

**PROFESSOR S.I. STRONG**  
**Emory University School of Law**  
**1301 Clifton Road**  
**Atlanta, GA 30322 USA**  
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**ACADEMIC EMPLOYMENT**

**Emory University**

Acting Professor of Law, 2023-present, Atlanta, GA

**University of Sydney**

Professor of Comparative and Private International Law, 2023, Sydney, Australia

Associate Professor of Law, 2020-2022

Co-Director, Sydney Centre for International Law, 2021-2023

**University of Missouri**

Manley O. Hudson Professor of Law, 2015-2020, Columbia, MO

Associate Professor of Law, 2007-2015 (tenured 2011)

Senior Fellow, Center for the Study of Dispute Resolution, 2007-2020

**University of Oxford**

Lecturer in Law, 2000-2003, St John's College & Exeter College, Oxford, United Kingdom

**University of Cambridge**

Supervisor in Law, 1999-2000, New Hall, Cambridge, United Kingdom

**ACADEMIC FELLOWSHIPS AND VISITING POSITIONS**

**Georgetown University**

Adjunct Professor, 2013-present, Washington, DC

**American University, Washington College of Law**

Adjunct Professor, May 2019, Washington, DC

**British Institute of International and Comparative Law**

Visiting Research Fellow, December 2018, London, United Kingdom

**University of Tokyo**

Visiting Professor, August 2018, Tokyo, Japan

**Max Planck Institute for Comparative and International Private Law**

Visiting Researcher, March 2017, Hamburg, Germany

**The Graduate Institute (MIDS), University of Geneva**

Visiting Professor, May 2016, Geneva, Switzerland

**Supreme Court of the United States**

U.S. Supreme Court Fellow, 2012-2013, Washington, DC

**The Netherlands Institute for Advanced Study in the Humanities and Social Sciences, in association with the Hague Institute for the Internationalisation of Law**

Henry G. Schermers Fellow, February-June 2012, Wassenaar, The Netherlands

**Universidad de Medellín, in association with the Universidad de Antioquia**

Visiting Lecturer, September 2011 and August 2013, Medellín, Colombia

**Lauterpacht Centre for International Law, University of Cambridge**

Visiting Fellow, May-July 2011, Cambridge, United Kingdom

**Johannes Kepler Universität, Summer Academy in International Commercial Arbitration**

Lecturer, June 2011 and June 2010, Linz, Austria

### **LEGAL EMPLOYMENT**

#### **Various**

Independent testifying and non-testifying expert in judicial and arbitral proceedings, 2014-present, Asia, Europe and North America

#### **Baker & McKenzie LLP**

Counsel, 2004-2006, Chicago, IL, United States

#### **Weil, Gotshal & Manges LLP**

Associate Attorney/Solicitor, 2000-2002, London, United Kingdom

Associate Attorney, 1994-1998, New York, NY, United States

Summer Associate, 1993, New York, NY, United States

#### **U.S. Department of Justice, Civil Litigation Division**

Summer Intern, 1992, Washington, DC, United States

### **EDUCATION**

#### **University of Oxford**

Doctor of Philosophy

2000-2003

#### **University of Cambridge**

Doctor of Philosophy (Law) (Yorke Prize for outstanding dissertation)

1998-2002

#### **Duke University**

Juris Doctor

1991-1994

#### **University of Southern California**

Master of Professional Writing

1988-1990

#### **University of California, Davis**

Bachelor of Arts, *cum laude*

1982-1986

### **LEGAL QUALIFICATIONS**

Supreme Court of the United States

U.S. state and federal courts (New York, Illinois and Missouri)

England and Wales (solicitor)  
Ireland (solicitor)

**EXPERT GOVERNMENTAL ASSISTANCE**  
**(Commissioned and Pro Bono)**

**United Nations Commission on International Trade Law (UNCITRAL)**

Participate in Commission and Working Group sessions as an official non-governmental observer representing the American Society of International Law; provided the Secretariat with empirical data regarding a proposed new convention in the area of commercial law; member of invitation-only expert working group relating to the revision of the UNCITRAL mediation rules and associated materials; assist with revision of the CLOUT project parameters and recruitment of ad hoc reporters (2014-present)

**United States Department of State**

Serve as a member of the Advisory Committee on Private International Law (ACPIL); collaborate with Office of the Legal Adviser on new project on sustainable development with UNIDROIT; appointed and continue to act as a U.S. National Correspondent to the UNCITRAL CLOUT project (Case Law on UNCITRAL Texts); assist the Office of the Legal Adviser on matters relating to the development of an international convention on international commercial mediation and related initiatives at UNCITRAL (2014-present)

**Uniform Law Commission**

Assist national non-partisan body tasked with creating uniform statutes to improve and harmonize state laws in areas that benefit from national consistency; special emphasis on measures relating to implementation of the Singapore Convention on Mediation (2021-present)

**European Union Intellectual Property Office (EUIPO)**

Commissioned to create and teach a judicial education course on legal reasoning for members of the EUIPO Boards of Appeal (2019)

**Organization of American States (OAS)**

Provided expert advice to the Inter-American Juridical Committee regarding the future of private international law in the Americas and creation of a judicial guidebook on international contract law in the Americas (2016-2017)

**Missouri State Court of Appeals**

Acted as an instructor on a judicial education program for appellate court judges (2016)

**European Commission Directorate-General for Justice**

Acted as external expert assessor (2014-2015)

**United States Department of Commerce**

Analyzed foreign laws on international commercial arbitration for the Office of the General Counsel (2014-2015)

**United States Copyright Office**

Provided advice on dispute resolution design issues concerning small copyright claims (2013)

**United States Federal Judicial Center**

Commissioned to write judicial guidebook on international commercial arbitration (2011)

## Office of the Missouri Attorney General

Conducted training seminar on negotiation skills and strategies (2011)

## United Kingdom Ministry of Justice

Commissioned to act as national rapporteur for study conducted by the British Institute of International and Comparative Law (BIICL) for the Ministry of Justice entitled *Alternative Dispute Resolution: A Comparative Study of National Systems* (2009)

## SELECT PUBLICATIONS

NB: Although I currently publish under my initials, some early works were published under my full name. Subsequent citations use both attributions.

### Books and Monographs

- Legal Reasoning Across Commercial Disputes: Comparing Judicial and Arbitral Analyses, Oxford University Press (2020)
  - Reviewed in *American Bar Association Labor and Employment Law Newsletter*; *Arbitration International*; *Australasian Dispute Resolution Journal*; *New York Dispute Resolution Lawyer*; additional reviews commissioned by, inter alia, *American Journal of Comparative Law*; *Journal of Private International Law*
- Transforming Religious Liberties: A New Theory of Religious Rights for National and International Legal Systems, Cambridge University Press (2018)
  - Reviewed in *Choice*; *Journal of Church and State*; *Journal of Law and Religion*; *Reading Religion* (American Academy of Religion)
- Arbitration of Trust Disputes: Issues in National and International Law, Oxford University Press (lead editor, with T. Molloy as consulting editor) (2016)
  - Reviewed in *ASA Bulletin*; *Transnational Dispute Management*; *Trust Quarterly Review*
- Comparative Law for Spanish-English Speaking Lawyers: Legal Cultures, Legal Terms and Legal Practices / Derecho comparado para abogados anglo- e hispanoparlantes: Culturas jurídicas, términos jurídicos y prácticas jurídicas, Edward Elgar Publishing Ltd. (lead author, with K. Fach Gómez & L. Carballo Piñeiro) (2016)
  - Reviewed in English in *American Bar Association Student Lawyer*; *Cambridge Core*; *International Journal of Legal Education*; *Journal of Private International Law*; *Journal of Specialised Translation*; *Legal Issues Journal*; *Transnational Dispute Management*
  - Reviewed in Spanish in *La Revista de Derecho Internacional de EAFIT*; *Revista Chilena de Derecho Privado*; *Revista Derecho y Sociedad*; *Revista Española de Derecho Internacional*; *Revista General de Derecho Europeo*
  - Reviewed in other languages in *Armenopoulous (Αιτιοετοε Ανθιμοε)* (Greek); *Chinese Journal of Comparative Law* (Chinese); *The Rabel Journal of Comparative and International Private Law* (German)
- How to Write Law Exams: IRAC Perfected, West Academic Publishing (3d ed. anticipated 2025, 2d ed. 2020, 1st ed. 2016) (U.S. only)
  - Reviewed in *American Bar Association Student Lawyer*
- Class, Mass, and Collective Arbitration in National and International Law, Oxford University Press (2013)
  - Reviewed in *Arbitration International*, *Journal of International Economic Law*; *Journal of World Investment and Trade*; *Kluwerarbitration*
- International Commercial Arbitration: A Guide for U.S. Judges, Federal Judicial Center (2012)
  - Translated and reprinted in Chinese (Press of the People's Court of China, 2015)

