

## CURRICULUM VITAE

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### **Nicolas Ulmer**

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Founex, CH –1297

Year of Birth: 1952

Nationalities: Swiss / U.S.

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### Current Professional Activity

- Partner at Budin & Associés, 20 Rue Sénebier 1211 Geneva 12; international arbitrator

### Prior Professional Activities

- Partner at Winston & Strawn (Geneva) 1993-2009; Chair, International Arbitration Practice
- Partner at Jones, Day (Geneva) 1988-1993; Associate (Paris and Geneva) 1986-1988
- Associate at Surrey & Morse (Paris and Washington) 1981-1986 (merged with Jones, Day)
- Associate at Galland, Kharasch Calkins & Short (Washington) 1979-1981
- Research assistant to Professor Rudolf Schlesinger (Comparative law) 1978-1979
- International Human Rights missions or trial observations for Amnesty International in Equatorial Guinea (1998), Ghana (1991), Romania (1990), Mauritania (1987), and Turkey (1986 and 1984)

### Areas of Specialization /Particular Experience

International arbitration and dispute resolution, notably in the following fields:

- International construction, energy, consortium/JV agreements, etc.
- International claims sports, sponsoring, sales distribution and other arrangements
- International judicial cooperation, judgments and conflicts of laws

### Diplomas

- A.B. (honors) Brown University, 1974
- Juris Doctor, University of California (Hastings), 1979

### Bar Admissions

Washington D.C. (1979)

California (1980)

Conseil Juridique, France (1983)

Number of cases, acting as counsel or arbitrator:

	President of Tribunal	Sole Arbitrator	Co-Arbitrator	Counsel
International Arbitrations (ad hoc, CAS/TAS, ICC, SCC, LCIA, Swiss Rules, etc.)	4	12	17	80+
WIPO panelist	3	25	3	1
Mediation		2		3

Published Arbitration Awards

- ICC Case N° 12,703, XXXIII Yearbook Commercial Arbitration 63 (2008) [Arbitrator]
- ICC Case N° 8887, Mealey's International Arbitration Report, March 1 1999 [Claimant's counsel]
- ICAC Case N°s 31/1998 and 17/1998, XXIVa Yearbook of Commercial Arbitration, p. 236, p. 240 (1999) [Respondent's Counsel]
- ZCC Case N° 273/95, XXIII Yearbook of Commercial Arbitration, p. 128 (1998) [Claimant's counsel]
- ICC Case N° 6998, XXI Yearbook of Commercial Arbitration, p. 54 (1996) [Claimant's counsel]

Languages

- French (bilingual)
- English (bilingual)
- Spanish (fluent)
- Italian (reading and conversational)
- German (reading and conversational)

Speaking Engagements (partial list)

- "Jurisdictional Differences in Practices and Processes", 2014 Annual CPR Meeting, (Charleston SC, USA, February 20, 2014)
- "Legal Culture and Advocacy in the International Case: What Works Where?" Session Chair, ABA Dispute Resolution Section Meeting (New York, April 18, 2009)
- "The Confluence of Transnational Rules on International Arbitration", International Law Association (US branch) – International Law Week, New York (October 26, 2007)
- "Hot Topic: Arbitration, Illegality and Money Laundering", IBA – Annual Meeting (Chicago, September 22, 2006)
- Panelist at IBA 8<sup>th</sup> International Arbitration Day (Geneva, March 18, 2005)
- "Damages in International Arbitration", Geneva Global Arbitration Forum (December 7, 2004)
- "Types of Awards and Issues of Enforcement", PCA (The Hague, February 23, 2001)

Articles (partial list)

- “Six Modest Proposals before You Get to The Award”, in *Inside the Black Box: How Arbitral Tribunals Operate and Reach Their Decisions* (ASA Special Series No. 42, Juris Publication (2014)
- “Language, Truth and Arbitral Accuracy”, 28 *J. Int’l Arb.* 295 (2011)
- “The Cost Conundrum”, 26 *Arbitration International* 221 (2010), winner of Smit-Lowenfeld Prize for best arbitration article in English
- “Swiss Arbitration Update: First Amendments of International Arbitration Law”, 21 *Mealey’s International Arbitration Report* (2006)
- “Types of Award and Issues of Enforcement”, in *Arbitration in Air, Space and Telecommunications Law* (PCA eds., Kluwer 2002)
- *Bullet-Proofing Your International Arbitration*, *World Trade* (July and August 2000)
- *Soinco v. NKAP* : a “War Story”, 13 *Mealey’s Int’l Arbitration Report*, No. 3 (1998)
- “Ethics and Effectiveness”, in *Arbitration a Commercial Way to Justice* (Kluwer, 1998)
- *Claimant’s Expectations from the United Nations Compensation Commission*, 15 *J. Int’l Arb.* 7 (1998)
- *UN Begins Gulf War Corporate Claims*, *Int’l Fin. Law Rev.*, (December 1995) at 42
- *Recognition and Enforcement in Switzerland of US Judgments Containing an Award of Punitive Damages* (co-author with Martin Bernet), 22 *Int’l Bus. Law.* 272 (1994)
- *Recognition and Enforcement of Foreign Civil Judgments in Switzerland* (co-author with Martin Bernet) 27 *Int’l Law.* 317 (1993)
- *The Gulf War Claims Institution*, 10 *J. Int’l Arb.* 85 (1993)
- *Winning the Opening Stages of an ICC Arbitration*, 8 *J. Int’l Arb.* 33 (1991)
- *Drafting the International Arbitration Clause*, 20 *Int’l Law* 1335 (1986), reprinted in *Turkish in Cerçere* at 172-177 (April 1996)

#### Book Reviews

- *International Commercial Arbitration – Volume II*, by Gary Born, 4 *GAR*, issue 5, 38 (2009)
- “Arbitraje comercial y de las inversiones”, by Fernando Cantuarias Salaverry, 24 *Arbitration International*, 623 (2008)
- “Introduction to Arbitration: Swiss and International Perspectives” by Marc Blessing, 16 *Arbitration International* 373 (2000)
- *The United Nations and the Iraq-Kuwait Conflict*, 13 *J. Int’l Arb.* 200 (1996)
- *Le Droit de l’Arbitrage Interne et International en Suisse*, 18 *Int. Bus. Law* 186 (April 1990)
- *Jurisdictional Problems in International Arbitration*, by Adam Samuel, 24 *Int’l Law* 294 (1990)
- *Human Rights in International Law*, by Theodor Meron, 18 *N.Y.J. Int. Law & Pol.* 309 (1985)

July 2014

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