

VIAC – Questionnaire for Arbitrators

1. **Name:** Nadja JAISLI KULL

2. **Citizenship:** Swiss

3. **Contact information:**

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4. **Current position:**

Partner, Bär & Karrer AG, Zürich

5. **Education:**

2008 Admitted to the New York State Bar (not practicing)

2007 LL.M., New York University School of Law (NYU, Hauser Global Scholar)

2005 Admitted to all Swiss Courts

2003 lic. iur., Universities of Zurich and Geneva ("*summa cum laude*")

6. **Practiced experience in arbitration** (practicing in international arbitration since 2006)

- How many arbitrations have you participated in (domestic/international); under which Rules?
Ca. 30 cases (ICC Rules, Swiss Rules, DIS Rules, UNCITRAL Rules, ad hoc)
- How often have you acted as Chairman?
n/a
- How often have you acted as Sole Arbitrator?
5
- How often have you acted as Co-Arbitrator?
3
- How often have you acted as Counsel?
Ca. 20 cases
- How often have you acted in a different function (e.g. Administrative Secretary)?
2

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

Speaking Engagements

What do our Clients Expect? Panel Discussion with General Counsels, Arbitration Forum St. Gallen (Organizer: Law and Economics Foundation St. Gallen), 10-11 April 2018, St. Gallen (Moderator)

Are Written Witness Statements and Cross-Examination Really Effective? Vienna Arbitration Days 2018, 19 January 2018, Vienna

Arbitration in Switzerland - Present and Future, Lexology and Bär & Karrer, 9 January 2018 (Webinar)

Konflikte international ausfechten: Erfolgsfaktoren in internationalen Schiedsverfahren (Organizer: Gabriel Arbitration Dispute Resolution), 9 November 2017, Zurich (Moderator)

Introduction to the UNCITRAL Arbitration Rules (Organizer: Vis Moot School Switzerland), 4 October 2017, University of Zurich

Kunst der Vergleichsverhandlung und geschickte Vergleichsredaktion, ZPR! Geschickte Prozessführung und Prozesstaktik (Organizer: SJWZ - Stiftung juristische Weiterbildung Zürich), 5 April 2017, Zurich

Shaping Arbitral Proceedings to Best Examine Quantum, The Impact of Contract Terms, ASA Annual Conference 2017, 3 February 2017, Geneva

Competition Law and Arbitration from a Swiss Perspective, Young Austrian Arbitration Practitioners (YAAP) Anniversary Conference, 6 December 2016, Vienna

Young Arbitrators Forum YAF, Tribunal-Assisted Settlements in International Arbitration, 8 September 2016, Zurich (Moderator)

ASA Arbitration Forum, 29 August 2016, Zurich (Moderator)

Privileged Attorney-Client Communication and Work Product – Eine Gebrauchsanleitung, 2. Tagung zur Schiedsgerichtsbarkeit (Organizer: Europa Institut (EIZ)), 3 March 2016, Zurich (Panelist)

Introduction to the VIAC Rules of Arbitration ("Vienna Rules") (Organizer: Vis Moot School Switzerland), 30 September 2015, University of Zurich

Introduction to the ICC Arbitration Rules (Organizer: Vis Moot School Switzerland), 1 October 2014, University of Zurich

Anti-suit injunctions in protection of arbitral proceedings: useful weapon or disruptive nuisance, ASA Below 40 Seminar, 23 May 2014, Geneva (Panelist)

Das Investment in der Krise – sind Aktionärsbindungsverträge Schönwetterverträge, 4. Tagung zu Private Equity (Organizer: Europa Institut (EIZ)), 29 January 2014, Zurich

Introduction to the 2013 CEPANI Arbitration Rules (Organizer: Vis Moot School Switzerland), 2 October 2013, University of Zurich

Selected Publications

Commentary on Article 23 ICC Rules in: Manuel Arroyo (ed.), Arbitration in Switzerland – The Practitioner's Guide, 2nd ed., The Netherlands 2018

Commentary on Article 24 ICC Rules and Appendix IV ICC Rules (with Andrea Meier), in: Manuel Arroyo (ed.), Arbitration in Switzerland – The Practitioner's Guide, 2nd ed., The Netherlands 2018

Chapter on Jurisdiction (with Rolf Schütze, Susanne Kratzsch and Hubertus Schumacher) in: Hellwig Torggler (ed.), Praxishandbuch Schiedsgerichtsbarkeit, 2nd ed. 2017, p. 279 et seqq.

Das Investment in der Krise – Sind Aktionärsbindungsverträge Schönwetterverträge? (with Michael Trippel), in: Dieter Gericke (ed.), Private Equity IV, Europa Institut Zürich Band 155, 2014, pp. 201-234

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

Member of the Board of the Swiss Arbitration Association (ASA)

Member of the Zurich Bar Association and the Swiss Bar Association

Austrian Arbitration Association (Arb/Aut)

German Arbitration Institute (DIS)

New York State Bar Association

ArbitralWomen

9. 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): German and English

10. In which legal systems have you trained?

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> <u>Civil Law</u> | <input checked="" type="checkbox"/> <u>Common Law</u> | |
| <input type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input checked="" type="checkbox"/> <u>Swiss Law</u> |
| <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 type="checkbox"/> | <input type="checkbox"/> European Law |
| <input type="checkbox"/> Other: | | |

11. What is your main jurisdiction of practice?

Switzerland

12. 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 checked="" type="checkbox"/> <u>Distribution</u> | <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 type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input type="checkbox"/> Civil fraud disputes | <input type="checkbox"/> Engineering | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input checked="" type="checkbox"/> <u>Commercial disp. / transactions</u> | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Commodity market | <input checked="" type="checkbox"/> <u>Healthcare & Pharmac.</u> | <input type="checkbox"/> Maritime arbitration | <input type="checkbox"/> Technology |
| <input checked="" type="checkbox"/> <u>Company/Corporate/M&A</u> | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Media | <input type="checkbox"/> Telecommunication |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Mining | <input type="checkbox"/> Transport |
| <input checked="" type="checkbox"/> <u>Contract law</u> | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Natural resources | |
| <input type="checkbox"/> Other: | | | |

13. Date of birth: 30 July 1977

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

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 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. 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>.

Zurich, 16 August 2018