- Research and Practice in International Commercial Arbitration: Sources and Strategies, Oxford University Press (2009)
  - Reviewed in *International Trade Law Review*; *Student Law Journal*
- Complete Tort Law: Text, Cases, and Materials, Oxford University Press (lead author, with L. Williams) (2d ed. 2011, 1st ed. 2008)
  - Reviewed in *Student Law Journal*
- How to Write Law Essays and Exams, Oxford University Press (6<sup>th</sup> ed. 2022, 5<sup>th</sup> ed. 2018, 4<sup>th</sup> ed. 2014, 3d ed. 2010, 2d ed. 2006), Butterworths (1st ed. 2003) (U.K./Commonwealth only)
  - Reviewed in *Law Teacher*
- The International Human Rights of Women: Instruments of Change, American Bar Association Section of International Law and Practice (co-editor with C. Lockwood et al.) (1998)

## **Book Chapters**

### **2020-2024**

- “Choice of Law in International Trust Arbitration,” in *Oxford Handbook of Comparative Trust Laws* (Oxford University Press, anticipated 2025)
- “Australia,” in *New International Commercial Courts – A Comparative Perspective* (Springer, anticipated 2024)
- “Global Class Actions and Cross-Border Collective Redress: Contract Considerations,” in *International Commercial Contracts* (Oxford University Press, anticipated 2024)
- “Collective Redress Arbitration in the European Union,” in *International Arbitration and EU Law* (Edward Elgar Publishing Ltd, 2d ed. anticipated 2024)
- “An Empirical Analysis of Legal Reasoning: Comparing Investment Arbitration and International Commercial Arbitration,” in *The Award in International Investment Arbitration* (Oxford University Press, anticipated 2023)
- “Implicit Consent and Unanticipated Risk in Class, Mass and Collective Arbitration,” in *The Cambridge Compendium of International Commercial and Investment Arbitration* 1099 (Cambridge University Press, 2023)
- “The Preamble to the Singapore Convention on Mediation: Identifying the Object and Purpose of the Treaty Through Text, Context and Intent,” in *The Singapore Convention on Mediation: A Commentary on the United Nations Convention on International Settlement Agreements Resulting from Mediation* 41 (Edward Elgar Publishing Ltd, 2022)
- “Large-Scale Arbitration: Class, Mass and Collective Arbitration,” in *Kluwer Arbitration Practical Insights* (Kluwer International, 2021) (updated annually)
- “Promoting International Mediation Through the Singapore Convention,” in *New Frontiers in Asia-Pacific International Arbitration and Dispute Resolution* 337 (Kluwer International, 2021)
- “Judicial Education and International Courts: A Proposal Whose Time Has Come?” in *Identity and Diversity on the International Bench* 225 (Oxford University Press, 2021)
- “Collective Redress Arbitration in the European Union,” *International Arbitration and EU Law* 176 (Edward Elgar Publishing Ltd, 2021)
- “International Litigation – Arbitration,” in *Encyclopedia of Law and Economics* (Springer, 2d edn. 2021; 1st ed. 2014)
- “Procedural Law in a Time of Pandemic: Australian Courts’ Response to COVID-19,” in *Legal Responses to the Coronavirus Pandemic* 203 (Lex Magister (Brazil), 2020)
- “Legal Reasoning in International Commercial Disputes: Empirically Testing the Common Law-Civil Law Divide,” in *Dossier XVII: Explaining Why You Lost: Reasoning in Arbitration* 41 (ICC Institute of World Business Law, 2020)
- “The Rise and Fall of Class Arbitration in the United States,” in *La Protección de los Derechos Colectivos en la Justicia del Siglo XXI* 207 (Tirant Lo Blanch, 2020)

- “Arbitration of Internal Trust Disputes: The Next Frontier for International Commercial Arbitration?” in *ICCA Congress Series No. 20, Evolution and Adaptation: The Future of International Arbitration* 971 (Wolters Kluwer, 2020)

#### 2015-2019

- “International Commercial Courts and the United States: An Outlier by Choice and by Constitutional Design?” in *International Business Courts: A European and Global Perspective* 255 (Eleven International Publishing, 2019)
- “Applying the Lessons of International Commercial Arbitration to International Commercial Mediation: A Dispute System Design Analysis,” in *Mediation in International Commercial and Investment Disputes* 39 (Oxford University Press, 2019)
- “Improving Judicial Performance in Matters Involving International Arbitration,” in *Defining Issues in International Commercial Arbitration* 334 (Oxford University Press, 2016)
  - Reprinted in *El Procedimiento Sancionatorio Ambiental* (Universidad Católica de Oriente, 2016)
- “Incentives for Large-Scale Arbitration: How Policymakers Can Influence Party Behaviour,” in *Dossier XIV: Class and Group Actions in Arbitration* 146 (ICC Institute of World Business Law, 2016)
- “Global Developments in Trust Arbitration,” in *Arbitration of Trust Disputes: Issues in National and International Law* 3 (Oxford University Press, 2016)
- “Institutional Approaches to Trust Arbitration: Comparing the AAA, ACTEC, DIS, and ICC Mechanisms,” in *Arbitration of Trust Disputes: Issues in National and International Law* 99 (Oxford University Press, 2016)
- “The Future of Trust Arbitration: Quo Vadis?” in *Arbitration of Trust Disputes: Issues in National and International Law* 531 (Oxford University Press, 2016)
- “Non-Judicial Means of Collective Redress in Europe,” in *Collective Redress in Europe: Why and How?* 423 (British Institute of International and Comparative Law, 2015)
- “Mass Torts and Arbitration: Lessons From *Abaclat v. Argentine Republic*,” in *Uncertain Causation in Tort Law* 250 (Cambridge University Press, 2015)
- “Limits of Autonomy in International Investment Arbitration: Are Contractual Waivers of Mass Procedures Enforceable?” in *Contemporary Issues in International Arbitration and Mediation: The Fordham Papers 2013* 141 (Martinus Nijhoff, 2015)

#### 2010-2014

- “Recognition and Enforcement of Foreign Judgments in the United States,” in *Gegenwartsfragen der Anerkennung im Internationalen Zivilverfahrensrecht und Europäisches Vollstreckungsrecht* 57 (2014)
- “Monism and Dualism in International Commercial Arbitration: Overcoming Barriers to Consistent Application of Principles of Public International Law,” in *Basic Concepts of Public International Law: Monism & Dualism* 547 (University of Belgrade, 2013)
  - Translated and reprinted in Russian in *Вестник Высшего Арбитражного Суда Российской Федерации* (Bulletin of the Supreme Commercial Court of the Russian Federation) 64 (2013)
- “¿Por Qué la Armonización de los Procedimientos del Common Law y el Civil Law es Posible en el Arbitraje Pero no en los Litigios?” (Why is Harmonization of Common Law and Civil Law Procedures Possible in Arbitration But Not Litigation?), in *Proceso Judicial y Cultura – Un Mirada Global: 6 Congreso Internacional de Derecho Procesal* 143 (Universidad de Medellín 2013) (translated by D.A. Agudelo)

- “Collective Redress in the Cross-Border Context: Litigation, Arbitration, Settlement and Beyond,” in *The Law of the Future and the Future of the Law: Volume II* 401 (Torkel Opsahl Academic EPublisher 2012)
- “Research in International Commercial Arbitration: A World of Difference,” in *Practitioner’s Handbook on International Arbitration and Mediation* 425 (Juris Publishing Inc., 3d ed. 2012)
- “Arbitrage et Règlement Extrajudiciaire aux États-Unis d’Amérique” (Arbitration and Alternative Dispute Resolution in the United States of America), in *Construction Européenne: Approche Pratique* 313 (Wolters Kluwer France 2012) (translated by S. Poillot-Peruzzetto)
- “Resolution of Mass Legal Disputes in the International Sphere: Are Class Actions Better Than Class Arbitration?” in *La Jurisdicción y La Protección Internacional de Los Derechos: 4 Congreso Internacional de Derecho Procesal* 65 (Universidad de Medellín 2011)
- “Class Arbitration Outside the United States: Reading the Tea Leaves,” in *Dossier VII: Arbitration and Multiparty Contracts* 183 (ICC Institute of World Business Law 2010)

