouline & Berlowe  
Miami

**Henry Weisburg**

Shearman & Sterling  
New York

**David B Wilson**

Sherman & Howard  
Denver

**Alexander A Yanos**

Alston & Bird  
New York/Washington DC

**David Zaslowsky**

Baker McKenzie  
New York

**Howard S Zelbo**

Cleary Gottlieb Steen & Hamilton  
New York

