

**CURRICULUM VITAE of
LAURENCE BURGER**
CHAIR, CHARTERED INSTITUTE OF ARBITRATORS' EUROPEAN BRANCH



EXPERIENCE

LANDOLT & KOCH, Geneva

Partner

- Acting as arbitrator in international commercial arbitrations
 - Arbitrator in breach of contract dispute involving French and Slovak parties (ICC Rules)
 - Arbitrator in breach of contract dispute involving US and French parties (Swiss Rules)
- Acting as counsel in international commercial and investment arbitrations
 - Representing Formula One driver in breach of contract dispute
 - Representing major grain processor in breach of contract dispute against extruder manufacturer
 - Representing investor against expropriation of company by CIS country
 - Representing prevailing party in enforcement of award proceeding in Switzerland

October 2014 to present

PERREARD DE BOCCARD, Geneva

Partner

- Acting as arbitrator in international commercial and sport arbitrations
 - Arbitrator in breach of contract dispute in the context of steel trade between Turkish and Libyan parties (Swiss Rules)
 - Arbitrator in anti-doping arbitration (CAS Rules)
- Acting as counsel in international commercial and investment arbitrations
 - Representing investor in million Euros investor-state arbitration proceeding
 - Representing major CIS wheat producer in ICC arbitration against

August 2013 to October 2014

German manufacturer

- Acting as counsel in domestic commercial litigations
 - Representing high net worth individual in bankruptcy proceedings
 - Representing employee in CHF 1 million transnational employment litigation
- Acting as counsel in commercial transactions and negotiations

WINSTON & STRAWN, Geneva

Of Counsel

January 2011 to June 2013

- Acting as counsel in investment arbitrations under ICSID and ICC Rules
 - Representing major tobacco manufacturing company in investment arbitration following introduction of plain-packaging legislation.
 - Representing leading French environment company in investment arbitration against North African country.
 - Representing Middle East State in dispute involving building of a railroad
- Acting as arbitrator in commercial arbitration matter (Swiss Rules)
- Acting as counsel in Swiss civil domestic litigations
 - Representing major US pharmaceutical company in dispute following sale of production plant (court of Basel land)
 - Representing leader of color-printing software in dispute following termination of license agreement (Zurich commercial court)
 - Acting as counsel in settlement negotiations following undue termination of employment agreement
- Advising embarked security companies on maritime regulations issues
- Representing parties in commercial transactions involving Swiss law
 - Assisting international companies in drafting, review and negotiation of sales, distribution, leasehold, license, employment, construction, assignment settlement and work agreements under Swiss law
 - Assisting international companies in brining claim in Swiss bankruptcy proceedings
- Advising international clients on application of various Swiss statutes such as the blocking statute, the data protection statute, and the statute preventing sale of residential housing to foreigners
- Assisting international clients with the setting up of corporate structures in Switzerland
 - Assisting one of the founders of the internet in establishing a foundation in Switzerland to further ground-breaking restructuring of the internet
 - Assisting not-for-profit foundation in change of statutes and name

TAVERNIER TSCHANZ, Geneva

September 2007 to December 2010

Senior Associate

- Acting as counsel in ICC and Swiss Rules arbitrations
 - Representing F1 car driver in dispute with race management
 - Representing leading Turkish conglomerate in two commercial arbitrations with seats in Geneva and Vienna.
 - Representing Pakistani pipe producer in contract dispute with major German iron producer.
 - Representing Indian power plant builder in ICC arbitration arising out of joint venture agreement over construction of power plant.
 - Representing British mining company in challenge proceedings before the Swiss Supreme Court (*recours en matière civile*).
- Acting as secretary of the Tribunal in ICC arbitrations
 - Assisting major US company in contract negotiations involving Swiss law

FRESHFIELDS BRUCKHAUS DERINGER, ParisMay 2005 to August
2007*Associate and Senior Associate*

- Acting as counsel in ICC, CAS, UNCITRAL and Swiss Rules arbitrations
 - Representing IOC in post-Olympic games disputes
 - Representing major Japanese bank in investment and commercial arbitration following failed acquisition of Czech bank
 - Representing gas buyer in price dispute
 - Representing printing press manufacturer in commercial dispute with Turkish buyer.