### **Scholarly Articles**

#### **2020-2024**

- “Judging Judiciaries: How Sticky Defaults, Status Quo Bias, and the Sovereign Prerogative Influence the Perceived Legitimacy of the New International Commercial Courts,” (forthcoming)
- “Regulating Generative Artificial Intelligence in Domestic and International Arbitration: A Content-Neutral Blueprint for Action,” 34 *American Review of International Arbitration* (forthcoming 2024)
- “Rage Against the Machine: Who Is Responsible for Regulating Generative Artificial Intelligence in Domestic and Cross-Border Litigation?” 2023 *University of Illinois Law Review Online* 165 (2023)
- “Cases Before International Courts and Tribunals Concerning Questions of Public International Law Involving Australia 2022,” 41 *Australian Year Book of International Law* 475 (2023) (with J. Back et al.)
- “Developments in Australian Private International Law 2020-21,” 40 *Australian Year Book of International Law* 508 (2022) (with K. McCormack et al.)
- “International Commercial Courts in the United States and Australia: Possible, Probable, Preferable?,” 115 *AJIL Unbound* 28 (2021)
- “Legal Authorities and Comparative Law in International Commercial Arbitration: Best Practices Versus Empirically Determined Actual Practices,” 1 *Ius Comparatum* 92 (2020)
- “Judging Judicial Appointment Procedures,” 53 *Vanderbilt Journal of Transnational Law* 615 (2020)
- “Past as Prologue: Arbitration as an Early Common Law Court?” 57 *Houston Law Review* 985 (2020)
- “Comparative Law and International Dispute Resolution Processes: Looking Forward, Looking Back,” 2020 *Journal of Dispute Resolution* 1 (2020)

#### **2015-2019**

- “The Role of Empirical Research and Dispute System Design in Developing International Treaties: A Case Study of the Singapore Convention on Mediation,” 20 *Cardozo Journal of Conflict Resolution* 1103 (2019)
- “Truth in a Post-Truth Society: How Sticky Defaults, Status Quo Bias and the Sovereign Prerogative Influence the Perceived Legitimacy of International Arbitration,” 2018 *University of Illinois Law Review* 533 (2018)
- “General Principles of Procedural Law and Procedural *Jus Cogens*,” 122 *Penn State Law Review* 347 (2018)
- “Defining the Litigation Default,” 37 *Civil Justice Quarterly* 463 (2018)
- “Can International Law Trump Trump’s Immigration Agenda? Protecting Individual Rights Through Procedural *Jus Cogens*,” 2018 *University of Illinois Law Review Online* 272

- “The European Succession Regulation and the Arbitration of Trust Disputes,” 103 *Iowa Law Review* 2205 (2018)
- “Anti-Suit Injunctions in Judicial and Arbitral Procedures in the United States,” 66 *American Journal of Comparative Law* 153 (2018)
  - Translated and reprinted in Chinese in the Justice think-tank of the Shanghai Normal University (2021)
- “Rationality Revisited: A Response to Professor Greenberg,” 75 *Washington and Lee Law Review Online* 184 (2017)
- “Congress and Commercial Trusts: Dealing With Diversity Jurisdiction Post-Americold,” 69 *Florida Law Review* 1021 (2017)
- “Clash of Cultures: Epistemic Communities, Negotiation Theory, and International Lawmaking,” 50 *Akron Law Review* 495 (2017)
- “Alternative Facts and the Post-Truth Society: Meeting the Challenge,” 165 *University of Pennsylvania Law Review Online* 137 (2017)
- “Realizing Rationality: An Empirical Assessment of International Commercial Mediation,” 73 *Washington and Lee Law Review* 1973 (2016)
- “Judicial Education, Dispute Resolution and the Life of a Judge: A Conversation with Judge Jeremy Fogel, Director of the Federal Judicial Center,” 2016 *Journal of Dispute Resolution* 259 (with Judge J. Fogel)
- “International Implications of the Will As An Implied Unilateral Arbitration Contract,” 68 *Florida Law Review Forum* 1 (2016)
- “Large-Scale Dispute Resolution in Jurisdictions Without Judicial Class Actions: Learning From the Irish Experience,” 22 *ILSA Journal of International & Comparative Law* 341 (2016)
- “The Special Nature of International Insurance and Reinsurance Arbitration: A Response to Professor Jerry,” 2015 *Journal of Dispute Resolution* 283
- “Writing Reasoned Decisions and Opinions: A Guide for Novice, Experienced and Foreign Judges,” 2015 *Journal of Dispute Resolution* 93
- “Judicial Education and Regulatory Capture: Does the Current System of Educating Judges Promote a Well-Functioning Judiciary and Adequately Serve the Public Interest?” 2015 *Journal of Dispute Resolution* 1
- “Reasoned Awards in International Commercial Arbitration: Embracing and Exceeding the Common Law-Civil Law Dichotomy,” 37 *Michigan Journal of International Law* 1 (2015)
  - Translated and reprinted in Chinese in the *Shanghai International Arbitration Review* (2017)
- “Religious Rights in Historical, Theoretical and International Context: Hobby Lobby as a Jurisprudential Anomaly?” 48 *Vanderbilt Journal of Transnational Law* 813 (2015)

#### **2010-2014**

- “Recognition and Enforcement of Foreign Judgments in U.S. Courts: Problems and Possibilities,” 33 *Review of Litigation* 45 (2014)
- “Contractual Waivers of Investment Arbitration: Wa(i)ve of the Future?” 29 *ICSID Review-Foreign Investment Law Journal* 690 (2014)
- “Beyond International Commercial Arbitration? The Promise of International Commercial Mediation,” 45 *Washington University Journal of Law & Policy* 11 (2014)
  - Reproduced in part in *Global Issues in Mediation* (West Academic Publishers, 2019)
  - Reprinted in *El Procedimiento Sancionatorio Ambiental* (Universidad Católica de Oriente, 2016)
- “Limits of Procedural Choice of Law,” 39 *Brooklyn Journal of International Law* 1027 (2014)
- “Rogue Debtors and Unanticipated Risk,” 35 *University of Pennsylvania Journal of International Law* 1205 (2014)



