

## VIAC – QUESTIONNAIRE

1. **Name:** *Melissa Magliana*

2. **Date of birth:** *15. March 1978*

3. **Citizenship:** *US, Swiss, Italian*

4. **Contact information:**

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5. **Current position:** *Counsel, Homburger AG (www.homburger.ch)*

6. **Education:** *Princeton University (B.A., 1999), Columbia Law School (J.D., 2004),  
University of Lucerne (MLaw, 2014)*

7. **Practiced experience in arbitration: I have been practicing international arbitration since 2005.**

How many arbitrations have you participated in (domestic/international)? Under which Rules?

*In ca. 30-35 cases (ICC, Swiss, Zurich Chamber of Commerce, NAI).*

How often have you acted as Chairman?

*N/A*

How often have you acted as Sole Arbitrator?

*In 1 case (Swiss Rules).*

How often have you acted as Co-Arbitrator? *N/A*

How often have you acted as Counsel?

*In ca. 20-25 cases.*

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

*In ca. 10 cases.*

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

**Publications:**

- Arbitration in Switzerland, in: Balthasar (ed.), International Commercial Arbitration: Practitioner's Guide, C.H. Beck Verlag (Co-author: Roman Richers) [forthcoming August 2015]
- Evidence gone astray, in: Stories from the Hearing Room: Experience from Arbitral Practice – Essays in Honour of Michael E. Schneider, Chapter 28, 2015 (Co-author: Markus Wirth)
- Commentary of Article 26 Swiss Rules, in: Arbitration in Switzerland – The Practitioner's Guide (The Hague: Kluwer International), 2013

- Commentary of Article 26 Swiss Rules, in: Arbitration in Switzerland – The Practitioner's Guide (The Hague: Kluwer International), 2013
- Review of the Recent Case Law of the Swiss Federal Supreme Court, in: New Developments in International Commercial Arbitration, 2012
- ICC Releases New Rules of Arbitration in: Homburger Bulletin, October 4, 2011 (Co-author: Gabrielle Nater-Bass)
- Interim Relief: Taking Appropriate Intervening Measures in: Global Arbitration Review, Vol. 3 Iss. 3, 2008 (Co-authors: Emmanuelle Cabrol, Hagit Elul, Jurjen de Korte, Claudia Krapfl, Chris Parker)
- Dispute Resolution: Country Q&A: Switzerland in: PLC Cross-border Handbooks Dispute Resolution, Volume 2: Arbitration, 2007 (Co-authors: Markus Wirth, Thomas Müller)

#### **Speaking engagements/Conferences**

- DIS-40 Frühlingsveranstaltung "Endlich Schiedsrichter: Was nun?", 6. Mai 2015, Dresden, Germany (upcoming) (Panelist)
- ASA/NYIAC Joint Conference, "The Arbitrator as Settlement Facilitator: Welcome Assistance or Inappropriate Interference" (Organizer/Panelist)
- ICC YAF Conference on Mediation and Arbitration, April 2013, Ankara, Turkey (Speaker: Multi-tiered Arbitration Clauses: Practical Considerations)
- Numerous additional conferences organized on behalf of ASA below 40

#### **Other:**

- ASA Representative at the UNCITRAL Working Group II Sessions in February 2014 (New York)

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

- Member of numerous organizations, including ABA, AIJA, Arbitral Women, ASA, IBA
- Current Co-Chair of ASA below 40 (the young arbitrators' group of the Swiss Arbitration Association)
- Member of the marketing committee of ASA

#### **10. 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): *German*

**11. In which legal system have you trained?** *United States and Switzerland.*

**12. What is your main jurisdiction of practice?** *Switzerland*

**13. Special expertise or specializations (please list a maximum of three):** *Commercial and construction contracts.*

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:

4. May 2015

