

# **Annual MAA International Commercial Law & Arbitration Conference**

**22-26 March 2021  
WEBINAR SERIES**

## **SPEAKERS and MODERATORS** **(order of session presentations)**

*XVIII Annual Generations in Arbitration Conference & XII Annual Peter Schlechtriem CISG Conference*



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## **The Annual MAA International Commercial Law and Arbitration Conference**

### **Words of Welcome**



#### **Alfred Siwy, Zeiler Floyd Zadkovich**

Alfred Siwy is a partner at our firm and an expert in national and international dispute resolution, with a strong focus on international arbitration and litigation.

Alfred regularly advises clients in commercial and investment arbitration under various rules, including the ICC, VIAC, UNCITRAL and ICSID Rules. Alfred also represents clients before Austrian courts in commercial and corporate matters. Alfred has acted as counsel in disputes across all industries, recently including in particular disputes involving competition law, consumer protection law and international investment law.

Alfred lectures on dispute resolution at international conferences and has authored numerous publications in his and adjacent fields. He was admitted to the Austrian bar in 2011 and as a solicitor in England and Wales in 2019. He is a graduate of the University of Vienna (Mag. iur. 2003, Dr. iur. 2011) and King's College London (LL.M. 2006). Prior to co-founding zeiler.partners in 2014, Alfred worked as a dispute resolution attorney for a major international Vienna-based law firm.

Alfred works in English (fluent) and German (native).

### **Generations in Arbitration Conference Keynote Fireside Chat with Gabrielle Nater-Bass**



#### **Gabrielle Nater-Bass, Homburger (Former President of SCAI Arbitration Court)**

Gabrielle Nater-Bass is a partner in Homburger's litigation and arbitration team. Her practice focuses on international commercial arbitration and litigation. She is an experienced party counsel and arbitrator in ad hoc and institutional arbitration proceedings (ICC, Swiss Rules, LCIA, DIS, and others). She also represents clients in complex state court litigations, investment treaty arbitrations and complex cross-border litigations.

Gabrielle served as former president of the arbitration court of the Swiss Chambers' Arbitration Institution (SCAI) and is a board member of the Swiss Arbitration Association (ASA) of the LCIA Court. She is listed on the panel of arbitrators of the ICC national committee (Switzerland), the Hong Kong International Arbitration Centre (HKIAC) and the Singapore International Arbitration Centre (SIAC). She co-chairs the ICCA-ASIL Task Force on Damages in International Arbitration and is a member of the SIAC Users Council, the advisory council of ArbitralWomen (former vice president) and the steering committee of the Equal Representation in Arbitration Pledge.

Gabrielle was recognized by Global Arbitration Review in its "all-female top 30" list of women in arbitration, and received the Client Choice Award 2020 in the Switzerland: arbitration and ADR category. She graduated from the University of Zurich in 1994 (lic iur) and received an LLM degree from the Virginia School of Law in 1999.

## **Generations in Arbitration Conference Session 1**

### **21 Join Street: The Impact of Joinder on Arbitral Proceedings**



**Andrew S.H. Hong, KSOE**

Andrew Hong is Vice President of the International Legal Department of Korea Shipbuilding and Offshore Engineering ("KSOE", formerly known as Hyundai Heavy Industries) and has worked in the heavy industries field for more than a decade. At KSOE, Mr. Hong has led many high-profile cases in the areas of shipbuilding, EPC projects (onshore and offshore), international arbitration, compliance and M&A transactions. In particular, Mr. Hong has successfully handled mega-sized arbitration cases with significant claim amounts ranging from multiple hundred million U\$ to several billion U\$ and carries extensive experiences in dealing with various procedural rules of major arbitral institutions and technical-heavy issues. Mr. Hong is also a frequent speaker at international level conferences concerning the alternative dispute resolution.



**Lisa Beisteiner, Zeiler Floyd Zadkovich**

Lisa Beisteiner is a partner with Zeller Floyd Zadkovich with an expertise in national and international dispute resolution.

Lisa's practice focuses on international arbitration and litigation and she has extensive experience advising clients in all aspects of commercial and investment arbitration under various sets of rules, including the ICC, VIAC, UNCITRAL and ICSID rules. She regularly sits as an arbitrator in proceedings under the ICC, VIAC and DIS Rules and on ad hoc panels, including as chair of the tribunal and as sole arbitrator. Lisa also represents clients before the Austrian courts in commercial and corporate matters.

