

# VIAC – Questionnaire for Arbitrators

1. **Name:** Lisa Bench Nieuwveld

2. **Citizenship:** USA and The Netherlands

3. **Contact information:**

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4. **Current position:** Independent Arbitrator at BenchNieuwveld Arbitration and diversity & inclusion consultant at Inclusief Consulting.

5. **Education:** Doctorate of Jurisprudence, Florida State University College of Law, Tallahassee, Florida, USA;

LL.M. Erasmus University School of Law, International, European & Comparative Law, Rotterdam, The Netherlands

Bachelor of Science, University of Central Florida, Business: Finance, Orlando, Florida, USA

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules? 10 (plus more in the initial evaluation stage) under ICC, NAI, ICDR, UNCITRAL (ad hoc), WIPO, FINRA
- How often have you acted as Chairman? 0
- How often have you acted as Sole Arbitrator? 0
- How often have you acted as Co-Arbitrator? 1 (FINRA, New York, New York)
- How often have you acted as Counsel? 9
- How often have you acted in a different function (e.g. Administrative Secretary)? 0

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

**TEACHING EXPERIENCE:**

**Avans University of Applied Sciences International Studies** Breda, Netherlands

*Lecturer (80% Full-time)*

Mar. 2014-Aug. 2015

*Courses taught included: Business Law, International Law, Laws of the European Union, and Corporate Social Responsibility & Ethics, Introduction to Law*

**Webster University** Leiden, Netherlands  
*Courses taught: Negotiating Skills and Sustainable Careers* Jan. 2009-Aug. 2015

**Florida State University College of Law** Tallahassee, Florida  
*Course taught: International Arbitration* Jan. 2012- Feb. 2013

## **PUBLICATIONS:**

### **BOOKS:**

- *Third-Party Funding in International Arbitration* (with Victoria Sahani), (Wolters Kluwer, 2ed., 2017).
- *Third Party Funding in International Arbitration* (with Victoria Sahani), (Wolters Kluwer, 2012).

### **PUBLISHED WORKS:**

- *Third Party Funding: Why the Fuss? The Insurance Industry Holds the Answer*, Trans. Dispute Mngt. 7 (2012).
- *Summary Arbitration Proceedings: A Comparison between the English and Netherlands Regimes*, 26 Arb. Int'l 139 (Winter 2010). (co-authored)
- *The Emerging European SPAC Market*, 2 Bloomberg's European L. J. 45 (2008) (with Petra Zijp and Jan Paul Franx).
- *Is this really about what we call our food or something else: The WTO food name case over the protection of geographical indications of origin*, 41 The Int'l L. 891 (2007).
- *Florida Continues to Lead the Nation in Mediation*, 81 The Fla. B.J. (2007).
- *UNIDROIT Principles: Are They Law?*, 11 The Vindobona J. of Comm. L. & Arb. 299-304 (2007) (with Nathan O'Malley).

### **ESSAYS AND SHORTER WORKS:**

- *Rome I and II EU Regulations*, 43 The Int'l Lawyer 2008 Year-in-Review (2009).
- *Foreign Private Issuers May Get a Break*, XXIV Int'l L.Q. (2008).
- *ICC Advance on Costs: Strategical Games*, 20 Int'l L. Practicum 114 (2007) and (reprint) 8 The Int'l Arb. News 11 (2008).
- *Netherlands Arbitration Case Law*, 42 The Int'l Lawyer 2007 Year-in-Review 1002 (2008) (with Matthijs Nieuwveld).

### **BLOGS**

- *Yukos v. Rosneft: The Dutch Courts Find that Exceptional Circumstances Exist*, Kluwer Arb. Blog, (Feb. 11, 2010) ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Provisional Application of the Energy Charter Treaty: Article 45(1) "Limitation Clause"*, Kluwer Arb. Blog (Feb. 16, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).