- “Discovery Under 28 U.S.C. §1782: Distinguishing International Commercial Arbitration and International Investment Arbitration,” 1 *Stanford Journal of Complex Litigation* 295 (2013)
  - Reprinted in *Forum Shopping and International Commercial Law* (Edward Elgar Publishing Ltd. 2018)
- “Cross-Border Collective Redress and Individual Participatory Rights: Quo Vadis?” 32 *Civil Justice Quarterly* 508 (2013)
- “Collective Consumer Arbitration in Spain: A Civil Law Response to U.S.-Style Class Arbitration,” 30 *Journal of International Arbitration* 495 (2013)
  - Reprinted in *Revista de Arbitragem e Mediação* 77 (2014)
- “Mass Procedures in *Abaclat v. Argentine Republic*: Are They Consistent With the International Investment Regime?” 3 *Yearbook on International Arbitration* 261 (2013)
- “Beyond the Self-Execution Analysis: Rationalizing Constitutional, Treaty and Statutory Interpretation in International Commercial Arbitration,” 53 *Virginia Journal of International Law* 499 (2013)
- “Cross-Border Collective Redress in the European Union: Constitutional Rights in the Face of the Brussels I Regulation,” 45 *Arizona State Law Journal* 233 (2013)
- “Mass Procedures as a Form of ‘Regulatory Arbitration’ – *Abaclat v. Argentine Republic* and the International Investment Regime,” 38 *The Journal of Corporation Law* 259 (2013)
- “Regulatory Litigation in the European Union: Does the U.S. Class Action Have a New Analogue?” 88 *Notre Dame Law Review* 899 (2012)
  - Reprinted in *Procedure and Private International Law*, volume II (Edward Elgar Publishing, 2017)
- “Arbitration of Trust Disputes: Two Bodies of Law Collide,” 45 *Vanderbilt Journal of Transnational Law* 1157 (2012)
- “What Constitutes an ‘Agreement in Writing’ in International Commercial Arbitration? Conflicts Between the New York Convention and the Federal Arbitration Act,” 48 *Stanford Journal of International Law* 47 (2012)
  - Translated and reprinted in Spanish as “¿Qué Constituye un ‘Acuerdo por Escrito’ en el Arbitraje Comercial Internacional? Conflictos Entre la Convención de Nueva York y la Ley Federal de Arbitraje” in 20 *Revista Internacional de Arbitraje* 78 (2014)
- “Does Class Arbitration ‘Change the Nature’ of Arbitration? *Stolt-Nielsen, AT&T* and a Return to First Principles,” 17 *Harvard Negotiation Law Review* 201 (2012)
  - Translated and reprinted in Spanish as “¿Acaso el Arbitraje Colectivo ‘Modifica la Naturaleza’ de Arbitraje? Los Casos *Stolt-Nielsen, AT&T*, y un Regreso a los Principios Iniciales” in 18 *Revista Internacional de Arbitraje* 64 (2013)
- “Mandatory Arbitration of Internal Trust Disputes: Improving Arbitrability and Enforceability Through Proper Procedural Choices,” 28 *Arbitration International* 591 (2012)
- “Empowering Settlers: How Proper Language Can Increase the Enforceability of a Mandatory Arbitration Provision in a Trust,” 47 *Real Property, Trust and Estate Law Journal* 273 (2012)
- “Resolving Mass Legal Disputes Through Class Arbitration: The United States and Canada Compared,” 37 *North Carolina Journal of International Law & Commercial Regulation* 921 (2012)
  - Reprinted in *Innovative Dispute Resolution: The Alternative* (Carswell Legal Publications (Canada), 2013)
- “Border Skirmishes: The Intersection Between Litigation and International Commercial Arbitration,” 2012 *Journal of Dispute Resolution* 1
- “Navigating the Borders Between International Commercial Arbitration and U.S. Federal Courts: A Jurisprudential GPS,” 2012 *Journal of Dispute Resolution* 119
- “Class and Collective Relief in the Cross-Border Context: A Possible Role for the Permanent Court of Arbitration,” 23 *The Hague Yearbook of International Law* 2010 113 (2011)

- “Jurisdictional Discovery in Transnational Litigation: Extraterritorial Effects of United States Federal Practice,” 7 *Journal of Private International Law* 1 (2011)
- “Collective Arbitration Under the DIS Supplementary Rules for Corporate Law Disputes: A European Form of Class Arbitration?” 29 *ASA Bulletin* 45 (2011)
- “International Arbitration and the Republic of Colombia: Commercial, Comparative and Constitutional Concerns From a U.S. Perspective,” 22 *Duke Journal of Comparative & International Law* 47 (2011)
  - Translated and reprinted in Spanish as “El Arbitraje Internacional en Colombia Desde una Perspectiva Estadounidense” in 15 *Revista Internacional de Arbitraje* 144 (2011)
- “Jurisdictional Discovery in United States Federal Courts,” 67 *Washington and Lee Law Review* 489 (2010)
  - Reprinted in 60 *Defense Law Journal* 1 (2011)
  - Reprinted in *Transnational Dispute Management Journal* (May 2010)
- “From Class to Collective: The De-Americanization of Class Arbitration,” 26 *Arbitration International* 493 (2010)

#### 2005-2009

- “Research in International Commercial Arbitration: Special Skills, Special Sources,” 20 *The American Review of International Arbitration* 119 (2009)
  - Reprinted with amendments as “Research in International Commercial Arbitration: A World of Difference,” in *Practitioner’s Handbook on International Arbitration and Mediation* 425 (Juris Publishing Inc., 3d ed. 2012)
- “The Sounds of Silence: Are U.S. Arbitrators Creating Internationally Enforceable Awards When Ordering Class Arbitration in Cases of Contractual Silence or Ambiguity?” 30 *Michigan Journal of International Law* 1017 (2009)
- “Enforcing Class Arbitration in the International Sphere: Due Process and Public Policy Concerns,” 30 *University of Pennsylvania Journal of International Law* 1 (2008)
  - Reprinted in *Transnational Dispute Management Journal* (April 2010)
- “Enforcement of Arbitral Awards Against Foreign States or State Agencies,” 26 *Northwestern Journal of International Law and Business* 335 (2006)
- “Witness Statements Under the IBA Rules of Evidence: What to do about Hearsay?” 21 *Arbitration International* 301 (2005) (with J. Dries)
- “Invisible Barriers to the Enforcement of Foreign Arbitral Awards in the United States,” 21 *Journal of International Arbitration* 439 (2004)

#### 1993-2004

- “Enforcement of Arbitral Awards in the U.S. – More Than Just the New York Convention” (with E. Ordway), ICC United Kingdom Handbook, Vol. V (2002)
- “Third Party Intervention and Joinder as of Right in International Arbitration: An Infringement of Individual Contract Rights or a Proper Equitable Measure?” 31 *Vanderbilt Journal of Transnational Law* 915 (1998)
- “Justice Scalia as a Modern Lord Devlin: Animus and Civil Burdens in *Romer v. Evans*,” 71 *Southern California Law Review* 1 (1997)
- “*Romer v. Evans* and the Permissibility of Morality Legislation,” 39 *Arizona Law Review* 1259 (1997)
- “Law and Religion in Israel and Iran: How the Integration of Secular and Spiritual Laws Affects Human Rights and the Potential for Violence,” 19 *Michigan Journal of International Law* 109 (1997)
- “Christian Constitutions: Do They Protect Internationally Recognized Human Rights and Minimize the Potential for Violence Within a Society? A Comparative Analysis of American and Irish

Constitutional Law and Their Religious Elements,” 29 *Case Western Reserve International Law Journal* 1 (1997)

- “Children’s Rights in Intercountry Adoption: Towards a New Goal,” 13 *Boston University International Law Journal* 163 (1995) (attributed to Stacie I. Strong)
- “Banning the Cultural Exclusion: Free Trade and Copyrighted Goods,” 4 *Duke Journal of Comparative & International Law* 93 (1993) (attributed to Stacie I. Strong)
  - Excerpted in *International Intellectual Property Anthology*, Anderson Publishing (1996)

### **Case Comments**

- Case \_\_, *Compañía de Inversiones Mercantiles S.A. v. Grupo Cementos de Chihuahua S.A.B. de C.V.*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at \_\_, U.N. Doc. A/CN.9/Ser. C/Abstracts \_\_ (anticipated 2023)
- Case \_\_, *Commodities & Minerals Enterprise Ltd. v. CVG Ferrominera Orinoco, C.A.*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at \_\_, U.N. Doc. A/CN.9/Ser. C/Abstracts \_\_ (anticipated 2023)
- Case \_\_, *Bartlit Beck LLP v. Okada*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at \_\_, U.N. Doc. A/CN.9/Ser. C/Abstracts \_\_ (anticipated 2023)
- Case 1951, *Setty v. Shrinivas Sugandhalaya LLP*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 9, U.N. Doc. A/CN.9/Ser. C/Abstracts 212 (21 December 2021)
- Case 1873, *GE Energy Power Conversion France SAS Corp. v. Outokumpu Stainless USA, LLC*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 11, U.N. Doc. A/CN.9/Ser. C/Abstracts 204 (19 June 2020)
- Case 1834, *Castro v. Tri Marine Fish Co.*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 4, U.N. Doc. A/CN.9/Ser. C/Abstracts 201 (12 February 2020)
- Case 1835, *Balkan Energy Ltd. v. Republic of Ghana*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 5, U.N. Doc. A/CN.9/Ser. C/Abstracts 201 (12 February 2020)
- Case 1786, *CBF Industria de Gusa, S/A v. AMCI Holdings, Inc.*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 8, U.N. Doc. A/CN.9/Ser. C/Abstracts 194 (25 September 2018)
- Case 1787, *Escobar v. Celebration Cruise Operator*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 8, U.N. Doc. A/CN.9/Ser. C/Abstracts 194 (25 September 2018)
- Case 1725, *SCL Basilisk AG v. Agribusiness United Savannah Logistics LLC*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 3, U.N. Doc. A/CN.9/Ser. C/Abstracts 187 (28 December 2017)
- Case 1728, *Bamberger Rosenheim, Ltd. (Israel) v. OA Development, Inc. (United States)*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 5, U.N. Doc. A/CN.9/Ser. C/Abstracts 187 (28 December 2017)
- Case 1729, *GSS Group Ltd v. National Port Authority*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 6, U.N. Doc. A/CN.9/Ser. C/Abstracts 187 (28 December 2017)
- Case 1731, *Kahn Lucas Lancaster, Inc. v. Lark International, Ltd.*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 7, U.N. Doc. A/CN.9/Ser. C/Abstracts 187 (28 December 2017)
- Case 1732, *Sphere Drake Insurance PLC v. Marine Towing, Inc.*, U.N. Comm’n on Int’l Trade Law, Case Law on UNCITRAL Texts (CLOUT), at 8, U.N. Doc. A/CN.9/Ser. C/Abstracts 187 (28 December 2017)
- “Heir of *Abaclat*? Mass and Multiparty Proceedings: *Ambiente Ufficio S.p.A. v. Argentine Republic*,” 29 *ICSID Review-Foreign Investment Law Journal* 149 (2014) (invited submission)
- “Anti-Arbitration Injunctions in Cases Involving Investor-State Arbitration: *British Caribbean Bank Ltd. v. The Government of Belize*,” 15 *Journal of World Investment Law and Trade* 324 (2014) (invited submission)

