

VIAC – Questionnaire for Arbitrators

1. Name: Cesare Jermini

2. Citizenship: Switzerland

3. Contact information:

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LinkedIn: -

4. Current position:

Partner

5. Education:

1998 Admission to the Zurich and Zug bars (Switzerland)

1998 LL.M. (Columbia University, New York)

1997 Diploma of Swiss Notary Public

1997 Dr. iur. (PhD), University of Zurich (Switzerland)

1996 Diploma of Swiss Attorney-at-Law, Admission to the Ticino bar (Switzerland)

1991 Lic. iur. (LL.B), University of Zurich (Switzerland)

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
88 (ICC, SCAI Swiss Rules, Milano Arbitration Chamber, DIS, ad hoc)
- How often have you acted as Chairman?
21
- How often have you acted as Sole Arbitrator?
14
- How often have you acted as Co-Arbitrator?
19
- How often have you acted as Counsel?
33
- How often have you acted in a different function (e.g. Administrative Secretary)?
1

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

- * Commentary to art. 192 and 194 Swiss Private International Law Act (co-author: Dr. Paolo Michele Patocchi), in: Honsell/Vogt/Schnyder (Eds.), *Kommentar zum Schweizerischen Privatrecht. Internationales Privatrecht*, Basle and Frankfurt am Main 2013, 3rd ed. – 4th ed. forthcoming 2020 (in German) and in: Berti/Honsell/Vogt/Schnyder (Eds.), *International Arbitration in Switzerland*, Basle and The Hague, 2000, p. 597 seqq. and 625 seqq. (English translation of the 1st ed.).
- * *Domestic Arbitration under the New Swiss Code of Civil Procedure*
Jermini Cesare / Bernardoni Nicola, in: Manuel Arroyo (eds.), *Arbitration in Switzerland, The Practitioner's Guide*, Kluwer Law International 2nd ed. 2018
- * Commentary on "The arbitral proceedings" (La procedura arbitrale) (co-author: Manuel Arroyo), in: Benedettelli/Consolo/Radicati di Brozolo, *Commentario breve al diritto dell'arbitrato nazionale e internazionale*, 2nd ed. Milano 2017.
- * Commentary to Art. 15-17 Swiss Rules (co-author: Andrea Gamba), in: Zuberbühler/Müller/Habegger (Eds.), *Swiss Rules of International Arbitration. Commentary*, Zürich, 2nd edition 2013.
- * *Suspensive Effect of Challenges Against International Arbitral Awards in Switzerland; A Trend Towards More Frequent Grants?*, in: Müller/Rigozzi (Eds.), *New Developments in International Commercial Arbitration 2011*, p. 79 seqq. (co-author: Nicola Bernardoni)
- * *Pitfalls of Waiver Agreements under Article 192 PILS in Multi-Contract Settings - Some Remarks on Swiss Federal Court Decision 134 III 260* (co-author: Manuel Arroyo), *ASA Bulletin* 2009, No. 1, p. 103 ff.
- * *Exequatur and "Enforcement" of Foreign Protective Measures under Article 39 of the Lugano Convention in Switzerland. The Alternative of Cantonal Protective Measures*, *Swiss Journal of Civil Procedure*, 4/2006, pp. 443 - 457.
- * *Witnesses and the right to be heard in international arbitration: some remarks on recent decisions of the Swiss Federal Court*, *22 ASA Bulletin* 3/2004, pp. 605 - 610.
- * *Some Remarks on Preliminary Awards on Jurisdiction*, *20 ASA Bulletin* 1/2002, pp. 132 - 134.
- * Commentary to art. 458 – 465 Swiss Code of Obligations [Procurations and Other Commercial Mandates] (2002), in: Kren Kostkiewicz/Bertschinger/Breitschmid/Schwander, *Schweizerisches Obligationenrecht*, Zürich, Orell Füssli, 2002, pp. 572 – 577.
- * *Die Anfechtung der Schiedssprüche im internationalen Privatrecht. Nach dem schweizerischen Bundesgesetz über das Internationale Privatrecht, mit rechtsvergleichenden Ausblicken [«The Setting Aside of Arbitral Awards in International Arbitration Under the Swiss Private International Law Act, in a Comparative Perspective»]*, Doctoral Thesis, Zurich 1997.

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

Member, ASA (Swiss Association for International Arbitration) Board

Member, Arbitration Court of the Swiss Chambers' Arbitration Institution - SCAI (governing the Swiss Rules of International Arbitration)

Member of the International and Domestic Panels of Arbitrators of several Arbitral Institutions

Member of the editorial board of the Bulletin of the Swiss Arbitration Association (Bulletin ASA, Kluwer), since 2001: numerous annotations, case abstracts and conference reports

Speaker and panelist at various congresses and seminars mainly on international arbitration, in Switzerland and abroad.

9. Languages

Mother tongue: Italian

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): Italian, German, English, French.

10. In which legal systems have you trained?

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> <u>Civil Law</u> | <input type="checkbox"/> Common Law | |
| <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 |

Other _____

11. What is your main jurisdiction of practice?

Switzerland.

12. In which jurisdictions are you admitted to the bar?

Switzerland.

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 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 checked="" type="checkbox"/> <u>Energy</u> | <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 type="checkbox"/> Commercial disp. / transactions | | <input type="checkbox"/> Entertainment |

- Life sciences
- Maritime arbitration
- Hotel/Gastro./Tour.
- Construction
- Transport
- Other:
- State/Public contracts
- Technology
- Media
- Inform. technology (IT)
- Contract law
- Commodity market
- Company/Corporate/M&A
- Telecommunication
- Mining
- Infrastructure
- Natural resources
- Healthcare &Pharmac.

14. Date of birth: 21st July 1966

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. 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>.

10th September 2020

_____ and _____
Date Signature