

VIAC – Questionnaire for Arbitrators

1. Name: Ben Giaretta

2. Citizenship: British

3. Contact information:

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4. Current position:

- Partner and Co-head of International Arbitration, Fox Williams LLP

5. Education:

- MA, Trinity College, Oxford University
- Postgraduate Diploma in International Commercial Arbitration (School of International Arbitration, Queen Mary University of London)
- Chartered Arbitrator and Fellow, Chartered Institute of Arbitrators
- Fellow, Singapore Institute of Arbitrators
- Associate Mediator, Singapore Mediation Centre
- Solicitor-Advocate, All Higher Courts of England & Wales

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
Approximately 50 to 75, under a variety of Rules including ICC, LCIA, UNCITRAL, HKIAC, SIAC
- How often have you acted as Chairman? 4
- How often have you acted as Sole Arbitrator? 17
- How often have you acted as Co-Arbitrator? 6
- How often have you acted as Counsel? Approximately 25 to 50
- How often have you acted in a different function (e.g. Administrative Secretary)? 0

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

- “The problem with carving out disputes from disputes clauses”, client update March 2021
- “Court of Appeal rules on conflicts of interest clause”, client update March 2021
- “Arbitration and statutory employment rights: are you aware of the options?”, client update January 2021
- “The four elements of a dispute”, LexisNexis Future of Law blog, January 2021
- “Facilitated Contract Renegotiation”, LexisNexis In-house Counsel blog, December 2020

- "How to approach a facilitated contract renegotiation", London Chamber of Arbitration and Mediation, November 2020
- "Questions to ask your lawyer at the start of a dispute", London International Disputes Week, November 2020
- "Virtual hearings: what do you need to do?", client update November 2020
- "Driverless arbitration", LexisNexis Future of Law blog, October 2020
- "Slow arbitration", LexisNexis Future of Law blog, September 2020
- "Developing your arbitration career", Chartered Institute of Arbitrators website, September 2020
- "The third age of arbitration", LexisNexis Inhouse blog, August 2020
- "Force majeure notices under English law: what comes next?", New York Dispute Resolution Lawyer, July 2020
- "The forces against virtual arbitration", LexisNexis Future of Law blog, July 2020
- "What is force majeure?", Estates Gazette magazine, March 2020
- "Duties of good faith in commercial contracts", CDR magazine, February 2020
- "Force majeure clauses", client update, 2020
- "What will arbitration look like in a future virtual world?", Arbitration (Chartered Institute of Arbitrators), Vol. 85, No. 4, November 2019
- "Dispute Resolution in the Energy Sector", Globe Law and Business (2019 edition) – chapter on LNG plant disputes
- "Play by the (Prague) Rules", The Resolver, Spring 2019
- "Extending the time to challenge an arbitration award", client update, 2019
- "The arbitration of trust disputes", client update, 2019
- "Anti-enforcement injunctions in international arbitration", client update, 2019
- "Arbitrators, football and AI", client update, 2019
- "The Prague Rules: the proactive arbitrator revisited", client update, 2018
- "When an arbitrator gives an unexpected decision ", client update, 2018
- "New arbitration rules in Hong Kong", client update, 2018
- "Promoting Institutional Arbitration in India", client update, 2018
- "The Singapore Mediation Convention: a game changer?", client update, 2018
- "Arbitration-related injunctions: an update from England", client update, 2018
- "The high hurdle of challenging an arbitration award in England", client update, 2018
- "The practice of emergency arbitration", Belgian Review of Arbitration, 2017, Issue 1
- "Blind appointment of arbitrators: the way forward?", Legal Era Magazine, February 2017
- "Project management in international arbitration", McGill Journal of Dispute Resolution, 2016, Vol. 3
- "International arbitration: 2016 in review"
- "The Indian Arbitration and Conciliation (Amendment) Act", LexisNexis PSL, 2016
- "Observations on key trends in international arbitration", LexisNexis PSL, 2015
- "Promissory notes and arbitration", LexisNexis PSL, November 2015
- "One arbitrator or three?", LexisNexis PSL, October 2015
- "Changing the arbitration law in India", LexisNexis PSL, September 2015
- "Public policy in Indian Arbitration", LexisNexis PSL, June 2015
- "Separating arbitration clauses in India", LexisNexis PSL, 2015
- "The changing landscape of investment treaty protection in India", LexisNexis PSL, 2015
- "How to help write an arbitral award", LexisNexis PSL, April 2015
- "Known unknowns in international arbitration", LexisNexis PSL, March 2015
- "Know your arbitrator", LexisNexis PSL, February 2015
- "Anti-arbitration injunctions: mixed signals from India", LexisNexis PSL, 2015
- "The Singapore International Commercial Court: the best of both worlds?", LexisNexis PSL, 2015
- "Why mediate?", LexisNexis PSL, 2014
- "The Singapore International Mediation Centre", LexisNexis PSL, 2014
- "When should you mediate?", LexisNexis PSL, 2014
- "Six practical tips for drafting international arbitration clauses", LexisNexis PSL, 2014

