

# VIAC – Questionnaire for Arbitrators

1. **Name:** Maxim Osadchiy

2. **Citizenship:**

- United Kingdom
- Russian Federation

3. **Contact information:**

Address: Berkeley Suite, 35 Berkeley Square, Mayfair, London W1J 5BF, United Kingdom

Telephone: +44 7715 8541 77

Fax: N/A

E-Mail: maxim.osadchiy@osadchiy-dr.com

Website: www.osadchiy-dr.com

LinkedIn: linkedin.com/in/maxim-osadchiy-02006041

4. **Current position:** Founder and Managing Partner, Osadchiy Dispute Resolution LLP

5. **Education:**

- Queen Mary, University of London, LL.M. (Distinction)
- Columbia Law School, LL.M. (Parker School Award)
- Russian Academy of Justice, LL.B. (First Class Honours)

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules? 25, under the rules of all major arbitral institutions, including the rules of the LCIA, VIAC, ICC, SCC, and the HKIAC. I also acted in several proceedings conducted under UNCITRAL Rules.
- How often have you acted as Chairman? 0
- How often have you acted as Sole Arbitrator? 1
- How often have you acted as Co-Arbitrator? 0
- How often have you acted as Counsel? 25
- How often have you acted in a different function (e.g. Administrative Secretary)? 1 (SCC arbitration)

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

**Selected publications**

- 'Will AI fundamentally disrupt international arbitration as a practice and as a profession for young lawyers?' (forthcoming), Winner of the 2024 Young ICCA Essay Competition, ICCA Congress Series No. 22 (Hong Kong).
- 'Are Arbitral Institutions Using Artificial Intelligence? The State of Play in Adopting AI' (2024), Kluwer Arbitration Blog (with Michael McIlwrath and Erika Santini).
- 'Arbitration Agreements with Russian Parties—Growing Risks for Foreign Litigants' (2024) Debevoise In Depth Client Publication (with Patrick Taylor and Svetlana Portman).

- 'Calibrating De Novo: A Hard Look at Judicial Review of Arbitral Jurisdiction' (2024) Journal of International Arbitration Vol. 41-1.
- 'The Growing Prominence of Kazakhstan as a Destination for Foreign Direct Investment in the Post-Soviet Space' (2023) Debevoise In Depth Client Publication (with Lord Goldsmith KC and Jane Shvets).
- 'State Courts' Attitude to Arbitrator Challenge Applications: Rich Tapestry of Arbitrator Bias Standards' (2021) BCDR Arbitration Review (with Lord Goldsmith KC and Natalie Reid).
- 'The Guide to Energy Arbitrations - Third Edition: Compensation in Energy Arbitration' (2019) Global Arbitration Review (with Samantha Rowe and Aimee-Jane Lee).
- 'Emergency Relief in Investment Treaty Arbitration – A Word of Caution' (2017) Journal of International Arbitration Vol. 34-2.
- 'Winning by Design: an outsiders view on third-party funding at Vannin Capital' (2017) Funding in Focus Issue 4.
- 'Arbitrating under the 2014 LCIA Rules: A User's Guide' (2015), Maxi Scherer, Lisa Richman & Remy Gerbay, Wolters Kluwer (assisted in writing a chapter on provisional measures).

### **Speaking engagements**

- Sanctions Considerations in Cross-Border Transactions: panel discussion at the Kazakhstan Legal Forum featuring Andrei Gusev, Uliana Veller, and Evgeny Zhilin, speaker (forthcoming).
- Tales of the Tribunal: special edition of Christopher Campbell's podcast on essay writing and importance of written advocacy in arbitration featuring Lilit Nagapetyan, speaker (forthcoming).
- International Arbitration: An AI Endeavour: ICCA Hong Kong 2024 Congress panel featuring Michael McIlwrath, Christopher Bogart, Rahim Moloo, Emily Hay and Winnie Tam SC, speaker (May 2024).
- The Impact of Sanctions on Cross-Border M&A Transactions: panel discussion at the Kazakhstan Legal Forum featuring Alan Kartashkin and Arman Berdalin, speaker (September 2023).
- Where to draw the line on Confidentiality? The Role of the Seat in protecting privacy in arbitration: BVI IAC panel featuring Arabella di Iorio, Nancy Thevenin, and Shai Wade, speaker (March 2023).
- The Cross-Jurisdictional Approach to Bankruptcy: International Arbitration Course organized by the Russian Institute of Modern Arbitration featuring Professor Jan Paulsson, Bernard Hanotiau, and Jeffrey Waincymmer (amongst others), speaker (January 2022).
- The Future of Virtual Hearings in Arbitration: BVI IAC panel featuring Dame Elizabeth Gloster, Francois Lassalle and Natalie Reid, speaker (October 2021).
- Client webinars on Interim Relief in Cross-Border Disputes; Hong Kong Arbitration for Russian Parties; and COVID-19: Impact On Contracts, speaker/moderator.

### **Academic appointments**

Queen Mary, University of London, Teaching Associate

- International Arbitration in the Energy Sector (Dr. Maxi Scherer) (2019-Present)
- Comparative International Arbitration (Dr. Stavros Brekoulakis) (2020-2023)

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

- Young ICCA
- LCIA YIAG
- ICC YAAF
- ASIL

### **9. Languages**

Mother tongue: Russian

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

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

- |   |  |  |
|---|--|--|
| <input checked="" 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 type="checkbox"/> European Law  |

Other \_\_\_\_\_

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

- England and Wales

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

- England and Wales
- New York
- Russia

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

**14. Date of birth:** 08/03/1987

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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>.

11/08/2024

Date

and

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Signature