



Carolyn B. Lamm

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Bars and Courts

US Supreme Court

New York State Bar, 1983

District of Columbia Bar, 1976

Florida State Bar, 1973

US Claims Court

US Court of International Trade

US District Courts for the Southern and Middle Districts of Florida

US District Court for the Southern District of New York

US District Court for the District of Columbia

US Court of Appeals for the Second, Fourth, Fifth, Ninth, Tenth, Eleventh, District of Columbia and Federal Circuits

US Court of Appeals for the Armed Forces

Education

JD, University of Miami School of Law, 1973

BS, Exceptional Education and English minor, State University of New York College at Buffalo, 1970

Awards and Recognition

National Law Journal "100 Most

Practice Experience

Carolyn B. Lamm's practice concentrates on international dispute resolution through international arbitration, litigation and international trade proceedings. She has substantial experience with ICSID and its Additional Facility, NAFTA and other international arbitral proceedings involving States, as well as commercial arbitral fora including AAA/ICDR, ICC, Vienna Centre, Stockholm Chamber, Swiss Chamber, and in federal court litigation. She is involved primarily in the representation of foreign corporate clients and foreign sovereigns.

Ms. Lamm has been recognized repeatedly for her professional expertise in international dispute resolution and leadership in the profession by numerous sources including:

- *Benchmark* Top 250 Women in Litigation
- *The Washingtonian* (one of the 30 Top Lawyers and 100 Most Powerful Women in Washington)
- *The Best Lawyers in America* (International Arbitration)
- *Chambers Global* and *USA* (she received Chambers USA Award for Professional Excellence 2008)
- *Which Lawyer PLC Yearbook* (listed as a Leading Individual)
- *Who's Who in International Business* (listed as Highly Recommended Individual)
- *Euromoney's Guide to Worlds Leading Lawyers in International Arbitration and International Commercial Litigation*
- *Women's Bar Association* (named Woman Lawyer of the Year 2002)
- The Bar Association of the District of Columbia (named Lawyer of the Year 2008)
- *The National Law Journal* (naming her one of the 100 Most Influential Lawyers in America; 50 Most Influential Women in America)
- *Legal Times* 2010 Award "Visionary" (naming her one of Washington's most influential women)
- President, American Bar Association, 2009-2010
- President, The District of Columbia Bar, 1997-1998

Influential Lawyers in United States"
 Honorary Doctor of Laws Degree, Earle Mack School of Law at Drexel University, conferred June 2012
 Honorary Doctor of Laws Degree, State University of New York (SUNY) Buffalo, conferred May 2012
 "Lawyer of the Americas" by the *Inter-American Law Review*, published by the University of Miami School of Law, 2012
 Legal Times 2010 "Visionary" Award
Washingtonian Magazine "100 Most Powerful Women" in Washington
 The University of Miami, Edward T. Foote Alumnus of Distinction Award, 2008
 The University of Miami School of Law, Distinguished Alumnus Award, 2007
 "Lawyer of the Year 2008" by the Bar Association of the District of Columbia
National Law Journal, 50 Most Influential Women in America
 Law Alumni Achievement Award
Lawdragon 500 Leading Lawyers in America (2008 – 2010)
National Law Journal, 100 Most Influential Lawyers in America
Who's Who in the World
Who's Who in America
Who's Who in American Law
Who's Who of Emerging Leaders in America
Who's Who in American Women
Who's Who in Finance and Industry
Who's Who Legal: The International
Who's Who of Business Lawyers—listed as "Most Highly Regarded Individual"
Who's Who Legal: The International
Who's Who of Commercial Arbitrators
Chambers Global: Guide on the World's Leading Lawyers, International Arbitration Leaders
Chambers USA: America's Leading Business Lawyers, International Arbitration—Award for Excellence 2008
Euromoney Guide to the World's Leading Experts in International Commercial Arbitration

- Council, American Law Institute; Advisory Committee Restatement of the Law of International Arbitration; Counselor on the 4th Restatement of the Law on Foreign Relations.

Ms. Lamm has served as lead counsel in high-stakes, cutting-edge cases, successfully handling numerous significant international arbitrations, including:

- Representing the Republic of Indonesia through the final stages of the first trial, the annulment proceedings and the resubmission proceedings (including the retrial) of *Amco Asia et al. v. Republic of Indonesia*, ICSID Case No. ARB/81/1, which resulted from the revocation of a foreign investment license that permitted an investor to construct and operate a hotel in Jakarta. The case raised numerous issues of first impression and remains to date one of the most heavily cited cases in the investor-State context. First award annulled, second award partially annulled, and damages significantly reduced.
- Representing the Government of the Republic of the Philippines in a treaty-based ICSID arbitration, *Fraport v. Philippines*, and in an ICC arbitration, *PIATCO v. Philippines*, as a result of the alleged nullification of a concession contract and expropriation of an international air terminal with claims jointly in excess of US\$1 billion. In *PIATCO*, we achieved a significant victory for the Philippines, with the Tribunal's dismissal of all claims and the Singapore High Court's resolute rejection of the Claimant's petition to set aside the Tribunal's decision. In *Fraport*, the Tribunal dismissed the Claimant's claims in their entirety for lack of jurisdiction. The ICSID Tribunal's award dismissing the case was later annulled, albeit on a narrow procedural ground and without establishing any liability of the Republic. We continue to represent the Republic in the dispute, which has been submitted to a new ICSID tribunal. Case pending.
- Representing the Republic of the Philippines in a treaty-based ICSID arbitration brought by the Belgian company Baggerwerken Decloedt en Zoon NV with respect to a dredging project. Case pending.
- Representing more than 60,000 Italian holders of Argentine sovereign bonds in an ICSID arbitration under the Italian/Argentine Bilateral Investment Treaty of their US\$1+ billion claim against the Argentine Republic—the largest ever presented to ICSID. We achieved a major victory in August 2011 when the Tribunal issued a seminal "Decision on Jurisdiction and Admissibility," establishing jurisdiction over the claims and giving the green light to the first-ever mass claim in investment arbitration history. Merits phase pending.
- Lead counsel to the Government of Uzbekistan in *Oxus Gold plc v. Uzbekistan* (UNCITRAL Arbitration Paris) alleging violations of the