HUGHES HUBBARD & REED, New YorkJune 2002 to February
2005*Associate*

- *Litigation*: Acted as counsel in international complex maritime and complex litigations. Performed document review, and organized document productions
- *Arbitration*: Acted as counsel for multinationals in AAA and ICC arbitrations, including under fast track procedures
 - Representing leading Indian software company in AAA arbitration arising out of post-merger dispute
 - Representing agency of Sovereign State in fast-track ICC arbitration against foreign investor in electricity sector in Turkey
 - Representing Colombian agency in ICC arbitration in Geneva against leading US software conglomerate
- *Pro Bono*: Represented asylum seekers in cases before immigration courts

EDUCATION

COLUMBIA UNIVERSITY SCHOOL OF LAW, New York, New York 2002
JD (2002); LLM (1999).
□ *Activities*: Research Assistant to Professors George A. Berman and Zohar Goshen.

UNIVERSITY PARIS II, PANTHEON-ASSAS, Paris, France 1998
DESS (LLM) in arbitration and ADR, *with honors*.

UNIVERSITY OF FRIBOURG SCHOOL OF LAW, Fribourg, Switzerland 1995
Licentiatius juris (JD), *cum laude*, special additional program in European law.
□ *Activities*: Research Assistant to Professor Franz Werro.

BAR ADMISSIONS

New York, 2000; Geneva, 1997.

PUBLICATIONS

- *A Plea In Favor of Investment Arbitration*, Liber Amicorum Prof. Jerzy Rajski, *Leviatan Warsaw* 2015
- Opting out of ICSID and BITs: legal and economic effects, co-authored with James Nicholson, *OGEMID* June 2014
- Invalidity of arbitration agreement when lack of choice to refuse it, *Kluwer Arbitration Blog*, 12 March 2014
- The Commission's factsheets: a declaration of faith in the EU BITs world?, *Kluwer Arbitration Blog*, 9 December 2013

- The trouble with Salini (Criticism and Alternatives to the Famous Test), *Bulletin ASA* Vol. 31, No. 3, 2013.
- Notes on sports arbitration for LexisNexis (CAS/Ad hoc/WADA Code)
- Book review, *Les traités bilatéraux relatifs aux investissements, entre protection des investissements étrangers et sauvegarde de la souveraineté des Etats*, Stéphane Bonomo, Presses Universitaires d'Aix-Marseille, 2012, Cahiers de l'Arbitrage 2/2013, June 2013
- Latest Developments Concerning European Bilateral Investment Treaties, Kluwer Arbitration Blog, 17 December 2012
- Notes for Practical Law Company: "Ad hoc Arbitration Clauses in Switzerland" and "Enforcement of foreign arbitral awards in Switzerland"
- For the First Time, the Supreme Court sets aside an arbitral award on the grounds of substantive public policy, *Bulletin ASA* Vol. 30, No. 3, 2012
- Sports Arbitration and Due Process-The Sequel, Kluwer Arbitration Blog, 13 July 2011
- Pakistan Enacts A Statute To Implement The ICSID Convention," *Kluwer Arbitration Blog*, June 16, 2011
- L'arbitrage d'investissement – une protection supplémentaire pour vos investissements, Point de Mire, June 2011
- Third-Party Funding in Arbitration Proceedings – Practitioners Tips, Young Arbitration Review, April 2011
- Sports Arbitration and Due Process, *Kluwer Arbitration Blog*, 2 March 2011
- Swiss Bilateral Investment Treaties: A Survey, *Journal of International Arbitration* Vol. 27 Issue 5 (2010), pp. 473-503.
- Le point sur la théorie des faits de double pertinence (« doppelrelevante Tatsachen ») en arbitrage international – commentaire de l'ATF 4A_160/2009, *Bulletin ASA* Vol. 28, No. 2, 2010.
- America's Cup Arbitration – what went wrong? *Global Arbitration Review Special Feature*, 19 February 2010
- The Swiss Federal Tribunal's Decision of 8 March 2006: A Deepening of the Arbitrator's Public Policy Dilemma? *Concurrences* N° 3, 2006 (co-authored with Constantine Partasides).
- The New Swiss Rules Of International Arbitration: A Comparative Analysis, *Mealey's International Arbitration Report*, Volume 19, issue 6, June 2004.
- Note on Kyocera Corp. v. Prudential-Bache Services, Inc., *Revue de l'Arbitrage*, N°2, 2004.
- Note on Bulgarian Foreign Trade Bank Ltd v. AI Trade Finance Inc., *Revue de l'Arbitrage*, N° 3, 1999.
- Note on Ali Shipping Corp. v. Shipyard Trogir, *Revue de l'Arbitrage*, N°3, 1998.