Lisa regularly lectures on dispute resolution at international and national conferences. She has authored numerous publications in her field and is part of the board of the Young Austrian Arbitration Practitioners (which she co-chaired until 2020). Lisa is a graduate of the University of Vienna (Mag. iur. 2005, Dr. iur. 2008), both with distinction. She is also a certified mediator by ZivMediatG.



**Erica Stein, Dechert**

Erica Stein is a partner with Dechert whose practice focuses on international arbitration, including both commercial and investment arbitration matters. Her work focuses on disputes in the life sciences space, as well as disputes involving the interplay between arbitration and EU law, particularly in the investment treaty context. Ms. Stein also has particular expertise in issues relating to the enforcement of arbitral awards and agreements under the New York Convention.

Erica has also sat as arbitrator in numerous proceedings, having acted as Chair, Sole Arbitrator or co-arbitrator in proceedings conducted under the arbitration rules of the ICC, UNCITRAL, LCIA, DIS (German Arbitration Institute), CEPANI (Belgian Centre for Arbitration and Mediation), Danish Institute of Arbitration, and Finnish Arbitration Institute. Ms. Stein is also on the list of arbitrators of several further arbitral institutions, including the Vienna International Arbitration Centre.

Erica is the Vice President of the DIS Arbitration Council (German Arbitration Institute) and a member of the Task Force for the Revision of the 2010 IBA Rules on the Taking of Evidence. She also represents Belgium at the ICC Commission on Arbitration and ADR and, in this capacity, has been a member of the ICC Task Force on Arbitration and ADR and the ICC Task Force on Emergency Arbitrator Proceedings. Erica serves on the Academic Committee of the CEPANI (the Belgian Centre for Arbitration and Mediation) and the Editorial Board of b-Arbitra, the Belgian Review of Arbitration (Wolters Kluwer). She also served for six years on the Standing Committee of the ICC International Centre for ADR, four of which as Vice President.



### **Christopher Campbell, Visiting Counsel at Baker Hughes**

Christopher (“Chris”) Campbell is an international commercial law specialist having worked on several continents both as external and in-house counsel. Chris represents the company in international commercial arbitration matters spanning the various Baker Hughes sectors around the globe.

Prior to joining Baker Hughes, Chris litigated a number of matters, including Eminent Domain disputes in the state of South Carolina and also advised counsel for the Charleston Port Authority on matters related to trade law and international arbitration. Chris also served as the inaugural law clerk to the Honorable Jocelyn T. Newman of the Fifth Judicial Circuit of South Carolina and has been appointed as an attorney-arbitrator for the South Carolina Judicial Department on Property Damage Liability Claims.

Chris is the curator and host of his podcast, “Tales of the Tribunal”, which profiles the dynamic and interesting personalities working in international dispute resolution.

Chris currently serves as i) Vice-President of the Atlanta International Arbitration Society; ii) Vice-Chair for the ABA Intl. Arbitration Committee; iii) on the Board of Advisors for the Charlotte Intl. Arbitration Society (CIAS); and iv) as member of the Communications Team for the MAA, and is active among other international business and legal organizations.

### ***Generations in Arbitration Conference Session 2***

#### **Let's Get Digital?: Remote Hearings in the Age of COVID**



#### **Colin Rule, Mediate.com**

Colin Rule is CEO of Mediate.com. In 2011 Colin co-founded Modria.com, an Online Dispute Resolution (ODR) provider based in Silicon Valley, which was acquired by Tyler Technologies in 2017. From 2017 to 2020 Colin served as Vice President of ODR at Tyler. From 2003 to 2011 Colin was Director of ODR for eBay and PayPal. Colin is the author of Online Dispute Resolution for Business and co-author of The New Handshake: ODR and the Future of Consumer Protection. He serves on the boards of the Consensus Building Institute and the PeaceTech Lab at the United States Institute of Peace.

He is currently Co-Chair of the Advisory Board of the National Center for Technology and Dispute Resolution at UMass-Amherst and a Fellow at the Gould Center for Conflict Resolution at Stanford Law School. Colin co-founded Online Resolution, one of the first online dispute resolution (ODR) providers, in 1999 and served as its CEO and President. Colin also worked for several years with the National Institute for Dispute Resolution in Washington, DC and the Consensus Building Institute in Cambridge, MA.