Euromoney Guide to the World's Leading Experts in International Commercial Litigation

PLC Which Lawyer? Competition Law Handbook, Dispute Resolution: Leading Lawyers Worldwide—listed as "Highly Recommended Individual in Washington, DC"

Attorney of the Year "Good Scout" Award, National Capital Area Council Boy Scouts of America, 2009

PLC Cross-Border Quarterly, "Top 20 Arbitration Specialists: In a League of Their Own," 2006

The Best Lawyers in America (International Arbitration)

"2002 Woman Lawyer of the Year"

Award by Women's Bar Association of Washington, DC

Languages

English

Citizenship

United States

UK-Uzbekistan Bilateral Investment Treaty arising out of an alleged expropriation of gold mining concession; case pending.

- Representing Uzbekistan in a treaty-based ICSID arbitration commenced by Metal-Tech for alleged expropriation of its investment and lack of fair and equitable treatment. Case pending.
- Served as lead counsel to Government of Uzbekistan and Uzpishprom and Zeromax in *ROZ Trading v. Coca-Cola Export Company, Government of Uzbekistan and Zeromax*, a Vienna Chamber arbitration. Case dismissed.
- Representing RWE Nukem, Inc. in an AAA arbitration with US Energy concerning contracts to import uranium. After protracted litigation/arbitration prevailed on 10th Circuit appeal. Case returned to the reconstituted AAA Tribunal and dismissed.
- Representing PSEG in an ICSID arbitration against the Government of Turkey arising as a result of the Government of Turkey's violation of the Fair and Equitable Treatment Standard of the US/Turkey Bilateral Investment Treaty. Prevailed to recover all "sunk costs."

Ms. Lamm also served as counsel in significant representations, including:

- Representing the Government of Bulgaria in an ICSID arbitration, *Plama Consortium v. Republic of Bulgaria*, under the Energy Charter Treaty and Bilateral Investment Treaties of claims of over US\$100 million arising out of the privatization of an oil refinery project. Case dismissed and substantial cost award for Bulgaria.
- Representing Peru in *Aguaytia Energy, LLC v. Republic of Peru*, an ICSID arbitration of a dispute involving electricity transmission and legal stability agreements in Peru in which the claims of the investor, totaling in excess of US\$100 million, were dismissed in their entirety. Case dismissed.
- Representing the Republic of Indonesia in *Cemex Asia Holdings Ltd v. Republic of Indonesia*, an ICSID arbitration of a dispute relating to investments in a cement facility arising under contracts and the ASEAN treaty. After a hearing on Indonesia's jurisdictional objections, we achieved a settlement favorable to our client's interests. Case settled.
- Served as special counsel re: ICSID issues to the claimants in *Occidental Petroleum Corporation & Occidental Exploration and Production Company v. Republic of Ecuador*, an ICSID arbitration brought under the United States-Ecuador bilateral investment treaty.

Award for Claimants and annulment request pending.

- Representing the claimant in *TECO Guatemala Holdings v. Guatemala*, an ICSID arbitration of a US\$285 million dispute arising from investments made in the electricity sector and involving actions of the relevant regulatory bodies in regard to tariff setting which form the basis of claims under the investment Chapter of the Dominican Republic-Central American-United States Free Trade Agreement (DR-CAFTA). Case pending.
- Representing Peru in *D.P. World v. v. Republic of Peru*, a US\$800+ million ICSID brought by a UK and Dubai company alleging claims arising out of the award and operation of port facilities in Peru. Case pending.
- In *Klöckner Industrie-Anlagen GmbH and others v. United Republic of Cameroon and Société Camerounaise des Engrais*, acted as special counsel to the claimant in the second annulment proceeding commenced under the ICSID arbitration, in which the attempt of the respondent to achieve annulment of the award against it was successfully defeated.
- Served as special counsel to the claimant in *Metalclad Corp. v. United Mexican States* in a dispute with regard to a US\$50 million waste treatment plant brought under the ICSID Additional Facility Rules. This was the first arbitration arising out of an investment dispute in Mexico under the NAFTA and resulted in an award in favor of Metalclad.
- Appointed as an agent of the Attorney General of Canada to represent the Government of Canada in the first potential host state/investor arbitration under NAFTA that was successfully resolved and other subsequent investment disputes.
- Advice regarding various confidential ICSID and arbitration matters.
- Confidential advice to a State regarding its rights under the UN Convention on the Law of the Sea, and the jurisdiction of international tribunals to enforce such rights.

Ms. Lamm also has served as a member of the arbitral tribunal in the following cases:

- *ADF v. United States of America*, an ICSID Additional Facility arbitration filed by a Canadian investor under Chapter 11 of NAFTA, and
- *Içkale Insaat Limited Sirketi v. Turkmenistan* (ICSID Arbitration Case No. ARB 10/24) under the Turkey-Turkmenistan bilateral investment

treaty.

Ms. Lamm was appointed by President Clinton to the US Panel and later by the Government of Uzbekistan to the Uzbek Panel of Arbitrators for ICSID arbitration; she is a member of the American Arbitration Association Executive Committee and Board and has served as an arbitrator in AAA International Rules disputes. She has also rendered advice with respect to arbitration clauses and disputes under ICC rules and ad hoc arbitrations using UNCITRAL rules or agreed-upon procedures. She is a frequent lecturer on the topics of litigation, international arbitration and international trade.