SPEAKING ENGAGEMENTS

- Tutor, Swiss Arbitration Academy
- Accredited Faculty List, Chartered Institute of Arbitrators
- Speaker, *Mock Case Management Conference*, CIArb UAE Branch Annual Conference, 23 November 2014, Dubai
- Speaker, *Exasperation in Investment Arbitration*, CIArb Annual Conference, 25 April 2014, Warsaw
- Speaker, *Investment Arbitration*, CTA conference re: The Many Businesses In the Commodity Trading Industry, 28 November 2013, Geneva
- Speaker, *Opting out of ICSID*, Chartered Institute of Arbitrators' Young Member Group Annual Conference, 19 October 2013, Istanbul, Turkey

- Speaker, *Human Rights and Investment Arbitration*, Chartered Institute of Arbitrators' European Branch Annual Conference, 19 April 2013, Tremezzo, Italy
- Speaker, *Geneva Arbitration Forum*, 18 April 2013, Geneva, Switzerland
- Speaker, ICDR Y&I/CIArb YMG joint seminar, *Do's and don'ts in cross-examination*, 19 April 2012, Madrid
- Speaker, Association of International Business Lawyers, *Investor-State Arbitration: The Protections Afforded to Investors by Bilateral Investment Treaties*, 30 March 2012, Geneva
- Speaker, Faculty of Law of Warsaw, *America's Cup arbitration: then and now*, 8 February 2012, Warsaw
- Speaker, Chartered Institute of Arbitrators, Young Members Group Conference, *Challenging the appointment of arbitrators – when is it relevant and necessary rather than a tactical distraction?* 11 November 2011, Dublin
- Speaker, Conférence du Jeune Barreau, *L'arbitrage sportif*, 26 September 2011, Geneva
- Speaker, ICC Institute of World Business Law, Arbitration and Sport Conference, *How are disputes in Formula 1, the America's Cup and American professional sports arbitrated?*, 23 September 2010, Paris
- Moderator, groupe genevois de l'ASA, *L'arbitrage international au bord du Léman: hier, aujourd'hui et demain*, 8 May 2009, Geneva
- Speaker, ASA Below 40, *How pro-active should the tribunal be in ensuring the speedy resolution of the dispute?*, 10 October 2008, Geneva

MEMBERSHIPS

- Chair and faculty member, European Branch of the Chartered Institute of Arbitrators
- IBA Mediation Committee
- UNCTAD Consultants Roster
- Arbitrator at Court of Arbitration for Sport (CAS)
- Board Member, Peer Review Board of the ICSID Review
- Swiss Arbitration Association (ASA)
- Association Suisse du Droit du Sport

LANGUAGES AND INTERESTS

Languages: Fluent in French and English, proficient in German, good knowledge of Spanish.

Interests: Sailboat racing, skiing, SCUBA-diving, modern art