#### **Funke Adekoya, AELEX**

Mrs Funke Adekoya SAN is a partner at AELEX, a commercial law firm operating in Lagos, Nigeria where she heads the Dispute Resolution practice group.

In addition to her holding the rank of a Senior Advocate of Nigeria [SAN], she is a Chartered Arbitrator of the Chartered Institute of Arbitrators. She regularly sits as an arbitrator and appears as counsel in institutional and ad hoc arbitration proceedings both in international and domestic disputes and has over 45 years of experience in commercial litigation and corporate dispute resolution.

Among many other international appointments, she is a member of the Governing Board of ICCA [International Council for Commercial Arbitration] and a trustee of the Cairo Regional Centre for International Commercial Arbitration.



#### **Markus Altenkirch, Baker McKenzie**

Dr. Markus Altenkirch, a senior associate, joined Baker McKenzie’s Dispute Resolution Practice Group in Frankfurt in 2012 having been a research assistant and university lecturer for several years. Markus holds a doctorate degree in international arbitration and obtained a master’s degree in law with a special focus on international arbitration at King’s College, London. He teaches at the University of Mainz and regularly publishes in the field of international arbitration. He is the editor of Global Arbitration News, Baker McKenzie’s blog on international arbitration, and a Co-Chair of DIS 40, an initiative by the German Institution of Arbitration (DIS) for young arbitration practitioners in Germany. In 2019, Markus developed together with a team of lawyers the Disputes Clause Finder, an online tool to create a fit-for-purpose dispute resolution clause. Markus is described by peers as

an "outstanding professional who is definitely one of the future leading arbitration lawyers" and ranked as Future Leader in International Arbitration by Who is Who Legal.

Markus has advised and represented clients in more than 30 international arbitration cases involving mostly Post-M&A disputes as well as disputes arising from license and distribution agreements (in particular in the pharmaceutical industry). Moreover, Markus has experience in handling complex and fact-driven construction disputes involving the construction of power plants or petro-chemical plants.

As many others, Markus became passionate about International Arbitration after participating in the Vis Moot in 2004/2005. Markus not only participated as student, but has coached the University of Mainz for many years.

### **Innhwa Kwon, Zeiler Floyd Zadkovich**



Innhwa Kwon is an Associate at Zeiler Floyd Zadkovich and specializes in international dispute resolution, with a focus on international commercial arbitration. Innhwa advises clients in all aspects of commercial arbitration, and has experience in arbitral proceedings under various set of rules, including ICC, VIAC, KCAB, ICSID and UNCITRAL rules. She also regularly sits as tribunal secretary in complex international disputes.

Prior to her relocation to Vienna, she qualified as an attorney at law in the Republic of Korea and acted in proceedings before the Korean courts. During her legal education (Ewha W. University; LL.B. 2010, J.D. 2013), Innhwa also gained dispute resolution experience in Korea and Hong Kong working with various law firms and an arbitral institution.

Innhwa is the Editor-in Chief of the Vindobona Journal of International Commercial Law and Arbitration (Co-Editor-in-Chief 2017, Editor-in-Chief 2018, Senior Editor-in-Chief since 2019). Innhwa is also a member of the Editorial Board of the International Arbitration Law Review since 2019. She regularly authors publications and speaks at conferences in her field.

Innhwa is an appointed member of the National Unification Advisory Council, a constitutional organization of the Republic of Korea in its 19th term (2019-2021).

Innhwa works in English (fluent) and Korean (native), and speaks a basic German.

## **Peter Schlechtriem CISG Conference Keynote Fireside Chat with Prof. Yeşim M. Atamer: CISG and Modern Challenges**



### **Yesim M. Atamer, University of Zurich**

Yesim M. Atamer holds the Chair for Private Law, Commercial Law, European and Comparative Law at University of Zurich, Faculty of Law as of February 2020. Before that she worked at Bern University and Istanbul Bilgi University. Her main areas of research are law of domestic and international sale of goods, comparative consumer law, comparative contract law and harmonization of European contract law.

As a scholar of the European Union Jean Monnet program, Alexander von Humboldt Foundation, Max Planck Society, Swiss Institute of Comparative Law and the International Institute for the Unification of Private Law (UNIDROIT) she has conducted research in Lausanne, Basel, Rome, Munich, Hamburg and Cambridge (USA). In 2007 she was awarded the Distinguished Young Scientist Award of the Turkish Academy of Sciences. She is elected titular member of the International Academy of Comparative Law, the International Academy of Commercial and Consumer Law, the Science Academy, Turkey and the Academia Europaea. Atamer became elected member of the CISG Advisory Council in 2013 and wrote the AC opinion No 14 on interest under the CISG.