Recently, Ms. Lamm has served as lead counsel in the following litigation matters related to arbitration and sovereign clients:

- Ministry of Petroleum of the Kingdom of Saudi Arabia, amicus in *Spectrum Stores v. CITGO*, and Saudi Aramco and related entities in *Fast Break Foods v. Saudi Aramco, PDVSA, et al., In re Refined Petroleum Products*. Case dismissed in US District Court on Act of State/Political Question grounds; prevailed in 5th Circuit.
- *KBC v. Pertamina*, et al, representing the Government of Indonesia and its Ministry of Finance with respect to the wrongful restraint of hundreds of millions of dollars of the Government of Indonesia's in liquid natural gas and refined product revenues in New York Banks to satisfy a foreign arbitral award obtained by KBC against Pertamina, defenses under Foreign Sovereign Immunities Act and New York Convention. The Government of Indonesia's funds were not used to pay the Award. *KBC v. Pertamina*, 313 F.3d 70 (2d Cir 2002).
- Representing the Government of Peru against Yale University for the return of artifacts from Machu Picchu. Settlement agreement for Yale to return artifacts.
- Proceedings before the US Department of Commerce, Court of International Trade and Court of Appeals for the Federal Circuit representing the Ministry of Petroleum of the Kingdom of Saudi Arabia and Saudi Aramco for dumping and subsidizing crude oil. Case dismissed for lack of standing by the US Department of Commerce; affirmed by CIT and Federal Circuit.
- Proceedings against the Republic of Uzbekistan in antidumping and related proceedings concerning the importation of uranium before the US Department of Commerce and International Trade Commission. After negotiation of a Suspension Agreement and ten years of proceedings, ITC dismissed case against Uzbekistan.
- Case against OPEC for violation of antitrust laws representing

Ministry of Petroleum of Kingdom of Saudi Arabia and Saudi Aramco raising jurisdictional defenses including immunity, Act of State and Political Question. Case dismissed without prejudice.

- Case in US District Court for the District of Columbia against the Government of Hungary, APVRT, for alleged expropriation of certain properties in 1948 and again in 1991 as a result of privatization. Dismissed after jurisdictional motion raising Foreign Sovereign Immunities Act, Political Question and Act of State defenses.
- Represented the Ministry of Atomic Energy of the Russian Federation and Techsnabexport (the Russian uranium exporter) on major claims regarding alleged contracts to implement the HEU Agreement in the US (District Court, Southern District of New York), Switzerland and Sweden (arbitration). Case dismissed after raising jurisdictional defenses under Foreign Sovereign Immunities Act, Act of State, Political Question and national security grounds.
- Representing AO Techsnabexport in a proceeding initiated in District Court of Maryland and Fourth Circuit for termination of agreements related to highly enriched uranium return feed contracts. *GNSS v. AO Techsnabexport*, 376 F.3d 282 (4th Cir. 2004).
- Representing RWE Nukem, Inc. in case initiated by World Wide Minerals arising out of contracts in Kazakhstan. Case dismissed. *World Wide Minerals, Ltd. v. Republic of Kazakhstan*, 296 F.3d 1154 (D.C. Cir. 2002); *World Wide Minerals Ltd. v. Republic of Kazakhstan*, 116 F. Supp. 2d 98 (D.D.C. 2000).
- Representing RWE Nukem, Inc. in Tenth Circuit initiated by US Energy arising out of certain partnership agreements. Obtained remand to arbitral tribunal after ten years of litigation over enforcement of an ambiguous award. Represented Nukem successfully in remanded arbitration proceeding. *US Energy v. Nukem*, 400 F.3d 822 (10th Cir. 2005).
- Represented George Washington Corporation and George Washington Life Insurance Company in shareholders' derivative class action (Rule 23) with respect to allegations of securities fraud in Middle District of Florida. Case dismissed.
- Case against the Export Import Bank of Indonesia, Bank Indonesia and the Government of Indonesia in the Southern District of New York alleging massive prime bank fraud. Dismissed under Foreign Sovereign Immunities Act.
- Representing various Indonesian ministries and government-owned corporations in several different cases in the US District Courts in financial cases raising precedent-setting issues under the Foreign

Sovereign Immunities Act in the US District Court for Arizona; and 9th Circuit; US District Court for the Southern District of New York, and 2nd Circuit and Eastern District of North Carolina. All Dismissed. *Phaneuf v. Republic of Indonesia*, 106 F.3d 302 (9th Cir. 1997), *Storr v. National Defense Sec. Council*, 164 F.3d 619 (2d Cir. 1998), *Velasco v. Republic of Indonesia*, 370 F.3d 392 (4th Cir. 2004).

- Represented PT Jamsostek in alleged reinsurance fraud. Dismissed on the basis of subject matter jurisdictional issues under the Foreign Sovereign Immunities Act (after motion and trial).

Prior to joining White & Case, Ms. Lamm was employed by the US Department of Justice under the Attorney General's Program for Honor Law Graduates and served as a trial attorney in the Fraud Section, Civil Division, before obtaining the position of Assistant Director, Commercial Litigation Branch, Civil Division.

Publications

Articles

"Internationalization of the Practice of Law and Important Emerging Issues for Investor-State Arbitration," *Recueil des Cours de l'Académie de Droit International de la Haye/Collected Courses of the Hague Academy of International Law*, Vol. 354, 2011

"State Court Intervention in International Arbitration: The United States Perspective," *26 ICSID Review-Foreign Investment Law Journal* 94, 2011 (co-authored with Eckhard R. Hellbeck)

"The Principle of State Sovereignty over Natural Resources in US Lawsuits against OPEC and Member Countries," *OPEC and International Law*, 2010 (co-authored with Robert A. Milne and Hansel T. Pham)

"Has the Time Come for an ICSID Code of Ethics for Counsel?" *2 Y.B. Int'l Invest. L. & Pol'y* (2009-2010) (co-authored with Hansel T. Pham and Chiara Giorgetti)

"Fraud and Corruption in International Arbitration," 2009 (co-authored with Hansel T. Pham and Rahim Moloo)