- “Non-signatories’ Right to Appeal the Denial of a Stay of Litigation: Arthur Andersen LLP v. Carlisle,” 28 *Journal of International Arbitration* 81 (2011)
- “Opening More Doors Than It Closes: Stolt-Nielsen SA v. AnimalFeeds International Corp.,” 2010 *Lloyd’s Maritime and Commercial Law Quarterly* 4 : 565
- “Liability Beyond the Tackles: Norfolk Southern Railway Co. v. James N. Kirby, Pty. Ltd.,” 2005 *Lloyd’s Maritime and Commercial Law Quarterly* 3 : 290
- “Between the Baby and the Breast,” [2000] *The Cambridge Law Journal* 259

### **Book Reviews**

- “General Principles of Law and International Due Process: Principles and Norms Applicable in Transnational Disputes, by Charles T. Kotuby Jr. & Luke A. Sobota,” 28 *American Review of International Arbitration* 453 (2018) (invited submission)
- “Richard A. Posner, *Divergent Paths: The Academy and the Judiciary* – How Legal Academics Can Participate in Judicial Education: A How-To Guide by Richard Posner,” 66 *Journal of Legal Education* 421 (2017)
- “Challenges and Recusals of Judges and Arbitrators in International Courts and Tribunals,” 22 *ABA Dispute Resolution Magazine* 18 (Summer 2016) (invited submission)
- “From Myth to Methodology: Judicial Education and the Art of Judging,” 100 *Judicature: The Scholarly Journal for Judges* 78 (Spring 2016)
- “Private International Law in English Courts,” 63 *American Journal of Comparative Law* 539 (2015)
- “Bilingual Legal Education in the United States: An Idea Whose Time Has Come?” 64 *Journal of Legal Education* 354 (2014)
- “Constitutional Conundrums in Arbitration,” 15 *Cardozo Journal of Conflict Resolution* 41 (2013)
- “Arbitration of International Business Disputes: Studies in Law and Practice,” 29 *Arbitration International* 671 (2013) (invited submission)
- “Law and Religion: Current Legal Issues,” [2002] *The Cambridge Law Journal* 715
- “Freedom of Religion Under the European Convention of Human Rights,” [2002] *The Cambridge Law Journal* 463
- “Legal Traditions of the World: Sustainable Diversity in Law,” [2001] *The Cambridge Law Journal* 421
- “The Business of Judging: Selected Essays and Speeches,” [2001] *The Cambridge Law Journal* 423
- “Faith in Law: Essays in Legal Theory,” [2001] *The Cambridge Law Journal* 218
- “We the People: The Fourteenth Amendment and the Supreme Court,” [2000] *The Cambridge Law Journal* 641
- “Women Under the Law: The False Promise of Human Rights,” [2000] *The Cambridge Law Journal* 627

### **Book Forewords**

- “Class Arbitration: Institution of an Arbitration Process to Resolve Conflicts Involving Transindividual Rights” by Ana Luiza Nery (English and Portuguese, 2016)

### **Conference Reports**

- “New Specialised Commercial Courts and Their Role in Cross-Border Litigation,” National Report (Australia), in *Proceedings of the International Academy of Comparative Law, XXIth General Congress*, Asunción, Paraguay (2022)
- “The Anti-Suit Injunction in Arbitral and Judicial Procedures,” National Report (United States), in *Proceedings of the International Academy of Comparative Law, XXth General Congress*, Fukuoka, Japan (2018)

- “Constitutional Implications Associated with the Recognition and Enforcement of Foreign Judgments in the United States,” National Report (United States), in *Proceedings of the International Association of Procedural Law Seoul Conference 2014 – Constitution and Procedure* (2015)
- “Use and Perception of International Commercial Mediation and Conciliation: A Preliminary Report on Issues Relating to the Proposed UNCITRAL Convention on International Commercial Mediation and Conciliation” (November 2014), circulated to UNCITRAL Working Group II in February 2015

### **Professional and Other Publications**

- “The Reasons Behind Reasoned Arbitration Awards,” 34 *Alternatives to the High Cost of Litigation* 81 (June 2016)
- “International Insurance and Reinsurance Arbitration: A World of Difference,” *Corporate Disputes* 47 (January-March 2016)
- “Large-Scale Empirical Study of International Commercial Mediation and Conciliation Provides Support to UNCITRAL Process,” 8 *New York Dispute Resolution Lawyer* 36 (2015)
- “International Commercial Arbitration: Coming to a Courthouse Near You,” 53 *Judges’ Journal* 20 (Summer 2014) (with Judge J. Kaye)
  - Reprinted in *International Commercial Arbitration in the Americas* (Organization of American States, 2018)
- “Managing Multiparty Disputes,” *Corporate Disputes* 32 (April-June 2014) (invited submission)
- “The U.S. Supreme Court Fellows Program: The Opportunity of a Lifetime,” 53 *Judges’ Journal* 27 (Winter 2014)
- “Increasing Legalism in International Commercial Arbitration: A New Theory of Causes, A New Approach to Cures,” 7 *World Arbitration and Mediation Review* 117 (2013)
- “Mandatory Trust Arbitration in the U.S. and Abroad,” 6 *New York Dispute Resolution Lawyer* 23 (2013)
- “Rubin Redux: Rights Balancing in Cultural Heritage Litigation,” 5 *Transnational Dispute Management Journal: Special Issue on Art and Heritage Disputes in International and Comparative Law* (2013)
- “Trust Arbitration in the United States: Recent Developments Show Increasing Diversity as a Matter of Statutory and Common Law,” 18 *Trusts & Trustees* 659 (2012)
- “Backyard Advantage: New Rules Mean That U.S. Companies May be Forced to Litigate Across the Pond,” 28 *Legal Times* 43 (May 23, 2005)

### **SELECT PRESENTATIONS**

#### **2020-2024**

- “Choice of Law in International Trust Arbitration,” Comparative Trust Law Symposium, Allard School of Law, University of British Columbia, Vancouver, Canada (anticipated April 2024)
- “International Commercial Dispute Resolution in Cross-Cultural Context,” William S. Richardson School of Law, University of Hawai’i at Manoa, Honolulu, HI (April 2023)
- “Underutilisation of Alternative Dispute Resolution in Inter-State Dispute Settlement: Resolving Treaty Interpretation Issues,” Sydney Centre for International Law, University of Sydney, Australia (September 2022) (discussant)
- “Consolidation and Large-Scale Arbitration,” International Arbitration Insights Series, Chinese International Economic and Trade Arbitration Commission, Beijing, China (March 2022)
- “The Competition: International Arbitration, International Commercial Courts and the Singapore Convention,” New York Arbitration Week, New York, NY (November 2021)
- “How Private International Law Can Make the UN Sustainable Development Goals a Reality,” Sydney Centre for International Law in association with the Faculty of Law of Monash University, University of Sydney, Australia (November 2021) (chair)