She is a contributor to the major commentary on the Unidroit Principles of International Commercial Contracts edited by Vogenauer (2<sup>nd</sup> edition Oxford University Press, 2015) and the CISG commentary edited by Kröll, Mistelis and Perales Viscasillas (2<sup>nd</sup> edition, Hart Publishing 2018). She has been active in legal practice as arbitrator and legal expert in national and international disputes.



### Ana Coimbra Trigo, PLMJ Law Firm

Ana Coimbra Trigo is an Associate in the Dispute Resolution practice at PLMJ – Law Firm, in Lisbon, Portugal. She regularly appears as counsel both in international and domestic arbitration proceedings, as counsel and tribunal secretary. She also has experience in judicial proceedings relating to arbitration.

Ana completed her undergraduate studies in Law at the University of Coimbra and obtained her L.L.M. in European and International Law from the China-EU School of Law (CUPL), conferred by the University of Hamburg. She has also attended post-graduate studies focused on the practice of international arbitration in both Portugal and Portuguese-Speaking Countries hosted by the University of Law in Lisbon and is currently a PhD candidate at NOVA School of Law in Lisbon.

Ana publishes regularly in the field of international arbitration. She is an Events Coordinator for Young ICCA, conference organizer with the Moot Alumni Association, along with being the Young ITA rapporteur for arbitration updates in Portugal.

### Peter Schlechtriem CISG Conference Session 1

### Just Not My Type!: Goods or Services in Interpreting CISG Contracts



#### Tiffany N. Comprés, Fisher Broyles

Tiffany Comprés is a partner at FisherBroyles LLP, and serves as an arbitrator and as party representative in international arbitration and litigation. Her experience encompasses a range of disputes, and she has extensive experience in the international agriculture, food, logistics, distribution, heavy machinery, and energy sectors, among others. Tiffany is one of only 51 attorneys board-certified as an expert in International Law by The Florida Bar.

She has been recognized as an expert on the U.N. Convention on Contracts for the International Sale of Goods (CISG) and the Perishable Agricultural Commodities Act (PACA). Having worked in the United States, France, and Italy, Tiffany regularly handles cases in English, Spanish, and French. She practices in all of the world's major arbitration centers and under all the major arbitration rules. She also handles all forms of international discovery, international award and judgment enforcement and collection, and Hague Convention procedures. She obtained her Juris Doctor from Georgetown University Law Center, and two Master II (LL.M. equivalent) from Sciences Po and the University of Paris Sorbonne Law School in *Droit et globalisation économique*.



#### David Tebel, rothorn legal

David Tebel is co-founder and associated partner at the international dispute resolution boutique rothorn legal, based in Frankfurt, Germany. His practice is focused on industrial product liability cases – particularly governed by international sales law, large-scale infrastructure projects and corporate disputes.

Prior to co-founding rothorn legal, David was a member of Freshfields Bruckhaus Deringer's International Arbitration Group. At Freshfields, David also was part of the innovation think-tank Freshfields Lab and interfaced between legal operations and the practice group dispute resolution. His endeavour to increase efficiency through optimisation and innovation is also what drives him at rothorn legal.

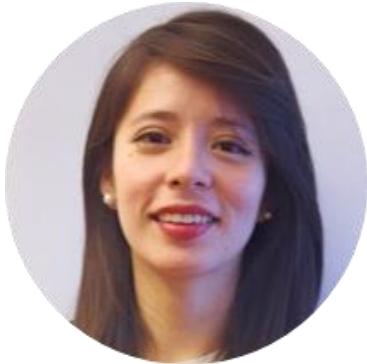
As a former participant and coach in the Willem C. Vis Moot, David maintains a strong connection to the Vis Moot. As founder and Director of the Moot Academy and before that as lecturer at the Swiss International Law School and at the University of Basel, David teaches international sales law and introduces young jurists to advocacy. He holds a Ph.D. in international sales law and publishes regularly on topical issues of arbitration and sales law.



### **Jan Kleinheisterkamp, LSE**

Jan Kleinheisterkamp (Dr. iur., Hamburg) is an Associate Professor of Law at LSE, where he teaches international commercial arbitration and contracts. He is a qualified German lawyer and is admitted to the bar in Hamburg.