"Consent and Due-Process in Multiparty Investor-State Arbitrations," *International Investment Law for the 21st Century: Essays in Honour of Christoph Schreuer*, 2009 (co-authored with Hansel T. Pham and Alexandra K. Meise Bay)

"Anti-Suit Injunctions in Aid of International Arbitration: The American Approach," *12 International Arbitration Law Review* 115, 2009 (co-

authored with Eckhard Hellbeck and Joseph Brubaker)

"Investment Treaty Arbitration: A Strategic Option or Legal Defense? Background Notes," ABA Section of International Law Conference: Resolution of Russia-Related Business Disputes: The Next Wave? Moscow, Sept. 21, 2009 (co-authored with Eckhard R. Hellbeck)

"Interim Measures and Dismissal Under the 2006 ICSID Rules," *The Future of Investment Arbitration*, Roger P. Alford and Catherine A. Rogers, ed., 2009 (co-authored with Hansel Pham and Chiara Giorgetti)

"The New Frontier of Investor-State Arbitration: Annulment of NAFTA Awards," *International Arbitration Law Review*, 2008 (co-authored with Chiara Giorgetti)

Editorial: IALR Special Issue on US Law, January 2008 (co-authored with Eckhard Hellbeck)

"Inoperative Arbitration Agreements Under the New York Convention," *Enforcement of Arbitration Agreements and International Arbitral Awards — The New York Convention 1958 in Practice*, 2006 (co-authored with Jeremy K. Sharpe)

"When to Arbitrate Rather than Litigate," *The International Litigation Manual*, Barton Legum ed., American Bar Association, 2005 (co-authored with Eckhard R. Hellbeck)

"Dispute Resolution in Washington, DC," *Getting the Deal Through*, 2005 (co-authored with Eckhard R. Hellbeck, Amanda Johnson Miller and Sabina Sacco)

"Recognition and Enforcement of Foreign Judgments in the United States and England," *Transatlantic Commercial Litigation and Arbitration*, John Fellas ed., Oceana, 2004 (co-authored with Eckhard R. Hellbeck, Kamilla Tokhtaeva and Michael Polonsky)

"Rule 44.1 and Proof of Foreign Law in Federal Court," *Litigation*, the Section of Litigation, American Bar Association, Vol. 30, No. 1, Fall 2003 (co-authored with K. Elizabeth Tang)

"Post-Confirmation Remand of Arbitral Award to Arbitrator for Clarification Permitted," *International Arbitration Law Review*, N-51, 2003, also published in the IBA Committee D Newsletter, and in White & Case's *International Dispute Resolution Newsletter* (co-authored with Eckhard R. Hellbeck)

"The Enforcement of Foreign Arbitral Awards under the New York Convention: Recent Developments," *International Arbitration Law*

Review, November 2002 (co-authored with Eckhard R. Hellbeck)

"Defining the Party — Who Is a Proper Party in an International Arbitration before the AAA?," 5 *International Arbitration Law Review* 84, Aug. 2002 (co-authored with Jocelyn Aqua)

"American Arbitration Association Develops New E-Commerce Dispute Management Protocol," 4 *International Arbitration Law Review* at N-1, 2001 (co-authored with Eckhard R. Hellbeck)

"Successful Strategies for Winning Commercial Cases—Advice from the Experts," Observations on Jurisdiction and Forum Selection Sponsored by the West Group, ABA Annual Meeting, 2000–Present

In Personam Jurisdiction; FSIA Jurisdiction Forum Non Conveniens, *PLI Coursebook on International Arbitration and Litigation*, February 2000, February 1999

"Enforcement of Judgments," Chapter 51, *Business and Commercial Litigation in Federal Courts*, West Group, July 1998, 2nd edition 2005

"The International Centre for Settlement of Investment Disputes: Responses to Problems and Changing Requirements," *Arbitration, Journal of the LCIA*, February 1998 at PS22 (co-authored with Abby Cohen Smutny)

"Enforcement of US Export Controls: Cops and Robbers Go High Tech," *Review of International Business Law*, April 1997

"International Centre for Settlement of Investment Disputes: Responses to Problems and Changing Requirements," XII, *Mealey's International Arbitration Report*, Nov. 1997 (co-authored with Abby Cohen Smutny)

"The Implementation of ICSID Arbitration Agreements," *ICSID Review—Foreign Investment Law Journal*, Spring 1996

"A Primer on the US False Claims Act," published by *Japanese Institute of International Business Law*, Jul. 1995 (co-authored with Paul L. Friedman and G. William Currier)

"Revisiting the Federal False Claims Act," 26 *National Contract Management*, Jun. 1995 (co-authored with Abby Cohen Smutny)

"Dispute Resolution in Turkey: Structuring an Effective Framework for Joint Ventures," *Middle East Executive Reports*, Sept. 1993

"Jurisdiction of the International Centre for Settlement of Investment Disputes," *ICSID Review Foreign Investment Law Journal*, April 1992

(co-authored with Abby Cohen Smutny and James Varanese)

"Indonesia: Asia's Best-Kept Trade and Investment Secret," *Export Today*, Nov./Dec. 1991

"Recent Developments in US International Trade Law," *International Business Review*, then *Canadian-US Business Law Review*, 1987-92

"Recent Developments in International Arbitration," *Federal Bar News & Journal*, July/August 1989

"ICSID Arbitration Awards: Post Award Review and Enforcement Proceedings," 5 *International Litigation Quarterly* No. 3, September 1989

"Recent Developments in International Arbitration," *Federal Bar News & Journal*, July/August 1989

"Government Practice in the 1980's," *Florida Bar Journal*, Jan. 1980

"Springing Grand Jury Secrets," 4 *Litigation*, Summer 1978

Case Notes

"US Court Vacates BG Group's Investment Treaty Award—Argentina v. BG Group Plc," 15 *International Arbitration Law Review* at N-14, 2012 (co-authored with Eckhard R. Hellbeck)