- *ICC Rules: What Do You Do When the Respondent Refuses to Pay its Portion of the Advance on Costs? An Alternative Approach*, Kluwer Arb. Blog (Feb. 23, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Respondents Play with Advance on Costs as a Strategy: Do Claimants as Well?*, Kluwer Arb. Blog (Mar. 5, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Effective July 1, 2010, Florida's Arbitration Act Now Incorporates the UNCITRAL Model Law on International Commercial Arbitration*, Kluwer Arb. Blog (Aug. 4, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Should the US FAA Follow the Example Set by Florida's Newly Enacted Arbitration Act?*, Kluwer Arb. Blog (Aug. 12, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Why Doesn't New York Consider Adopting the Model Law after Florida's Example?*, Kluwer Arb. Blog (Aug. 23, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Bilateral Investment Treaty Protections and Not-For-Profits: Practically, is it worth it?*, Kluwer Arb. Blog (Aug. 26, 2010), ([www.kluwerarbitrationlog.com](http://www.kluwerarbitrationlog.com)).
- *Do We Need Another Arbitral Institute? Maybe*, Kluwer Arb. Blog (Dec. 7, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *BIT Claim or Contract Claim?*, Kluwer Arb. Blog (Dec. 16, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *US Supreme Court Denies Cert for Lloyds v Lagstein*, Kluwer Arb. Blog (Dec. 28, 2010), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Choosing the Weathered Veteran or the Young Buck?*, Kluwer Arb. Blog (Jan. 8, 2011), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)). **Winner of Best ADR Blog, CIArb 2011** (CIArb is a prestigious arbitration body – Chartered Institute of Arbitrators our of the UK).
- *A Chance to Discuss Proposed or Published Changes to Key Arbitration Rules*, Kluwer Arb. Blog (Apr. 7, 2011), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *The European Advocate General Supports BIT Obligations in EC v. Slovakia*, Kluwer Arb. Blog (Apr. 12, 2011), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Oral Hearing and Party Appointed Arbitrators: Guess?? Yep! That's Who Appointed Them!*, Kluwer Arb. Blog (Apr. 20, 2011), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).
- *Egypt's Unrest – Dubai's Moment of Opportunity?*, Kluwer Arb. Blog (May 2, 2011), ([www.kluwerarbitrationblog.com](http://www.kluwerarbitrationblog.com)).

## ARBITRATOR

- FINRA (Financial Industry Regulatory Authority) Arbitrator New York, New York (2011).
  - Completed required trainings.

## COACHING

- Frequent judge for the Regional Rounds of the annual Willem C. Vis Moot International Commercial Arbitration, Peace Palace, The Hague, The Netherlands.

## PRESENTATIONS

- Panelist, *Liability of Players in Arbitration*, UNCITRAL/VIAC/YAAP Conference, Vienna, Austria (March 22, 2013).
- Moderator, *Third-Party Funding in Dispute Resolution*, NAI Jong Oranje, Rotterdam, The Netherlands (October 20, 2012).
- Moderator, *The Fundamental Difference Between Treaty Rights and Contract Rights*, Seventh Annual ICC New York Conference, New York, New York (September 10, 2012).
- Moderator, *Changing the Rules, A Review of the Important Changes to the UNCITRAL, ICC, and the IBA Rules of Evidence*, ABA Spring International Meeting, Washington D.C. (2011).
- Moderator, *International Arbitration*, Joint ABA SIL and Los Angeles Bar Ass'n Conf., Los Angeles, California (March 2011).
- Moderator, *International Arbitration*, ABA Spring International Meeting, New York, New York. (2010).
- Panelist, *Enforcement of International Arbitral Awards*, 2010 ILS Annual International Litigation and Arbitration Conference, Miami, Florida (February 12, 2010).
- Panelist, *Cross Border Class Actions*, IBA/ABA Cross Border Litigation Conference, Miami, Florida (November 7, 2008).
- Moderator, *US Style Class Actions Reaches European Shores*, 2008 ABA International Fall Meeting, Brussels, Belgium (September 25, 2008).

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

### 9. 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): Dutch and Spanish

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

- |                                       |  |  |
|---------------------------------------|--|--|
| <input type="checkbox"/> Civil Law    | <input checked="" type="checkbox"/> Common Law |  |
| <input type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law         | <input type="checkbox"/> Swiss Law               |
| <input type="checkbox"/> Czech Law    | <input type="checkbox"/> Polish Law            | <input type="checkbox"/> Ukrainian Law           |
| <input type="checkbox"/> German Law   | <input type="checkbox"/> Slovakian Law         | <input checked="" type="checkbox"/> European Law |

Other \_\_\_\_\_

**11. What is your main jurisdiction of practice? United States of America**

**12. In which jurisdictions are you admitted to the bar? New York and Florida**

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

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

**14. Date of birth:**

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

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](mailto: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