- “The Hague Judgments Convention and Commonwealth Model Law,” Sydney Centre for International Law, University of Sydney, Australia (November 2021) (discussant)
- “Will the Singapore Convention on Mediation Promote Mediation?,” Symposium on Dispute Resolution in the Asia-Pacific, Hong Kong University, Hong Kong (April 2021)
- “Legal Reasoning Across Commercial Disputes,” New York International Arbitration Center, New York, NY (March 2021)
- “A ‘Supreme Court’ Oral Argument: Should Courts Grant Discovery in Aid of Arbitration?” American Society of International Law Annual Meeting, Washington, DC (March 2021)
- “Legal Reasoning in Commercial Disputes,” Sydney Centre for International Law International Law Year in Review, University of Sydney, Australia (February 2021)
- “Legal Reasoning in Commercial Disputes,” Civil Justice Conference, University of Newcastle, Australia (February 2021)
- “COVID-19 International Class and Mass Claims,” Third Annual Schiefelbein Global Dispute Resolution Conference,” Arizona State University, Phoenix, AZ (January 2021)
- “Gender Diversity in International Arbitration,” Singapore International Arbitration Centre, Singapore (November 2020)

### 2015-2019

- “The Need for a Convention on Mediated Settlements,” Jed D. Melnick Symposium, Cardozo Law School, New York, NY (March 2019)
- “Class Arbitration in the United States,” University of Valencia, Spain (November 2018)
- “International Law in the United States,” Queen’s University, Kingston, Canada (November 2018)
- Keynote Presentation, “Law in the Post-Truth Era,” Washburn University Law School, Topeka, KS (November 2018)
- “Recent Developments in Class, Mass and Collective Arbitration: The U.S. and Global Experience,” University of Tokyo, Japan (August 2018)
- “Religious Extremism and the Religiously Oriented Original Position: A Potential Solution to Religious Violence?,” 9<sup>th</sup> Annual Law and Religion Roundtable, University of Pennsylvania, Philadelphia, PA (June 2018)
- “Religious Extremism and the Religiously Oriented Original Position: A Potential Solution to Religious Violence?,” *Journal of Law, Religion and State* Annual Conference, Bar-Ilan University, Tel Aviv, Israel (May 2018)
- “Judicial Education and International Adjudication,” Identity on the International Bench: Geography, Expertise and Socio-Economics, The Hague, Netherlands (May 2018)
- “Class Arbitration: Recent U.S. Experiences,” Bocconi University, Milan, Italy (May 2018)
- “Innovation in International Dispute Resolution,” International Council for Commercial Arbitration (ICCA) Congress, Sydney, Australia (April 2018)
- “The Role of Succession Law in the Arbitration of Internal Trust Disputes,” University of Iowa/American College of Trust and Estate Counsel Symposium, Iowa City, IA (September 2017)
- “Arbitration of Trust Disputes,” Universiteit Gent, Belgium (April 2017)
- “Class Actions and Arbitrations,” Katholieke Universiteit Leuven, Belgium (April 2017)
- “Legitimacy of International Arbitration,” Hamburg, Germany (March 2017)
- “Modes, Devices and Techniques of Legal Reasoning in Commercial Arbitration,” Conference on Arbitration and Legal Reasoning, School of Law, Queen Mary University of London, United Kingdom (November 2016)
- “Legitimacy and International Arbitration: Sticky Defaults, Status Quo Bias and the Sovereign Prerogative,” American Society of International Law Research Forum, Seattle, WA (November 2016)

- “Discretion and Restraint: Striking the Right Balance in Arbitral Decision-Making,” International Chamber of Commerce (ICC) Canada, Annual International Arbitration Conference, Toronto, Canada (October 2016)
- “Large-Scale Arbitration Around the World: Current Practices, Future Developments,” Tenth Annual Conference, Arbitration Center of the Portuguese Chamber of Commerce and Industry, Lisbon, Portugal (July 2016)
- “Domestic Implementation of Treaties Involving Private International Law: Special Challenges,” American Society of International Law Annual Meeting, Washington, DC (April 2016)
- “Reasoning in Litigation and International Commercial Arbitration: What Differences Exist and Why?” Inaugural Speaker, Marvin Anderson International Law Colloquium, University of California Hastings College of Law, San Francisco, CA (January 2016)
- “A Multi-Country Study of Dispute Resolution Reform: Initial Assessments of the Efficacy of Civil Mediation Reform” (discussant), ITA Academic Council Works in Progress Conference, Washington, DC (January 2016)
- “The Future of Class, Collective and Mass Arbitration,” Thirty-Fifth Annual Meeting on Class and Group Actions in Arbitration, International Chamber of Commerce (ICC) Institute, Paris, France (November 2015)
- “Beyond International Commercial Arbitration? The Promise of International Commercial Mediation,” American Branch of the International Law Association International Law Weekend, New York, NY (November 2015)
- “Using Comparative Law in the Judicial Process: A Euro-American Comparison,” Southeastern Association of Law Schools (SEALS) 2015 Annual Conference, Boca Raton, FL (August 2015)
- “Bilingual Legal Education: The Hows and the Whys,” 10<sup>th</sup> Annual Global Legal Skills Conference, Chicago, IL (May 2015)
- “Class Arbitration and Beyond: The Proliferation of Large-Scale Arbitral Mechanisms,” Universiteit Gent, Belgium (February 2015)
- “From Subjective to Objective: Mediation Stories and Empirical Mediation Research,” ICC Mediation Competition Conference, Paris, France (February 2015)
- “Policy Implications for International Commercial Arbitration,” International Institute for Conflict Prevention & Resolution Annual Meeting, Torrey Pines, CA (February 2015)
- “Mediating International Disputes: An Untapped Opportunity?” International Dispute Resolution: Protecting Your Client in the Global Economy, Washington, DC (February 2015)
- “The Future of International Commercial and Investment Arbitration,” Georgetown International Arbitration Society, Georgetown University Law Center, Washington, DC (January 2015)

#### **2010-2014**

- “Class, Mass and Collective Arbitration,” Colloquium on Collective Redress, University of Zürich, Switzerland (October 2014)
- “Jurisdiction and the Enforcement of Arbitration Agreements,” Jerusalem Arbitration Center, Ramallah, Palestine (December 2013)
- “Regulation of International Investment in Rising Powers,” *University of Pennsylvania Journal of International Law* Annual Symposium, Philadelphia, PA (November 2013)
- “Beyond International Commercial Arbitration? The Promise of International Commercial Mediation,” New Directions in Global Negotiation & Dispute Resolution Scholarship Roundtable, Whitney R. Harris World Law Institute, Washington University Law School, St. Louis, MO (November 2013)
- “Limits of Procedural Choice of Law,” Dennis J. Block Center for the Study of International Business Law, Brooklyn Law School, Brooklyn, NY (October 2013)
- “Outliers in International Commercial Arbitration,” George Washington University Law School, Washington, DC (September 2013)