"Continental Transfert Technique Ltd. v. Federal Government of Nigeria," 14 *International Arbitration Law Review* at N-43, 2011 (co-authored with Eckhard R. Hellbeck and Björn Börger)

"Apple & Eve, LLC v. Yantai N. Andre Juice Co. Ltd.," 12 *International Arbitration Law Review* at N-49, 2009 (co-authored with Eckhard R. Hellbeck and Daniel J. Hickman)

"RZS Holdings AVV v. PDVSA Petroleos S.A.," 12 *International Arbitration Law Review* at N-34, 2009 (co-authored with Eckhard R. Hellbeck and Joseph R. Brubaker)

"Life Receivables Trust v. Syndicate 102 at Lloyd's of London," 12 *International Arbitration Law Review* at N-25, 2009 (co-authored with Eckhard R. Hellbeck and Damon Martichuski)

"Sokol Holdings Inc. v. BMB Munai Inc.," 12 *International Arbitration Law Review* at N-23, 2009 (co-authored with Eckhard R. Hellbeck and Lauren Matherne)

"Invista North America S.A.R.L. v. Rhodia Polyimide Intermediates S.A.S.," *International Arbitration Law Review*, Vol. 11, No. 1, 2008 (co-authored with Erika M. Serran)

"US Energy Corp and Crested Corp v Nukem Inc and Cycle Resource Investment Corp—Case Remanded to Arbitration Panel Almost One Decade Later," 8 *International Arbitration Law Review* at N-29, 2005 (co-authored with Eckhard R. Hellbeck)

"Nicor International Corporation v. El Paso Corporation," 7 *International Arbitration Law Review* at N-69, 2004 (co-authored with Eckhard R. Hellbeck and Epaminontas Triantafyllou)

"Bridas SAPIC v. Government of Turkmenistan," 7 *International Arbitration Law Review* at N-55, 2004 (co-authored with Eckhard R. Hellbeck and Anna L. Kovina)

"Action to Confirm Foreign Arbitral Award Dismissed for Lack of Personal Jurisdiction—Base Metal Trading, Limited v. Novokuznetsky Aluminum Factory," 5 *International Arbitration Law Review*, 2002 (co-authored with Eckhard R. Hellbeck)

"Publicis Communication v. True North Communications, Inc.—Recognition and Enforcement of an Arbitral Tribunal's 'Order'," 3 *International Arbitration Law Review* at N-45, 2000; reproduced in LCIA News, vol. 6, issue 1, at 9, 2001 (co-authored with Eckhard R. Hellbeck)

"Sandvik AB v. Advent International Corp.—Party Claiming Invalidity of Contract Cannot Enforce Contract's Arbitration Clause," 3 *International Arbitration Law Review* at N-73, 2001 (co-authored with Eckhard R. Hellbeck)

"Karen L. Suter v. Munich Reinsurance Company—Service of Suit Clauses," 3 *International Arbitration Law Review* at N-63, 2001 (co-authored with Eckhard R. Hellbeck)

"International Cultural Property Society v. Walter de Gruyter & Co. Berlin—New York—Action to Enjoin Foreign Arbitration," 3 *International Arbitration Law Review* at N-46, 2001 (co-authored with Eckhard R. Hellbeck)

"In the Matter of the Arbitration between P.M.I. Trading Limited v. Farstad Oil, Inc.—Arbitrators' Reliance on Parties' Agreement Rather than on Common Trade Usage Is not Manifest Disregard of the Law," 4 *International Arbitration Law Review* at N-18, 2001 (co-authored with Eckhard R. Hellbeck)

"Existence of Arbitration Agreement Properly Determined by Court—US Titan v. Guangzhou Zhen Hua Shipping Co., Ltd.," 4 *International Arbitration Law Review* at N-9, 2001 (co-authored with Eckhard R. Hellbeck)

"US Supreme Court Holds that Venue Provisions of the Federal Arbitration Act are Permissive—Cortez Byrd Chips Inc. v. Bill Harbert Construction Co.," 3 *International Arbitration Law Review* at N-35, 2000 (co-authored with Eckhard R. Hellbeck)

"US Court of Appeals Grants Petition to Preserve Evidence in Aid of Arbitration—In the Matter of Deilemar Compagnia Di Navigazione SpA for the Perpetuation of Certain Evidence," 3 *International Arbitration Law Review* at N-33, 2000 (co-authored with Eckhard R. Hellbeck)

"Arbitration Clause Extends to Non-Signatory by Estoppel—International Paper Company v. Schwabedissen Maschinen & Anlagen GmbH," 3 *International Arbitration Law Review* at N-31, 2000 (co-authored with Eckhard R. Hellbeck)

Speaking Engagements

"Multi-Party Arbitration of Complex Financial Disputes," P.R.I.M.E. Finance: Presentation of Arbitration Institute for Complex Financial Disputes, The Hague, June 1, 2012

"Political Interference in Bar Associations," 7th Annual IBA Bar Leaders' Conference, The Hague, May 31, 2012

"The Changing Face of Investment Treaty Arbitration," Inaugural Conference of the Atlanta International Arbitration Society, Atlanta, GA, April 17, 2012

"International Arbitration in Latin America," Yale Law School Breakfast Roundtable, Washington, DC, April 12, 2012

"Legitimacy Issues in Arbitrations with Sovereigns," Columbia Arbitration Day, Columbia University School of Law, New York, March 23, 2012

"Internationalization of the Practice of Law and Important Emerging Issues for Investor-State Arbitration," Opening Lecture, Hague Academy of International Law, July 25, 2011

"Recent Trends: International Investment Treaty Law," American Society of International Law, Annual Meeting, Washington, DC, March 25, 2011

"Managing the Arbitration Proceedings—Contentious Issues in Case Management, Evidence, Submissions, and Time Management," International Arbitration Day, Seoul, Korea, March 4, 2011

