

# VIAC – Questionnaire for Arbitrators

1. Name: Frederick R. Fucci

2. Citizenship: US

3. Contact information: Fucci Law & ADR, PLLC

Address: 41 Madison Avenue, 41<sup>st</sup> Floor, New York, NY 10010 USA

Telephone: +1.212.763.4162

Fax:

E-Mail: [fred@fuccilaw-adr.com](mailto:fred@fuccilaw-adr.com)

Website: [www.fuccilaw-adr.com](http://www.fuccilaw-adr.com)

LinkedIn: <https://www.linkedin.com/in/fred-fucci-83640713/>

4. Current position:

Principal, Fucci Law & ADR, PLLC. Independent arbitrator and transactional attorney.

5. Education:

Georgetown University Law Center, Washington, DC, JD 1987

Johns Hopkins School of Advanced International Studies, M.A. International Relations  
1987

Ecole Normale Supérieure, Paris, France (*Pensionnaire étranger*)

Amherst College, Amherst, Massachusetts, B.A. 1981

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?  
Approx. 20 – ICC, AAA, ICDR, LCIA and ad hoc
- How often have you acted as Chairman? N/A
- How often have you acted as Sole Arbitrator? 7 cases
- How often have you acted as Co-Arbitrator? 10 cases
- How often have you acted as Counsel? More than a dozen times
- How often have you acted in a different function (e.g. Administrative Secretary)? N/A.

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

August and December 2016, March 2017 – *Arbitration in M&A: Laws of New York and Delaware, Parts I, II & III*; Dispute Resolution Journal.

October 6, 2016 – *Advanced M&A: Legal Topics and Practical Tips – Pre-Contractual Considerations / Letters of Intent & Indemnification Claims / Sandbagging* – Association of Corporate Counsel, Westchester County/Southern Connecticut Chapter.

September 24, 2016 – *Arbitral Institutions / Points of Comparison* - TerraLex 2016 General Meeting (International Dispute Resolution Practice Group), New York

February 4, 2015 - United States Council on International Business, Committee on Arbitration – Moderator of Panel – *The Pros and Cons of Arbitration Clauses in International Agreements: An In-House Perspective*

November 3, 2014 – International Chamber of Commerce, Miami Conference on Latin American Arbitration – *Arbitration in M&A Transactions*

May 7, 2013 - United States Council on International Business, Committee on Arbitration – Moderator of Panel – *New York as a Place of Arbitration*.

January 16, 2011 – United States Council on International Business, Committee on Arbitration – Moderator of Panel – *Choosing a Place of Arbitration*.

September 23, 2010 - International Chamber of Commerce Court of Arbitration – Annual New York Conference – Moderator of Panel – *Negotiating a Successful Deal*.

May 13, 2010 – Lewiatan Arbitration Court / ICC Court of Arbitration – Dispute Resolution in M&A Transactions (Warsaw) – Presentation on *Means of Dispute Settlement in M&A Transactions: Does Arbitration Have Competitors? – U.S. Perspective*.

November 6, 2007 – “*Getting Transactional Lawyers Thinking about Dispute Resolution*” - ICC Miami Conference on International Commercial Arbitration in Latin America (Presentation and Paper).

April 2006 - “*Hardship and Changed Circumstances as Grounds for Adjustment or Non-Performance of Contracts - Practical Considerations in International Infrastructure Investment and Finance*”; Proceedings of the ABA Section of International Law Spring Meeting (subsequently published by OGIL).

January 2004 - American Foreign Law Association, New York – “*Drafting Arbitration Provisions in International Project Agreements – Issues and Best Practices*”.

September 2003 – “*Issues in the Enforceability of Arbitral Awards in International Project Lending*” - IBA Conference Papers.

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

American Arbitration Association (AAA) – Commercial, Construction and M&A/Joint Venture Rosters

British Columbia International Commercial Arbitration Centre – International Panel

Chartered Institute of Arbitrators – Fellow

Hong Kong International Arbitration Centre – Panel of Arbitrators

International Centre for Dispute Resolution (ICDR) - Member ICDR Panel and ILA Energy Arbitrators List

International Chamber of Commerce (ICC) – U.S. delegate to ICC Commission on Arbitration; Member of the Board of Directors of SICANA, Inc. (Secretariat of the International Court of Arbitration North America)

**International Institute for Conflict Prevention and Resolution (CPR)** - Panel of Distinguished Neutrals (Energy, Oil & Gas, International, NYC and Environmental)

**London Court of International Arbitration (LCIA)** – North American Users Council

**Toronto Commercial Arbitration Society** – Member

**U.S. Council on International Business** – Committee on Arbitration – Chair of the Transactional Lawyers Subcommittee

**Vienna International Arbitration Centre** – List of Practitioners

**9. Languages**

Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): French. Also able to understand testimony and read written submittals in Italian, German and Spanish.

**10. In which legal system have you trained?**

New York, New Jersey, England & Wales

**11. What is your main jurisdiction of practice?**

New York, US domestic, International (including disputes under English law)

**12. Special expertise or specializations (please list a maximum of three):**

**Energy** - power generation, renewable energy, oil & gas (midstream), project finance

**Mergers and acquisitions**

**Construction law and commercial contracts** (equipment/goods supply, sales)

**13. Date of birth: 28/07/1959**

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Date and signature

*8 June 2017*