

# VIAC – Questionnaire for Arbitrators

**1. Name: Dr. Michael Hofstätter, LL.M.**

**2. Citizenship: Austria**

**3. Contact information:**

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**4. Current position: Counsel**

**5. Education: Law School of Vienna (Mag. iur., Dr. iur.), Cardozo School of Law, New York (LL.M.)**

**6. Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?

Domestic: 6 (VIAC; ICC, ad-hoc)

International: 32 (VIAC; LCIA, ICC; DIS, ad-hoc)

- How often have you acted as Chairman? 0

- How often have you acted as Sole Arbitrator? 2

- How often have you acted as Co-Arbitrator? 0

- How often have you acted as Counsel? 28

- How often have you acted in a different function (e.g. Administrative Secretary)? 8

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

Publications:

- *Ablauf des Schiedsverfahrens* in Michael Nueber (ed), Handbuch Schiedsgerichtsbarkeit und ADR, 2020 (Co-author)
- *Commentary on Art. 7 Vienna Rules* in VIAC (ed), VIAC Handbook Arbitration and Mediation Rules 2018 – A Practitioner's Guide, 2019 (Co-author)
- *Commentary on Arts. XIII to XXVII EGZPO (Introductory Law to the Code of Civil Procedure)* in Walter H. Rechberger/Thomas Klicka (eds), Zivilprozessordnung (ZPO), 2019 (Co-author)
- *Commentary on Arts. 577 to 618 ZPO (Austrian Arbitration Act)* in Walter H. Rechberger/Thomas Klicka (eds), Zivilprozessordnung (ZPO), 2019 (Co-author)

- *Gerichtliches Verfahren (Arts. 615, 616 ZPO)* in Christoph Liebscher/Paul Oberhammer/Walter H. Rechberger (eds), *Schiedsverfahrensrecht II*, 2016 (Co-author)
- *Annotations to various arbitral awards (A18 to A32)* in VIAC (ed), *Selected Arbitral Awards I*, 2015 (Co-author)
- *Wirkungslose Zustellung an Partei statt Vertreter – nicht fristauslösend*, Entscheidungsanmerkung zu OGH 19.03.2013, 10 OB 5/13b“, EvBl 2014, 69
- *Jede mögliche Abgabestelle setzt regelmäßigen Aufenthalt voraus*, Entscheidungsanmerkung zu OGH 20.11.2012, 10 Ob 42/12t“, EvBl 2013, 421 (Co-author)
- *Schiedsrichtervertrag besteht zu den Schiedsparteien*, Entscheidungsanmerkung zu OGH 18.09.2012, 4 OB 30/12h, EvBl 2013, 178

#### Teaching engagements:

Danube University – Krems, Austria:

- *Lecture on Arbitral Proceedings*, Arbitration and Alternative Dispute Resolution Program, since 2020
- *Lecture on International Arbitration Law*, LL.M. Program on Contract Law, since 2015
- *Lecture on Domestic Arbitration Law*, LL.M. Program on Contract Law, since 2013

University of Vienna, Austria:

- *Practical Exercise in Civil Procedure, 2013 – 2014*
- *Coach of the Viennese Moot Court Team*, ADR Moot Court Hong Kong, 2013

#### Speaking engagements:

- *Law Applicable to the Arbitration Agreement*, YIAG meets VIS 2019 Conference, Vienna, April 2019
- *Damages in Energy Disputes*, AIA - Seminar on Energy and Arbitration, Brussels, May 2016
- *The Arbitrator's Contract: Formation and Content*, YAAP Anniversary Conference, Vienna, December 2013
- *Recognition and Enforcement under the Recast of Brussels I and the Austrian Arbitration Amendment Act 2013*, Eurojuris Conference, Vienna, November 2013
- *The Austrian Arbitration Amendment Act 2013 and Article 40 of the New VIAC Rules*, ArbAut Twin Conference, Belgrade, September 2013

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

YAAP, ICC-YAF, ASA below 40

#### **9. Languages**

Mother tongue: German

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): English

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

- X Civil Law
- X Austrian Law
- Czech Law
- German Law
- X USA
- X Common Law
- Hungarian Law
- Polish Law
- Slovakian Law
- Swiss Law
- Ukrainian Law
- X European Law

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

Austria, Europe, US

**12. In which jurisdictions are you admitted to the bar?**

Austria, New York State (USA)

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

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

**14. Date of birth: 4.4.1982**

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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>.

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Date Signature