WHITE & CASE

"Comparative Law in US Courts, International Tribunals, and the American Bar Association," XVIIth International Congress of Comparative Law, Washington, DC, July 26, 2010

"Impact of Globalization on the Legal Profession," American Law Institute, Annual Meeting, Washington, DC, May 17, 2010

"Globalization of the Legal Profession and its Impact on Legal Education," Association of American Law Schools Annual Meeting, New Orleans, LA, January 7, 2010

National Asian Pacific American Bar Association Convention Luncheon, Boston, MA, November 21, 2009

"The User's Perspective on ICSID/ICC/AAA," ICC/ICDR/ICSID Colloquium, Washington, DC, November 20, 2009

The ABA Standing Committee on Law & National Security 19th Annual Review Conference, Washington, DC, November 12, 2009

"Air Force JAG Corps Annual Keystone Leadership Summit," Houston, TX, October 27, 2009

"Pro Bono and Public Service and the Work of the Economic Crisis Commission," Equal Justice Works Conference Awards Luncheon, Washington, DC, October 24, 2009

Association of Corporate Counsel (ACC) Board of Directors Meeting, Boston, MA, October 18, 2009

"Fast Track Arbitration: An Idea Whose Time Has Come?" International Bar Association Annual Meeting, Madrid, Spain, October 7, 2009

"Is the Economic Crisis Bringing New and More Flexible Approaches to Arbitration?" International Bar Association Annual Meeting, Madrid, Spain, October 5, 2009

"Who is Driving Arbitration? Party Autonomy versus Arbitrator's Power to Manage the Arbitral Process," ICDR Young & International Meeting, Moscow, Russian Federation, September 22, 2009

"Bilateral Investment Treaty Arbitration in Russia," ABA Section of International Law, Moscow, Russian Federation, September 21, 2009

Luncheon Keynote, 8th and 10th Circuit Joint Judicial Conference Luncheon, Duluth, MN, August 5, 2009

WHITE & CASE

"International Arbitration: Learning from U.S. Practice," ICC Symposium, London, England, July 9, 2009

"ABA Caucus on the Recession and the Legal Profession Paradigm: A Symposium on the Financial Crisis," Chicago, IL, June 27, 2009

ABA National Summit on Diversity, National Harbor, MD, June 19, 2009

ABA Colloquium re Fair and Impartial State Courts, Charlotte, NC, June 2009

"MFN Treatment — What Are Its Limits in the Investment Context," Juris Conference — Investment Treaty Arbitration, A Debate and Discussion, Washington, DC, May 17, 2007

"The Brave New World of Remedies in Bilateral Investment Treaty Arbitration," ABA Section of International Law, Washington, DC, May 2, 2007

"Locating International Pro Bono Opportunities" 2007 Pro Bono Institute Seminar, Washington, DC, March 3, 2007

"Persuasion: Differences with Civil and Common Law Arbitrators," "Arbitration in Las Americas," International Center for Dispute Resolution, Coral Gables, FL, February 23, 2007

"Multi-Partite Actions in International Investment Arbitration" Yale Law School Law and Globalization Breakfast Series, New York, NY, November 29, 2006

"Enforcement of Arbitral Awards in Oil and Gas Disputes" ICDR – International Commercial Arbitration and Mediation Conference, Washington, DC, November 15, 2006

"Special Focus on Evidentiary Issues" Seminar, International Commercial Arbitration, American University, Washington, DC, October 11, 2006

"Enforcement Under the Foreign Sovereign Immunities Act" Seminar, EMTA, New York, NY, October 5, 2006

"Nondues Revenue" and "Disaster Response" ABA Section Officers Conference, Chicago, IL, September 2006

"Interim Measures and Procedural Issues in Host State Investor Arbitration," Institute of Transnational Arbitration, Dallas, TX, June 2006

"Keeping the People You Want," relating to her work on the American

WHITE & CASE

University's Advisory Committee on the Women Attorney Retention Project, Hildebrandt's Conference on Recruitment, Retention and Professional Development, May 18, 2006

"Geological Strata of International Law," Moderator, American Society of International Law, March 30, 2006

"Issues of Fraud and Corruption in International Arbitration," Symposium on Trade and Investment, Manila, The Philippines, February 2006

"Enforcement of Foreign Arbitral Awards," Faculty Program on Arbitration Under Bilateral Investment Treaties, Duke University School of Law, Durham, NC, November 28, 2005

"Arbitration vs. Litigation: Advice From the Experts," ABA Annual Meeting, Chicago, IL, August 9, 2005

"Bilateral Investment Treaty Arbitration," Lecture, American University Washington College of Law, Washington, DC, June 21, 2005

"Parallel Proceedings in International Arbitration," Chair, American Society of International Law Annual Meeting, April 1, 2005

"Arbitration v. Litigation," Annual Section on International Law Meeting, Washington, DC, March 31, 2005

"The Applicable Rules of Law to Disputes Between State Entities and Private Companies—The Interaction Between Contract Arbitration and Treaty Arbitration," 21st Joint Colloquium On International Arbitration, Paris, France, November 19, 2004

"Applicable Substantive Law in ICSID Arbitrations Brought Under Bilateral Investment Treaties," 20th Joint Colloquium on International Arbitration, Washington, DC, November 14, 2003

"The International Dispute Resolution Mechanisms Recent Developments," American-Uzbek Chamber of Commerce Annual Meeting, Uzbekistan, September 24, 2003

"Developments and Trends in International Arbitration," ALI Meeting, Washington, DC, September 18, 2003

"The Enforcement of Foreign Arbitral Awards Under the New York Convention: Recent Developments," International Arbitration Conference, Washington, DC, September 12, 2003

"Arbitration Under Bilateral Investment Treaties," ABA Section of International Law Meeting, San Francisco, CA, August 11, 2003

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"International Arbitration: Making It Work for You," Global Project Super Conference, London, England, May 15, 2003

