

VIAC – Questionnaire for Mediators

1. **Name:** Dr. Nikolaus Pitkowitz, MBL-HSG

2. **Nationality:** Austria

3. **Contact information:**

Address: Pitkowitz & Partners
Schwarzenbergplatz 3
1010 Vienna
Austria

Telephone: +43 (1) 413 01-30

Fax: +43 (1) 413 01-45

E-Mail: n.pitkowitz@pitkowitz.com

Website: <http://www.pitkowitz.at>

LinkedIn: <https://at.linkedin.com/in/nikolaus-pitkowitz-521519>



4. **Education**

2004: Certified Mediator

1999: Master of European and International Business Law, University of St. Gallen

1991: Orientation in the US Legal System, Georgetown University

1984: Doctor iuris, University of Vienna

1984: Magister iuris, University of Vienna

5. **Core area of current professional activity:**

Attorney at law, founding partner of Pitkowitz & Partners www.pitkowitz.com

6. **Accreditation in the field of ADR (including relevant trainings and connected qualifications):**

Education as Certified Mediator under the Austrian Civil Law Mediation Act (2004)

7. **Practical experience in mediation**

- How many (international) mediations have you participated in
 - as single/co-mediator/in a team? 11
 - administered by an institution; under which Rules? - 0
 - in which areas/fields? Commercial
 - how complex (*please provide examples, participation of lawyers/experts*)? - I mediated smaller and larger (multimillion) disputes, typically complex and international cases. The parties are regularly represented by counsel; I also acted in cases involving experts. Examples of successfully facilitated disputes:
 - Shareholders Disputes
 - Disputes among (up to 20) co-owners leading to allocation and separation of jointly owned assets.
 - Contract disputes (Commercial Agent, Sales Contract)
 - Hybrid cases: Arb-Med
- How often have you acted in a different function (e.g. consultant, expert)?
 - Counsel in mediations 20

- What other ADR-experience do you have?
 - Significant arbitration experience both as arbitrator and counsel

8. Languages (including levels)

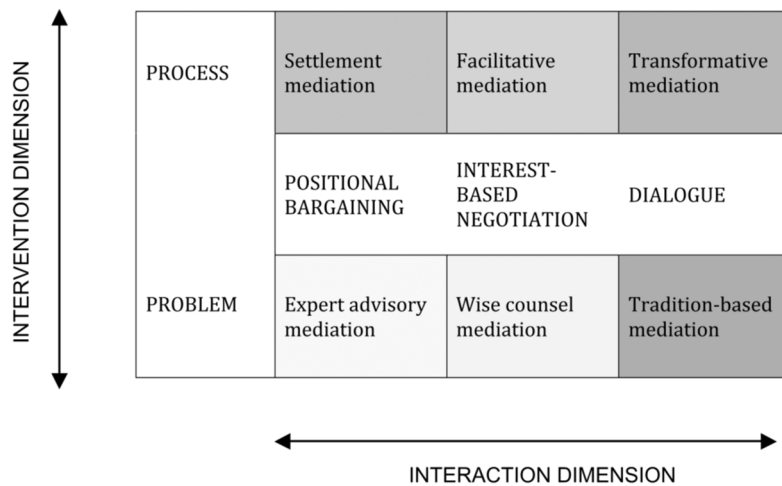
Mother tongue: German

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language): English

9. Style of mediation

Where do you see yourself? Please tick box as appropriate or indicate your preferred style.

I see myself as a facilitative mediator and use traditional as well as creative tools and methods to develop interest based solutions.



© Alexander, Nadja (2011) "The Mediation Meta-Model - the realities of mediation practice," *ADR Bulletin*: Vol. 12: No. 6, Article 5. Available at: <http://epublications.bond.edu.au/adr/vol12/iss6/5>; see also here for a detailed description of the 6 mediation styles.

10. Please describe aspects of your personality which could be interesting to clients you are going to mediate; what would former clients emphasize in your work?

Calm, targeted, pragmatic, analytic. My background in business and as a transactional lawyer and over 30 years of experience help me understand both the commercial as well as the legal aspects of disputes.

11. Publications and other activities in ADR related matters:

Activities:

- Co-Founder and President of CDRC Vienna - The IBA-VIAC Mediation & Negotiation Competition <https://www.cdrcvienna.org/>

Publications:

- Die neuen Mediationsregeln der EU – Ist Österreich noch Wegbereiter? (*New mediation rules of the EU – Is Austria still paving the Way?*) SchiedsVZ 2005, 81
- Der Mediations-Richtlinienvorschlag der EU: Gleichstellung der Mediation mit Gerichtsverfahren! (*Mediation Draft Directive of the EU: Equal standing of mediation and judicial proceedings*) ZKM – Zeitschrift für Konfliktmanagement 2005, 68

- Mediation and Cultural Differences, in *Barclay* (Ed): Mediation Techniques, IBA-E-Book 2010, 213

Other

- Speaker and organizer of numerous lectures and seminars on mediation related topics.

12. Memberships in mediation institutions / functions in mediation institutions/organizations:

- Vice-President of VIAC - Vienna International Arbitration Centre
- Co-Founder and President of CDRC-Vienna – The IBA-VIAC Mediation & Negotiation Competition
- Court Member of CIMAC - Casablanca International Mediation and Arbitration Centre
- Past officer of IBA Mediation Committee (Chaired Mediation Techniques Subcommittee)

13. Special expertise or specializations (*please list a maximum of three*) in your ADR-practice:

- Shareholder and Joint Venture Disputes
- Real Estate and Construction, Energy, Telecom)
- Commercial Contracts

14. Soft Skills (e.g. intercultural competences):

International experiences and intercultural skills as my business and legal practice has been predominantly international, focusing among others on CEE, US and Asia.

15. How do you ensure your professional quality (e.g. coaching, practice supervision, etc)?

Regular Training and Lectures (active and passive). Coaching and feedback.

16. Date of birth: 4 October 1961

I have completed this questionnaire to the above to the best of my knowledge and believe it is accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons or may be published on VIAC's website.

20 June 2022

Dr. Nikolaus Pitkowitz