- "The risks of lists in international arbitration", LexisNexis PSL, 2014
- "The separated arbitrator", LexisNexis PSL, 2014
- ICLG Guide to International Arbitration 2014 – chapter on Singapore
- "How to train your arbitration counsel", LexisNexis PSL, 2014
- "Ten tips for saving time and cost in international arbitration", LexisNexis PSL, June 2014
- "Questions from the C-suite", LexisNexis PSL, May 2014
- "The Evolution of International Arbitration", LexisNexis PSL, March 2014
- "Dispute Resolution in the Energy Sector", Globe Law and Business (2012 edition) – chapter on Investment Treaty Arbitration
- "Duties of arbitrators and emergency arbitrators under the SIAC Rules", Asian International Arbitration Journal, 2012, Vol. 8

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

- Presidential Panel of Arbitrators, Chartered Institute of Arbitrators
- Panel of Arbitrators, Singapore International Arbitration Centre (SIAC)
- Panel of Arbitrators, Hong Kong International Arbitration Centre (HKIAC)
- Panel of Arbitrators, Asian International Arbitration Centre (AIAC)
- Panel of Arbitrators, Singapore Institute of Arbitrators
- Panel of International Arbitrators, Korean Commercial Arbitration Board (KCAB)
- Panel of Arbitrators, Japan Commercial Arbitration Association (JCAA)
- Panel of Arbitrators, Saudi Centre for Commercial Arbitration (SCCA)
- Panel of Arbitrators, London Chamber of Arbitration and Mediation (LCAM)
- Panel of Foreign Arbitrators, Badan Arbitrase Nasional Indonesia (BANI)
- Panel of Associate Mediators, Singapore Mediation Centre
- Member, International Council for Commercial Arbitration (ICCA)
- Member, LCIA
- Member, Singapore Chamber of Maritime Arbitration
- Member, Association of International Petroleum Negotiators
- Member, Society of Construction Law
- Member (Liveryman), Worshipful Company of Arbitrators
- Associate Member, Singapore Academy of Law
- Chair, London Branch of the Chartered Institute of Arbitrators
- Honorary Treasurer and Director, Singapore Branch of the Chartered Institute of Arbitrators (2010 to 2016)
- Tutor and Examiner for Chartered Institute of Arbitrators and Singapore Institute of Arbitrators Fellowship courses
- Tutor of Royal Institute of Chartered Surveyors course
- Board of Directors, London International Disputes Week
- Editorial Board, Lexis PSL Arbitration
- Editorial Board, Journal of Enforcement of Arbitration Awards

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):

10. In which legal systems have you trained?

- | | | |
|---------------------------------------|--|--|
| <input type="checkbox"/> Civil Law | <input checked="" type="checkbox"/> Common Law | |
| <input type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input type="checkbox"/> Swiss Law |
| <input type="checkbox"/> Czech Law | <input type="checkbox"/> Polish Law | <input type="checkbox"/> Ukrainian Law |
| <input type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law | <input type="checkbox"/> European Law |

Other _____

11. What is your main jurisdiction of practice? England & Wales, Singapore, India, and many others

12. In which jurisdictions are you admitted to the bar? England & Wales

13. Special expertise or specializations (please list a maximum of five):

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Antitrust/Unfair competition | <input type="checkbox"/> Damages | <input type="checkbox"/> Insolvency | <input checked="" type="checkbox"/> Power plants |
| <input type="checkbox"/> Aviation | <input type="checkbox"/> Distribution | <input checked="" type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Private Intern. Law |
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | <input type="checkbox"/> Intellect. property (IP) | <input type="checkbox"/> Public Intern. Law |
| <input type="checkbox"/> Capital markets | <input type="checkbox"/> Employment | <input type="checkbox"/> ISDS/ Foreign invest. | <input type="checkbox"/> Real estate |
| <input type="checkbox"/> CISG | <input checked="" type="checkbox"/> Energy | <input type="checkbox"/> Joint ventures | <input checked="" type="checkbox"/> Shipping |
| <input type="checkbox"/> Civil fraud disputes | <input checked="" type="checkbox"/> Engineering | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input checked="" type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input checked="" type="checkbox"/> Life sciences | <input checked="" type="checkbox"/> State/Public contracts |
| <input checked="" type="checkbox"/> Commodity market | <input type="checkbox"/> Healthcare & Pharmac. | <input checked="" type="checkbox"/> Maritime arbitration | <input checked="" type="checkbox"/> Technology |
| <input checked="" type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Media | <input checked="" type="checkbox"/> Telecommunication |
| <input checked="" type="checkbox"/> Construction | <input checked="" type="checkbox"/> Inform. technology (IT) | <input checked="" type="checkbox"/> Mining | <input checked="" type="checkbox"/> Transport |
| <input checked="" type="checkbox"/> Contract law | <input checked="" type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> Natural resources | |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: May 1974

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

X I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

X I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

_21 May 2021_____

Date