"Arbitration Under Bilateral Investment Treaties," General Electric Corporate Litigation Council Meeting, Naples, FL, March 11, 2003

"Cross-Border Dispute Resolution," NAFTA 2002 Committee Outreach Program, Quebec, Canada, November 1, 2002

"Defining a Party to an International Arbitration," ICSID/AAA/ICC Symposium, World Bank, Paris, France, November 16, 2001

"Enforcement and Recognition of Foreign Arbitral Awards Under the New York Convention," ICC Symposium, New Orleans, LA, November 5, 2001

"Choosing the Forum: Successful Strategies for Winning Commercial Cases," ABA Annual Meeting, Advice From the Experts Program, Chicago, IL, August 5, 2001

"Recent Issues in International Commercial Arbitration," Commentator and Chair, ASIL Annual Meeting, Washington, DC, April 5, 2001

"Evidentiary Issues in International Arbitration Between Host States and Investors," 4th IBA Arbitration Day, Mexico City, Mexico, March 9, 2001

"Presenting Evidence in International Arbitration Proceedings," ICSID/AAA/ICC Symposium, Washington, DC, November 9, 2000

"International Litigation and Arbitration: In Personam Jurisdiction," PLI Program, New York, NY, February 2000, February 1999

"Interim Measures in International Arbitration," NAFTA Program, Mexico City, Mexico, June 1999

"Recent Developments in International Arbitration," ABA Section of International Law & Practice, Toronto, Canada, August 1998

"Consent in International Arbitration and Implications for Enforcement," LCIA/AAA Joint Symposium, London, England, March 1998

"Comparative Analysis of Arbitration v. Litigation to Resolve International Disputes," Panel on Spanning the Pacific: International Dispute Resolution, Section of Litigation, ABA Annual Meeting, San Francisco, CA, August 1997

International Arbitration Seminar, Moderator, ABA Section of Litigation

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Meeting, Washington, DC, April 1997

"Recent Developments in ICSID Arbitration," Symposium on The Resolution of International Trade and Investment Disputes in Africa, Johannesburg, South Africa, March 1997

"Federal Judicial Appointments in the District of Columbia," Panel Chair and Moderator DC Bar Midyear Meeting, February 1997

"Oil Pipelines to and through Turkey Seminar," Moderator, American Turkish Council Annual Business Symposium, February 1997

"Role of Lawyers in the Legal Process, the Bar's Role in the Judicial Appointment Process," Panelist, Federal Judicial Center Seminar for Judges from China, Washington, DC, July 31, 1996

"Pipeline," Seminar, Moderator, Business Symposium, American Turkish Friendship Council, Washington, DC, March 6 – 9, 1996

"From Depositions in Denmark to Judgment Debtors in Japan: Discovery and Execution in Cross-Border Litigation," Moderator, ABA Section of Litigation Annual Meeting, Miami, FL, January 1996

"Most Recent Developments in International Dispute Resolution: GATT/WTO, NAFTA, etc.," ABA Section of Litigation Annual Meeting, Chicago, IL, August 9, 1995

"Doing Business in Uzbekistan and Turkey," Chair American Turkish Friendship Council Business Symposium, Washington, DC, 1995; Moderator, January 19 – 20, 1995

"Legal Aspects of Trade and Investment in Uzbekistan," American Uzbekistan Chamber of Commerce/Government of Uzbekistan Joint Seminar, Tashkent, Uzbekistan, October 12 – 13, 1994

"Dispute Resolution under NAFTA," ABA Annual Meeting, New Orleans, LA, August 8, 1994

"Business Opportunities in Uzbekistan," Moderator, American Uzbekistan Chamber of Commerce Business Symposium, Washington, DC, January 14, 1994

"Report on Economic Progress and Foreign Investment in Turkey," American Turkish Council Annual Business Symposium, Washington, DC, January 14, 1994

"Turkey in a New Era of Leadership," Chair American Turkish Friendship Council Business Symposium, Washington, DC, January 1994

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"Emerging Issues in Arbitration," ICSID, AAA and ICC Symposium, Coral Gables, FL, October 25, 1993

"Litigation in the Federal Courts," ALI-ABA Program on Civil Practice and Litigation Techniques in the Federal Courts, Washington, DC, October 16, 1993

"Dispute Resolution Under NAFTA: A Comparative Approach," Moderator, AAA Arbitration Day, New York, NY, April 1993

"Turkey in an Unprecedented Era of Change," Chair American Turkish Friendship Council Business Symposium, Washington, DC, January 1993

"Turkey in the EC and the Impact of Regional Trading Alliances on Turkey: EFTA, NAFTA and other Agreements," Moderator, AFTC Seminar, Washington, DC, February 13, 1992

"Turkey: A Regional Power for Peace Expansion Through Trade," Chair, American Turkish Friendship Council Business Symposium, Washington, DC, February 1992

"Dispute Resolution in International Joint Ventures," Defense Industry Symposium, Ankara, Turkey, November 1991

"Implications for Multinational Corporations of Uruguay Round, EC 1992 and NAFTA," TENECO Biannual Counsel Meeting, Williamsburg, VA, May 1991

"International Commercial Arbitration: A Comparative Approach from the Common Law Side," AAA Arbitration Day, New York, NY, April 1991

"Trade and Investment in Turkey for the 1990's," American Friends of Turkey, Washington, DC, February 1991

"Directives and Legal Changes as a Result of EC 1992," ABA Section of Litigation, Philadelphia, PA, October 1990

"Ethical Concerns for Practice Abroad or Foreign Lawyers in the United States, Section of Business Law," International Bar Association Annual Meeting, Strasbourg, France, September 1990

"International Arbitration as a Means to Settle Global Disputes: A Mock Arbitration of the Israeli-Palestinian Dispute," Co-chair, ABA Annual Meeting, Chicago, IL, August 1990

