

# VIAC – Questionnaire for Arbitrators

**1. Name:** Michael Kutschera

**2. Citizenship:** Austrian

**3. Contact information:**

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**4. Current position:** Partner, Binder Grösswang Rechtsanwälte GmbH since 1989

**5. Education:** New York University Law School (M.C.J., Fulbright Fellow, 1983)  
Universität Wien (Dr. iur. 1979)

**6. Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?  
38 arbitration proceedings; VIAC-Rules, ICC-Rules, DIS-Rules, ad-hoc
- How often have you acted as Chairman? 12 arbitration proceedings
- How often have you acted as Sole Arbitrator? 3 arbitration proceedings
- How often have you acted as Co-Arbitrator? 18 arbitration proceedings
- How often have you acted as Counsel? 7 arbitration proceedings
- How often have you acted in a different function (e.g. Administrative Secretary)? never

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

- Vorteile des schiedsgerichtlichen Verfahrens, in Praxishandbuch Schiedsgerichtsbarkeit, Verlag Österreich 2007;
- Provisional Remedies in International Commercial Arbitration, De Gruyter, 1994, (with Nitsch)

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

ASA, ICC

**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): English, French

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

- |                                     |  |  |
|-------------------------------------|--|--|
| <input type="checkbox"/> Civil Law  | <input type="checkbox"/> Common Law    |  |
| X 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 type="checkbox"/> European Law  |
- Other: US Law

**11. What is your main jurisdiction of practice? Austria**

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

**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    |
| X <input checked="" 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   | X <input checked="" type="checkbox"/> Energy     | X <input checked="" 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                 |
| X <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             |
| X <input checked="" type="checkbox"/> Company/Corporate/M&A           | <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 type="checkbox"/> Contract law                                 | <input type="checkbox"/> Infrastructure          | <input type="checkbox"/> Natural resources           |   |
| <input type="checkbox"/> Other _____                                  |  |  |   |

**14. Date of birth: 10.10.1957**

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>.

15.9.2020  
Date