

VIAC – QUESTIONNAIRE

1. **Name:** Eric van Ginkel

2. **Date of birth:** 10 May 1939

3. **Citizenship:** Netherlands

4. **Contact information:**

Address: Schonewille & Schonewille, Vijzelstraat 68-78, 1017 HL Amsterdam
OR 11693 San Vicente Blvd., #908, Los Angeles, CA 90049

Telephone: +31 20.206.7715 OR +1-310-569-9505

Fax: +1-310-815-0255

E-Mail: eric@ericvanginkel.com

5. **Current position:** independent arbitrator and mediator

6. **Education:** Meester in de rechten, Leiden University;
Juris Doctor, Columbia Law School
LL.M. in Dispute Resolution, Pepperdine Law School, Straus
Institute for Dispute Resolution

7. **Practiced experience in arbitration:**

How many arbitrations have you participated in (domestic/international)? 75+

Under which Rules? AAA, ICDR, ICC, NAF

How often have you acted as Chairman? 1

How often have you acted as Sole Arbitrator? 75+

How often have you acted as Co-Arbitrator? 1

How often have you acted as Counsel? 4

How often have you acted in a different function (e.g. Administrative Secretary)? 0

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

1. **Teaching courses at Straus Institute for Dispute Resolution at Pepperdine Las School:**

International Commercial Arbitration (with Prof. Thomas Stipanowich and/or Prof. Jack Coe) 2012 – 2015;

International Investment Disputes (with Prof. Jack Coe) 2010 – 2013

2. **Articles:**

- *Asserting an Anti-SLAPP Petition in Arbitration*, DAILY JOURNAL, March 7, 2007
- *Class Arbitration: Discover Bank v. Superior Court*, IBA ARBITRATION COMMITTEE NEWSLETTER, Vol.10 No. 2, 40-47 (September 2005)
- *'Expanded' Judicial Review Revisited: Kyocera Overturns LaPine*, 4 PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL 47 - 60 (2004), (also published in the ICFAI JOURNAL OF ALTERNATIVE DISPUTE RESOLUTION);
- *The UNCITRAL Model Law on International Commercial Conciliation, A Critical Appraisal*, 21 JOURNAL OF INTERNATIONAL ARBITRATION 1 - 65 (2004) (also published in the ICFAI JOURNAL OF ALTERNATIVE DISPUTE RESOLUTION);
- *Reframing The Dilemma of Contractually Expanded Judicial Review: Arbitral Appeal vs. Vacatur*, 3 PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL 157 - 220 (2003).

3. **Presentations:**

- *What California Litigators Need To Know About International Commercial Arbitration*, Webinar presented by the California State Bar, Litigation Section ADR Committee, with Jeff Dasteel, Los Angeles, March 2014
- *Negotiating and Drafting Effective ADR Agreements*, State Bar of California Annual Meeting, Monterey, California, October 2012
- *The Well-Wrought ADR Clause - Worth its Weight in Gold! How to Draft the Right Clause for your Client's Next Deal*. ABA Conference, Section on Dispute Resolution, Washington, DC, April 2012.
- *The ICC Rule Changes: Efficiency and Flexibility*, Los Angeles International Commercial Arbitration Forum, Los Angeles, January 2012 (with Jeff Dasteel)
- *Protocols for Expedious, Cost-Effective Arbitration (The CCA Protocols)*, Seminar on Best Practices for Winning at Litigation & Trial, State Bar of California, Litigation Section, Sacramento May 2011 (with Ruth Glick).
- *The Scheduling Conference and the IBA Rules on the Taking of Evidence*, Norton Rose, Hong Kong, November 2009.
- *Guidelines for the Exchange of Information in International Commercial Arbitration: The Scheduling Conference and the IBA Rules on the Taking of Evidence*, Decision 2009 - Debates on Current international Arbitration Issues, International Section of the State Bar of California and ICDR, Santa Clara, California, October 2009.
- *Negotiating and Drafting ADR Clauses*, State Bar of California Annual Meeting, Anaheim, California, September 2007;
- *Dispute Settlement under US-EU Open Skies: Room for Improvement?*, Conference on Arbitration in Maritime and Aviation Disputes, presented by the IBA's Maritime and Transport and Aviation Law Committees and the Arbitration Committee, Hamburg, Germany, April 2007;
- *Dispute Resolution Mechanisms for IP-related Disputes*, International Bar Association (IBA) Conference, co-chair of a Joint Session of the Intellectual Property, Arbitration and Mediation Committees of the IBA and the Inter-American Association of Industrial Property (ASIPI), Chicago, Illinois, September 2006;
- *International Arbitration as a Vehicle for Resolving Multi-National IP Disputes*, USC Gould School of Law 2006 Intellectual Property Institute, Beverly Hills, California, May 2006;
- *Domestic Versus International Mediation and Arbitration in California*, 2006 Symposium of the Section Education Institute of the State Bar of California, Santa Monica, California, February 2006;
- *Substantive Protection Available under BITs and MITs*, ABA Conference, Section on Dispute Resolution, Los Angeles, California, April 2005.

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

American Arbitration Association (AAA – *Large Complex Cases and Intellectual Property Panels*), the Australian Centre for International Commercial Arbitration (ACICA), the International Institute for Conflict Prevention & Resolution (CPR - *the International and Banking, Accounting and Financial Services Panels of Distinguished Neutrals*), the International Chamber of Commerce (member of ICC Nederland), the International Centre for Dispute Resolution (ICDR), the London Court of International Arbitration (LCIA) and the World Intellectual Property Organization (WIPO)

10. Languages:

Mother tongue: Dutch

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, French, German

11. In which legal system have you trained? Dutch, US (New York, California)

12. What is your main jurisdiction of practice? As former attorney US (New York, California)

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

- 1. Intellectual Property Law (including information technology, pharma and biotech),**
- 2. Banking, Financial**
- 3. Commercial**

I have completed this questionnaire set forth above to the best of my knowledge and believe the answers 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:

17.5.2016