Prior to joining LSE, he worked as a research fellow at the Max-Planck-Institute for Comparative and International Private Law in Hamburg (1998-2004) and was appointed as an assistant professor at the HEC School of Management, Paris (2004-2008).



### **Wendy Gonzales, ASUS**

Wendy Gonzales is passionate about the intersection of ADR/arbitration and technology. She is the founder of CyberArb, an initiative to create awareness and practical guidance about Cybersecurity in International Arbitration, which is mentored by Sophie Nappert.

She is a Spanish qualified lawyer with LLM in International Business Law and Arbitration. Fluent in Spanish, English, French, and Italian. She is Disputes and Litigation counsel for ASUS based in Amsterdam. For this multinational on technology, she is also its main delegate in AMETIC, an association of top tech companies. On a volunteering basis, she is Ambassador of Arbitrator Intelligence.

She is also a supporter of projects with an impact on the future of the arbitration community. For this reason, she is involved at Willem C. Vis International Commercial Arbitration Moot as a volunteer arbitrator and mentor-coach of the Vrije Universiteit Amsterdam team, and also sits as a Board member of the Moot Alumni Association.

## **Peter Schlechtriem CISG Conference Session 2**

### **Two's a Party, Three's an Article 42 Claim under the CISG!**



### **Sai Ramani Garimella, South Asian University**

Sai Ramani Garimella teaches international commercial law and arbitration at South Asian University, an inter-governmental organisation of the South Asian Regional group, SAARC. Her research on international arbitration has appeared, recently, in the Manchester Journal of International Economic Law. She has co-edited a commemorative volume on the CISG, titled [CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS: A MULTIDISCIPLINARY PERSPECTIVE](#). (A Commemorative Volume Celebrating 30 Years of The CISG (Sweet & Maxwell, 2019), contributing an essay on Article 42 - - Third Party IPR Claims in Transnational Commerce –Addressing the Indeterminacy. She has been awarded the Isambard Kingdom Brunel fellowship by the University of Portsmouth in 2019, and is currently the Visiting Senior Research Associate at the Research Centre on Private International Law in Emerging Countries, University of Johannesburg, Johannesburg, South Africa. Her forthcoming work includes the book - Enforcement of Foreign Arbitral Awards and the Public Policy Exception - Revisiting the New York Convention (Springer, 2021).



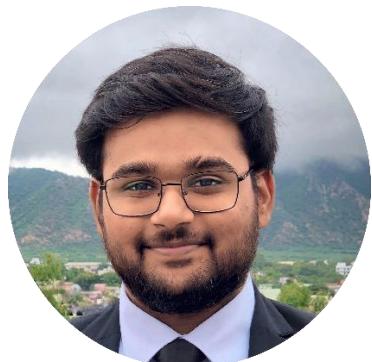
### **Benjamin Gottlieb, Schellenberg Wittmer**

Benjamin Gottlieb is a senior associate in Schellenberg Wittmer's international arbitration group in Zurich. His main areas of practice include international arbitration, as well as domestic and international commercial litigation. Benjamin advises and represents clients with a focus on international sales, licensing, distribution contracts, construction and engineering, and energy, as well as the pharmaceutical and the automotive industries. He also sits as an arbitrator.

Benjamin is an expert on the United Nations Convention for the International Sale of Goods (CISG) and co-editor of a commentary on the CISG. He is a lecturer at the University of Zurich for international commercial arbitration and the CISG and taught advocacy classes in Milan. He frequently writes and speaks on arbitration and international sales law, including over 30 case annotations on the Supreme Court's case law in arbitration matters.

Benjamin studied law at the Universities of Zurich and Milan. After completing his studies, he was awarded the title of Arbitration Practitioner (ArbP) by the Swiss Arbitration Academy (2010) and obtained the Certificate of Advanced Studies (CAS) in arbitration at the Universities of Lucerne and Neuchâtel (2015).

Prior to joining Schellenberg Wittmer, Benjamin Gottlieb worked as a research and teaching assistant in private, European and commercial law at the University of Zurich with Professor Dr Claire Huguenin.).



**Yashraj Samant, Advocate, Supreme Court of India**

Yashraj is a practicing advocate at Supreme Court of India and other High Courts specializing in dispute resolution, international arbitration and mediation. A former Vis Mootie and an attendee of the prestigious Cologne Academy on International Commercial Arbitration, Germany, he is an alum of the renowned National Law University Mumbai.