"Implications of the Developments in Eastern Europe for Japanese

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Business," Institute for International Business, Tokyo, Japan, July 1990

"Implications of EC 1992 and Uruguay Round for Indonesia,"
International Trade and Investment Development Institute, Jakarta,
Indonesia, July 1990

"Recent Developments in International Trade: Implications of EC 1992,
Uruguay Round and Developments in Eastern Europe," Stockholm
Chamber of Commerce, Stockholm, Sweden, May 1990

"Re-exporting Opportunities through Turkey," AFOT Annual Meeting,
Washington, DC, February 1, 1990

"Canadian-United States Free Trade Act," IBA Program, Strasbourg,
France, October 1989

"Implications and Directives: Europe 1992," Coral Gables Chamber of
Commerce, Coral Gables, FL, October 1989

"Post-Award Enforcement Review and Annulment of Arbitral Awards,"
ABA Annual Meeting Program on Judicial Intervention in Arbitral
Proceedings, August 1989

"Training the New Lawyer; Non-Deposition Discovery and Depositions,"
Chair, ABA Section of Litigation, October 1987

"Ethical Concerns for US Lawyers Representing Clients Abroad or
Practicing Law Abroad; Contrasts With US Practice," IBA, Section of
Business Law Annual Meeting, London, England, September 1987

"International Arbitration: Annulment Proceedings Under the ICSID
Regime," IBA, Section of Business Law, Committee D Program, New
York, NY, May 6, 1987

"Arbitration of Patent Disputes," Washington Patent Law Society,
Washington, DC, March 4, 1987

"Litigating Under the International Trade Laws," Chair, Sponsored by
Section of Litigation, ABA Annual Meeting, August 1986

"ICSID Arbitration: The Proceedings," Seminar for Embassy Officials,
Washington, DC, November 20, 1985

"Associate Training Programs," ABA Annual Meeting, Washington, DC,
July 1985

"Conducting Discovery Abroad," Chair, ABA Section of Litigation, Young
Lawyers Division, ABA Annual Meeting, London, England, July 1985

"Government Contracts: Investigation, Prosecution and Defense of Criminal and Civil Fraud Charges," Faculty Member, ABA Division of Professional Education and ABA Section of Public Contract Law, Washington, DC, February 1985, May 1984

"Fourth Annual Intensive Program on Trial Preparation and Advocacy Before Boards of Contract Appeals and the US Claims Court," Vice Chair, ABA Section of Public Contract Law, Washington, DC, January 1985

"Effective Discovery Techniques," Chair, ABA and ALI, London, England, July 1984

Fifth Annual Rules of Civil Procedure Conference, Faculty Member Sponsored by the Federal Bar Association and Washington Bar Association, Washington, DC, December 1982

ABA National Institute on Affirmative Action, Faculty Member, Washington, DC, May 1980

National Institute of Trial Advocacy Programs, Faculty Member: Bar Association of the District of Columbia, FTC, Federal Bar Association, DOJ Advocacy Institute, ABA Public Contract Section and White & Case Programs

Professional Associations

American Bar Association:

- ABA Representative to International Bar Association (2013 – 2016)
- ABA Representative to the United Nations (2010 – 2011)
- Board, American Bar Endowment
- President (2009 – 2010 Bar Year)
- President-Elect (2008 – 2009 Bar Year)
- Commissioner, Commission on Ethics 2020 (2010 – 2013)
- State Delegate, District of Columbia, 2005 – 2008
- House of Delegates, 1982 – present
- Board of Governors, 2002 – 2005

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- Member, Commission on Multidisciplinary Practice
- Past Chair, DC Circuit Representative to the Standing Committee on the Federal Judiciary
- Past Chair, Committee on Scope and Correlation of Work
- Past Chair, Task Forces on the: Judiciary and the Rule of Law Project;
- International Litigation Committee of the Section of Litigation
- Secretary and Member, Council of the Section of Litigation
- Member, Special Committee on Implementation of the Model Rules of Professional Conduct
- Past Chair, Committees in the Sections on International Law and Practice, and Business Law
- Past Chair, ABA Young Lawyers Division

District of Columbia Bar:

- President, 1997 – 1998
- Board of Governors, 1990 – 1996
- Chair, Task Force on Court Funding, 1996 – present

Member, National Conference of Bar Presidents

Bar Association of the District of Columbia: Former Secretary, Board of Directors

Professional Societies

Visiting Professor: University of Miami School of Law teaching International Investment Arbitration

Counselor, US Restatement 4th on the Law of Foreign Relations

Member, Advisory Committee for the US Restatement of the Law of International Arbitration

Member, Secretary of State's Committee on Private International Law

Member, Secretary of State's Study Group on the Proposed Hague Convention on Jurisdiction and the Enforcement of Judgments

Past Chair, Conference on State Bar Delegates

Fellow, American College of Trial Lawyers

US Member, NAFTA 2022 Committee on Private Dispute Resolution, 1998 – 2008

Council Member, American Law Institute

Counselor, Restatement Fourth of Foreign Relations

Member, Advisory Committee on Restatement on International Arbitration
Board Member, American Turkish Chamber of Commerce
Board Member, American Indonesian Chamber of Commerce
Chair of Board, American Uzbekistan Chamber of Commerce
Counselor to Executive Council of American Society of International Law (previously Co-Chair, Dispute Resolution Interest Group; speaker)
Board Member, American Arbitration Association Executive Committee (2001 – 2013)

International Bar Association (IBA):

- Institute for Transnational Arbitration Advisory Board Member 2007 – present, faculty for programs

Publication Activities

International Arbitration Law Review, Editorial Board (2006 – Present);
Recent Developments Reporter (2002 – 2006)

ALI, The Practical Litigator, Editorial Board (2001 – 2008)

Inside Litigation (Prentice Hall Law & Business, publisher), Editorial Advisory Board (1993 – 2000)

Canadian US Business Law Review, Editorial Board, 1987 – 1992