- “Mass Procedures as a Form of ‘Regulatory Arbitration’ – *Abaclat v. Argentine Republic* and the International Investment Regime,” Howard M. Holtzmann Research Center for the Study of International Arbitration and Conciliation, American Society of International Law, Washington, DC (September 2013)
- “Arbitration of Internal Trust Disputes: Bold New Frontier or Disaster in the Making?” Southeastern Association of Law Schools (SEALS) 2013 Annual Conference, Palm Beach, FL (August 2013)
- “Why is Harmonization of Common Law and Civil Law Procedures Possible in Arbitration But Not Litigation?” Sixth International Congress of Procedural Law (Congreso Internacional de Derecho Procesal), Conference on Culture and Process, Cartagena, Colombia (August 2013)
- “Beyond the Self-Execution Analysis: Rationalizing Constitutional, Treaty and Statutory Interpretation in International Commercial Arbitration,” Law and Globalization Seminar, Yale Law School, New Haven, CT (April 2013)
- “The \$2.4 Billion Question: Would A Contractual Waiver of Mass Procedures Have Been Enforceable in *Abaclat v. Argentine Republic*?” Eighth Annual Fordham Law School Conference on International Arbitration and Mediation, New York, NY (April 2013)
- “Intersections Between Federal Courts and International Commercial Arbitration,” Penn State Law School, Carlisle, PA (April 2013)
- “Regulatory Attributes of Class, Mass and Collective Arbitration,” Max Planck Institute for International, European and Regulatory Procedural Law, Luxembourg (March 2013)
- “*Rubin Redux*: Rights Balancing in Cultural Heritage Litigation,” Conference on Art and Heritage Law, University of Maastricht, The Netherlands (March 2013)
- “Recognition and Enforcement of Foreign Judgments in the United States,” Wissenschaftliche Vereinigung für Internationales Verfahrensrecht (Academic Association for International Procedural Law), Conference on Current Issues of Recognition of Foreign Judgments & European Rules on Cross-Border Debt Recovery, Passau, Germany, and Linz, Austria (March 2013)
- “U.S. Discovery to Assist a Foreign or International Tribunal Under 28 U.S.C. §1782: Did the Chevron and Ecuador Dispute Pollute U.S. Judicial Analysis?” *Stanford Journal of Complex Litigation* Inaugural Symposium, Stanford Law School, Stanford, CA (February 2013)
- “Research in International Commercial Arbitration: A World of Difference,” Library of Congress Law Library, Washington, DC (January 2013)
- “Regulatory Elements of Class, Mass and Collective Arbitration,” Yale-Quinnipiac Dispute Resolution Workshop Series, New Haven, CT (January 2013)
- “Collective Redress in the Cross-Border Context: Regulatory Mismatches and Other Concerns,” Works in Progress Conference, The Netherlands Institute for Advanced Study in the Humanities and Social Sciences, Wassenaar, The Netherlands (June 2012)
- “Consent and Jurisdiction in *Abaclat v. Argentine Republic*,” British Institute of International and Comparative Law (BIICL) Eighteenth Investment Treaty Forum, London, United Kingdom (May 2012)
- “Class Actions and Human Rights: Impetus for Social Change?” Universidad de Santiago de Compostela, Spain (May 2012)
- “Class Actions in the United States in the Wake of *AT&T Mobility*, *Stolt-Nielsen* and *Dukes*,” London School of Economics, United Kingdom (May 2012)
- “Mass Legal Injuries in the Cross-Border Context: Problems and Solutions,” The Netherlands Institute for Advanced Study in the Humanities and Social Sciences, Wassenaar, The Netherlands (April 2012)
- “Resolving Mass Legal Disputes Through Class Arbitration: The United States and Canada Compared,” *North Carolina Journal of International Law & Commercial Regulation* Annual Symposium, University of North Carolina School of Law, Chapel Hill, NC (January 2012)
- “Arbitration in Mass Torts: Is There a Place for Class and Collective Proceedings?” Symposium on Uncertainty and Mass Tort: Causation and Proof, Universitat de Girona, Spain (March 2012)



- “Arbitration, Mediation and Beyond: U.S. Innovation in Alternative Dispute Resolution,” Université Toulouse 1 Capitole, Toulouse, France (November 2011)
- “Arbitration and Alternative Dispute Resolution in the United States of America,” Colloque du Conseil de l’Europe et de la Commission Européenne sur la thème *Médiation, Arbitrage: Une justice en devenir?* Toulouse, France (November 2011)
- “Resolution of Mass Legal Disputes in the International Sphere: Are Class Actions Better Than Class Arbitration?” Fourth International Congress of Procedural Law (*Congreso Internacional de Derecho Procesal*): Jurisdiction and the International Protection of Rights, Cartagena, Colombia (September 2011)
- “Class and Collective Arbitration in Germany and the U.S.,” Inaugural Guest Lecturer, Lecture Series in American Law, University of Passau, Germany (June 2011)
- “Special Subjects in International Commercial Arbitration,” Summer Academy in International Commercial Arbitration, Johannes Kepler Universität, Linz, Austria (June 2011)
- “Class and Collective Arbitration Around the World: The AAA, the DIS and More,” Deutsche-Amerikanische Juristen-Vereinigung (German-American Lawyers Association), University of Frankfurt, Germany (June 2011)
- “Collective Arbitration in the Public International Realm,” Lauterpacht Centre for International Law, University of Cambridge, United Kingdom (May 211)
- “International Enforcement of Class Action Judgments and Class Arbitration Awards – A World of Difference,” *American University International Law Review* Annual Symposium, Washington, DC (February 2011)
- “Recent Developments in Arbitration at the U.S. Supreme Court,” McGill University, Montreal, Canada (October 2010)
- “International Enforcement of Class Arbitration Awards,” Centre for International Legal Studies, Sixth Biennial Conference on International Arbitration and Dispute Resolution, Salzburg, Austria (June 2010)
- “Multiparty Arbitration,” Summer Academy in International Commercial Arbitration, Johannes Kepler Universität, Linz, Austria (June 2010)

### **2005-2009**

- “Problems in International Class Arbitration,” Thirtieth Anniversary Annual Meeting on Multiparty Arbitration, International Chamber of Commerce (ICC) Institute, Paris, France (December 2009)
- “Class Arbitration Outside the United States: Reading the Tea Leaves,” The Association of American Law Schools (AALS) Dispute Resolution Section Works in Progress Conference, Harvard Law School, Cambridge, MA (November 2009)
- “Consolidation and Class Arbitration in the International Realm,” Faculty Symposium, Villanova University School of Law, Villanova, PA (April 2009)
- “International Class Arbitration,” International Arbitration Symposium, University of Virginia, Charlottesville, VA (February 2009)

### **Professional Presentations**

- American Bar Association (ABA) – Dispute Resolution Section Annual Meeting (April 2014, April 2010, April 2006, April 2005), Dispute Resolution Section Webinar (October 2014), Section on International Law Spring Meeting (April 2010), Section on Real Property, Trust and Estate Law Professors’ Corner (March 2014), Torts and Insurance Practice Section Dispute Resolution Forum (April 2013)
- College of Commercial Arbitrators (October 2018)
- District of Columbia Bar Association, International Dispute Resolution Committee (April 2013)
- Florida Bar Annual Meeting (June 2018)
- International Arbitration Club of New York (May 2015, June 2020)

- International Bar Association (IBA) (September 2016)
- International Centre for the Settlement of Investment Disputes (ICSID), World Bank (November 2012)
- International Chamber of Commerce/International Centre for the Settlement of Investment Disputes/American Arbitration Association Annual Seminar (ICC/ICSID/AAA) (December 2017, October 2011)
- International Institute on Conflict Prevention & Resolution (CPR) (March 2019, October 2015)
- International Chamber of Commerce (ICC) (February 2015, September 2013, March 2006)
- London Court of International Arbitration (LCIA) (October 2013)
- New York International Arbitration Center (NYIAC) (February 2015, February 2017)

### **SELECT GRANTS**

American Arbitration Association-International Centre for Dispute Resolution (AAA-ICDR) Foundation Grant (2017-2019) (for “Reasoning in International Commercial Arbitration”)  
 Max Planck Institute Privatrecht Stipendium (2017)  
 University of Missouri Funded Research Leave (2017)  
 Richard Wallace Faculty Incentive Grant (2016-2017)  
 University of Missouri Faculty International Travel Grant (2015)  
 Research Grant, Government of Canada, International Council of Canadian Studies Faculty Research Grant Program (2010)  
 Interdepartmental Research Grant, Center for Arts & Humanities, University of Missouri (2008-2009)  
 Research Grant, University of Missouri Law School Foundation (annually, 2007-2019)  
 New Hall (University of Cambridge) Small Aid Grant (1999)

