

VIAC – Questionnaire for Arbitrators

- 1. Name:** Dr. CESARE JERMINI
- 2. Citizenship:** Switzerland
- 3. Contact information:**
Address: Bär & Karrer SA, via Vegezzi 6, 6900 Lugano
Telephone: +41 058 261 58 00
Fax: +41 058 261 58 01
E-Mail: cesare.jermini@baerkarrer.ch
Website: www.baerkarrer.ch
- 4. Current position:**
Partner
- 5. Education:**
1998 Admission to the Zurich and Zug bars (Switzerland)
1998 LL.M. (Columbia University, New York)
1997 Diploma of Swiss Notary Public
1997 Dr. iur. (PhD), University of Zurich (Switzerland)
1996 Diploma of Swiss Attorney-at-Law, Admission to the Ticino bar (Switzerland)
1991 Lic. iur. (LL.B), University of Zurich (Switzerland)
- 6. Practiced experience in arbitration**
- How many arbitrations have you participated in (domestic/international); under which Rules?
52 (ICC, SCAI Swiss Rules, Milano Arbitration Chamber, DIS)
 - How often have you acted as Chairman?
12
 - How often have you acted as Sole Arbitrator?
12
 - How often have you acted as Co-Arbitrator?
9
 - How often have you acted as Counsel?
17
 - How often have you acted in a different function (e.g. Administrative Secretary)?
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7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

- * Commentary to art. 192 and 194 Swiss Private International Law Act (co-author: Dr. Paolo Michele Patocchi), in: Honsell/Vogt/Schnyder (Eds.), *Kommentar zum Schweizerischen Privatrecht. Internationales Privatrecht*, Basle and Frankfurt am Main 2013, 3rd ed. (in German) and in: Berti/Honsell/Vogt/Schnyder (Eds.), *International Arbitration in Switzerland*, Basle and The Hague, 2000, p. 597 seqq. and 625 seqq. (English translation of the 1st ed.).
- * Domestic Arbitration under the New Swiss Code of Civil Procedure
Jermini Cesare / Bernardoni Nicola, in: Manuel Arroyo (eds.), *Arbitration in Switzerland, The Practitioner's Guide*, Kluwer Law International 2013
- * Commentary to Art. 15-17 Swiss Rules (co-author: Andrea Gamba), in: Zuberbühler/Müller/Habegger (Eds.), *Swiss Rules of International Arbitration. Commentary*, Zürich, 2nd edition 2013.
- * Suspensive Effect of Challenges Against International Arbitral Awards in Switzerland; A Trend Towards More Frequent Grants?, in: Müller/Rigozzi (Eds.), *New Developments in International Commercial Arbitration 2011*, p. 79 seqq. (co-author: Nicola Bernardoni)
- * Commentary on "The arbitral proceedings" (La procedura arbitrale) (co-author: Manuel Arroyo), in: Benedettelli/Consolo/Radicati di Brozolo, *Commentario breve al diritto dell'arbitrato nazionale e internazionale*, Milano 2010.
- * Pitfalls of Waiver Agreements under Article 192 PILS in Multi-Contract Settings - Some Remarks on Swiss Federal Court Decision 134 III 260 (co-author: Manuel Arroyo), *ASA Bulletin* 2009, No. 1, p. 103 ff.
- * Exequatur and "Enforcement" of Foreign Protective Measures under Article 39 of the Lugano Convention in Switzerland. The Alternative of Cantonal Protective Measures, *Swiss Journal of Civil Procedure*, 4/2006, pp. 443 - 457.
- * Witnesses and the right to be heard in international arbitration: some remarks on recent decisions of the Swiss Federal Court, *22 ASA Bulletin* 3/2004, pp. 605 - 610.
- * Some Remarks on Preliminary Awards on Jurisdiction, *20 ASA Bulletin* 1/2002, pp. 132 - 134.
- * Commentary to art. 458 – 465 Swiss Code of Obligations [Procuration and Other Commercial Mandates] (2002), in: Kren Kostkiewicz/Bertschinger/Breitschmid/Schwander, *Schweizerisches Obligationenrecht*, Zürich, Orell Füssli, 2002, pp. 572 – 577.
- * Die Anfechtung der Schiedssprüche im internationalen Privatrecht. Nach dem schweizerischen Bundesgesetz über das Internationale Privatrecht, mit rechtsvergleichenden Ausblicken [«The Setting Aside of Arbitral Awards in International Arbitration Under the Swiss Private International Law Act, in a Comparative Perspective»], *Doctoral Thesis*, Zurich 1997.

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

Vice-Chairman, Arbitration Court of the Swiss Chambers' Arbitration Institution - SCAI (governing the Swiss Rules)

Member of the International and Domestic Panels of Arbitrators of several Arbitral Institutions (ICC, SCAI, Milano Arbitration Chamber, DIS, SIAC).

Member of the editorial board of the Bulletin of the Swiss Arbitration Association (Bulletin ASA, Kluwer), since 2001: numerous annotations, case abstracts and conference reports.

Member of the Committee of the Ticino local ASA Group (GASI Gruppo Arbitrato della Svizzera Italiana).

Speaker and panelist at various congresses and seminars mainly on international arbitration, in Switzerland and abroad.

9. Languages

Mother tongue: Italian

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):

Italian, English, German, French

10. In which legal system have you trained?

Switzerland.

11. What is your main jurisdiction of practice?

Switzerland.

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

Sale and Purchase; Joint Ventures; Distribution Agreements.

13. Date of birth:

21st July 1966

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

20th January 2016