

VIAC – QUESTIONNAIRE

1. Name:

Dr. Johannes P. Willheim M.B.L.-HSG, LL.M. (Chicago)

2. Date of birth:

09. March 1969

3. Citizenship:

Austrian

4. Contact information:

Company Name: Jones Day
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5. Current position:

Partner of Global Disputes Practice, Jones Day, Frankfurt, Germany

6. Education:

- The University of Chicago Law School, IL, U.S.A. (LL.M 2004)
- King's College, London (PG Diploma in EC Competition Law 2003)
- Hochschule St. Gallen, CH (Master of European and International Business Law 2001)
- Law Faculty University of Vienna – Juridicum (Mag. iur. 1997; Dr. iur. 2002)

7. Practiced experience in arbitration:

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

- 1 ICC arbitration as sole arbitrator
- 6 ICC arbitrations as party representative
- 1 VIAC arbitration as party nominated arbitrator in tribunal
- 1 VIAC arbitration as sole arbitrator
- 2 VIAC arbitrations as party representative
- 1 NAI arbitration as party representative
- 3 *ad hoc* arbitrations as party representative
- Multiple arbitrations in support of arbitrators including position as Secretary, as well as team member of party representative's team in second arbitrations

Under which Rules?

- International: ICC rules
- Domestic: VIAC rules
- Ad Hoc

How often have you acted as Chairman?

I have not yet acted as Chairman.

How often have you acted as Sole Arbitrator?

I acted two times as Sole Arbitrator in ICC and VIAC arbitrations proceedings.

How often have you acted as Co-Arbitrator?

I acted one time as Co-Arbitrator in a domestic arbitration under the VIAC rules.

How often have you acted as Counsel?

- I acted as Counsel in six international institutional arbitrations under ICC rules.
- I acted as Counsel in two domestic arbitrations under VIAC rules.
- I acted as Counsel in one international arbitration in NAI proceedings.
- I have acted as Counsel in three *ad hoc* arbitrations

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

During my time as associate I have been numerous times part of the team representing a party in domestic and international arbitrations. Moreover, I have assisted many times an arbitrator (e.g. Dr. Rudolf K. Fiebinger) in his function as Chairman or member of an arbitral tribunal.

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

Speaking Engagements:

- Arbitrating Competition Law; Willheim Müller Rechtsanwälte in Cooperation with FTI Compass Lexecon (2012)
- C5 Conference on Long Term Gas Supply Contracts (2012, 2013, 2014, 2015)
- C5 Seminar: Antitrust and regulatory risks in the energy Sector (2012)
- ELSA International Summer School on International Dispute Resolution Vienna (2012, 2013, 2014, 2015)
- VIAC Asia Roadshow (2012)
- VIAC CEE Roadshow (2013, 2014)
- The International Gas Conference, London, U.K. (2015)
- Energy Series – Resolving Energy Disputes, Düsseldorf, Germany (2015)
- The Usage of Authorities in Memoranda, 11th Annual Frankfurt Drafting School, Frankfurt Moot Alumni Association, Frankfurt, Germany (2015)
- Energietage 2015: Ölindizierte Verträge als Auslaufmodell? Zukunft der Preisformeln in Langfristverträgen (Oil-indexed agreements a phase-out model? The future of price formulae in long-term agreements), Vienna, Austria (2015)
- 18th IIR Annual Industry Meeting: Natural Gas 2015 Vienna, Austria (2015)
- 11th Annual Frankfurt Drafting School 2015, Frankfurt Moot Alumni Association (FMAA), Frankfurt, Germany (2015)
- Introduction into International Arbitration, ELSA Dispute Resolution Summer School, Vienna, Austria (2015)
- Access to essential infrastructure and IP, IBA/AI Seminar, Enforcement of EU Competition Law at National Level, Paris, France (2015)

Training Sessions:

- ICC PIDA Training, Paris
- ICC Masterclass for Arbitrators, Hong Kong

Exemplary List of Publications:

- Does EU competition law impose limitations on document production in international arbitration? (IBA Arbitration Newsletter 07/2013)
- “OGH 8.5.2013, 6 Ob 47/13 z: Auslegung einer Schiedsvereinbarung und deren Fortwirken nach Beendigung der Gesellschaft bei Streitigkeiten aus dem Gesellschaftsvertrag” (Ecolex Fachzeitschrift für Wirtschaftsrecht; Manzsche Verlags- und Universitätsbuchhandlung)

- “The Power of Arbitral Tribunals In Price Revision Disputes Illustrated with the Example of Long Term Gas Supply Agreements.” (Austrian Yearbook of International Arbitration 2014, Manzsche Verlags- und Universitätsbuchhandlung; Verlag C.H. Beck, München, Stämpfli Verlag, Bern)
- “The advantages of pursuing follow-on actions in collective arbitration” (ÖZK 2014)
- “Austria” (Merger Control, Jurisdictional comparisons, Second edition 2014, The European Lawyer Reference, Editor: Jean Francois Bellis & Porter Elliot, Van Bael Bellis)

Other activities:

Co-Founder of “Gesellschaft für Smart Conflict Management”; www.scm-austria.org
 (“Society for Smart Conflict Management”)

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

I am a member of

- American Bar Association Section of International Law (ABAILEX)
- Arbitration Austria (ARBAUT)
- Association Suisse de l’Arbitrage (ASA)
- Deutsche Institution für Schiedsgerichtsbarkeit (DIS)
- Dutch Arbitration Association (DAA)
- International Chamber of Commerce Commission on Competition
- International Chamber of Commerce Commission on Arbitration and ADR
- International Council for Commercial Arbitration (ICCA)
- International Bar Association

10. 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, French

11. In which legal system have you trained?

- EU
- Austria
- Switzerland
- US (i.e. civil law and common law jurisdictions)

12. What is your main jurisdiction of practice?

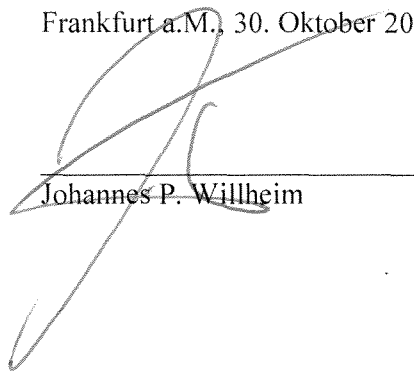
- EU
- Austria
- Switzerland
- Germany
- US

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

- Antitrust / Competition / Commercial (distribution, licensing, sale & purchase)
- Corporate (shareholder disputes and post transactional disputes)
- Energy (oil and gas; price revisions)
- Insurance / industrial plants / infrastructure projects

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.

Frankfurt a.M., 30. Oktober 2015

A handwritten signature in black ink, appearing to read 'Johannes P. Willheim', is written over a horizontal line. The signature is stylized and somewhat cursive.

Johannes P. Willheim