### **SELECT HONORS**

Award for Outstanding Scholarly Work (career body of work), American Bar Association Dispute Resolution Section (2022)  
 Shortlisted, Australian Legal Research Book Award (2022) (for “Legal Reasoning Across Commercial Disputes”)  
 Excellence in Teaching Award, Sydney Law School Nominee, Australian Legal Education Awards (2022)  
 Academic of the Year, 2021 Australian ADR Awards  
 Outstanding Professional Article 2018, International Institute for Conflict Prevention & Resolution (CPR Institute), New York, NY, United States (for “Truth in a Post-Truth Society”)  
 Global Legal Skills Book Award 2017 (for “Comparative Law for Spanish-English Speaking Lawyers”)  
 Shook, Hardy & Bacon LLP Excellence in Research Award 2017, University of Missouri School of Law (for “Mass Torts and Arbitration”)  
 Outstanding Professional Article 2014, International Institute for Conflict Prevention & Resolution (CPR Institute), New York, NY, United States (for “Contractual Waivers of Investment Arbitration”)  
 Shook, Hardy & Bacon LLP Excellence in Research Award 2014, University of Missouri School of Law (for “Regulatory Litigation in the European Union”)  
 Best Short Article 2011, International Institute for Conflict Prevention & Resolution (CPR Institute), New York, NY, United States (for “Collective Arbitration Under the DIS Supplementary Rules for Corporate Law Disputes”)  
 Legal Scholar Award, 13<sup>th</sup> Annual Women’s Justice Awards, *Missouri Lawyers Weekly* (2011)  
 Outstanding Professional Article 2009, International Institute for Conflict Prevention & Resolution (CPR Institute), New York, NY, United States (for “The Sounds of Silence”)  
 Yorke Prize for outstanding doctoral dissertation, University of Cambridge Faculty of Law (2003)

Article cited as “Worth Reading” in jurisprudence by *The National Law Journal* (S.) (1998) (for “*Romer v. Evans* and the Permissibility of Morality Legislation”)  
 Editor in Chief, *Duke Journal of Comparative & International Law* (1993-1994)  
 First Place, ASCAP Nathan Burkan Memorial Writing Competition in Copyright Law, Duke Law School (1993)  
 Duke University Law School Scholarship (1991-1994)

### **CONFERENCES CONVENED**

- Co-Convenor, “International Law Year in Review,” Sydney Centre for International Law, University of Sydney, Sydney, Australia (February 2023)
- Organized international works-in-progress conference and international student writing competition in addition to the conference
- Co-Convenor, “International Law Year in Review,” Sydney Centre for International Law, University of Sydney, Sydney, Australia (February 2022)
- Convenor and Interviewer, Young OGEMID Author Series (interviews published in *Transnational Dispute Resolution*), including:
- Noam Ebner and Jen Reynolds, editors of *Star Wars and Conflict Resolution: There Are Alternatives to Fighting* (DRI Press, 2022) (March 2023)
  - Lucas Clover Alcolea, author of *Arbitration of Trust Disputes* (Edward Elgar Publishing Ltd, 2022) (December 2022)
  - Anna Howard, author of *EU Cross-Border Commercial Mediation: Listening to Disputants* (Wolters Kluwer, 2021) (May 2022)
  - Luke Nottage, author of *International Commercial and Investor-State Arbitration: Australia and Japan in Regional and Global Contexts* (Edward Elgar Publishing Ltd, 2021) (November 2021)
- Convenor, Young OGEMID “Hot Topics” Panels (discussions published in *Transnational Dispute Resolution*), including:
- “Empirical Study: Provisional Measures in Investor-State Arbitration” (February 2023)
  - “Investment Issues and Economic Sanctions Following Russian Aggression in Ukraine” (March 2022)
- Convenor, “Comparative Law and International Dispute Resolution Processes,” Annual Meeting of the American Society of Comparative Law, Columbia, MO, United States (select papers published in the *Journal of Dispute Resolution*) (October 2019)
- Organized international works-in-progress conference in addition to the conference itself
- Convenor, “International Dispute Resolution,” University of Missouri-American Society of International Law Works in Progress Conference, Columbia, MO, United States (select papers published in the *Journal of Dispute Resolution*) (2017)
- Organized international student writing competition in addition to the conference
- Convenor, Young OGEMID Virtual Symposia (reports published in *Transnational Dispute Resolution*), including:
- “Effective Oral Advocacy in International Arbitration” (July 2022)
  - “International Commercial Courts and International Arbitration: Competitive or Complementary?” (March 2022)
  - “Effective Legal Writing: Written Submissions in International Arbitration” (October 2021)
  - “The United Nations at 75: Looking Back, Looking Forward” (July 2020)
  - “Alternatives to In-Person Arbitration: Pandemics and Beyond” (March 2020)
  - “Mediation as the New Litigation? Effects of the New Singapore Convention” (June 2019)
  - “To Do or Not To Do: Top Ten Things Junior Lawyers Should Do and Not Do” (January 2019)
  - “Double Talk: The Problems and Pitfalls of Bilingual Lawyering” (September 2018)

- “Empirical Legal Research: How-To and Why-To” (March 2018)
  - “Double Trouble: Parallel Proceedings in International Arbitration” (October 2017)
  - “Alternative Facts and the Post-Truth Society: Through an Arbitral Lens” (March 2017)
  - “Move It! Lateral Hires in International Arbitration” (October 2016)
  - “Prove It! Evidence in International Arbitration” (June 2016)
  - “Sound Off: How to Get a Speaking Slot in International Arbitration” (February 2016)
  - “Writing For Publication and Competitions” (October 2015)
- Convenor, “Judicial Education and the Art of Judging: From Myth to Methodology,” Center for the Study of Dispute Resolution Annual Symposium, University of Missouri School of Law, Columbia, MO, United States (keynote speaker the Hon. Duane Benton; papers published in the *Journal of Dispute Resolution*) (2014)
- Organized international works-in-progress conference and student writing competition in addition to the symposium itself
- Co-Chair, “Mass and Class Claims in Arbitration,” Institute for Transnational Arbitration/American Society of International Law (ITA/ASIL) Annual Conference, Washington, DC, United States (keynote speaker Carolyn B. Lamm; papers published in the *World Arbitration and Mediation Review*) (2014)
- Convenor, “Collective Redress in the Cross-Border Context: Litigation, Arbitration, Settlement and Beyond,” Henry G. Schermers Workshop, The Hague Institute for the Internationalisation of Law (HIL) and The Netherlands Institute for Advanced Study in the Humanities and Social Sciences (NIAS), The Netherlands (2012)
- Organized international works-in-progress conference in addition to the symposium itself
- Convenor, “Border Skirmishes: The Intersection Between Litigation and International Commercial Arbitration,” Center for the Study of Dispute Resolution Annual Symposium, University of Missouri School of Law, Columbia, MO, United States (keynote speaker Gary Born; papers published in the *Journal of Dispute Resolution*) (2011)
- Organized international works-in-progress conference and student writing competition in addition to the symposium itself

### **SELECT PROFESSIONAL AND COMMUNITY SERVICE**

- Judge, International Institute on Conflict Prevention & Resolution (CPR) Student Writing Competition (2022-2023)
- Coach, University of Sydney Law School International Commercial Mediation Team (2022) (team won CAM-CBCC Best Mediation Management award)
- Member, Advisory Committee on Private International Law, United States Department of State (2019-present)
- Member, Council of the International Chamber of Commerce (ICC) Institute (2018-present), Selection Committee (2021-present)
- Member, Panel of Editorial Consultants, *Australasian Dispute Resolution Journal* (2021-present)
- Member *ex officio*, Australasian Chapter, ICC Institute (2021-2023)
- Member, Examinations Board, Chartered Institute of Arbitrators (2019-2021)
- U.S. National Correspondent for the United Nations Commission on International Trade Law (UNCITRAL) Case Law on UNCITRAL Texts (CLOUT) project (2017-present)
- Adviser, European Law Institute-UNIDROIT (International Institute for the Unification of Private Law), *From Transnational Principles to European Rules of Civil Procedure* (2015-2020)
- Member, International Chamber of Commerce (ICC) Institute (2015-present)
- Member, International Institute for Conflict Prevention & Resolution (CPR) Advisory Council (2015-present)
- Moderator, Young-OGEMID (Oil-Gas-Energy-Mining-Investment Disputes) listserve (2015-present)

Co-Chair, American Society of International Law (ASIL), Private International Law Interest Group (2014-2016)  
 Board of Advisers, New York International Arbitration Center (NYIAC) (2013-present)  
 Institutional Member Director, American Society of Comparative Law (ASCL) (2013-2019)  
 Member, Patent Mediation Task Force, International Institute for Conflict Prevention & Resolution (CPR Institute) (2011-2013)  
 Member, American Law Institute (ALI) Consultative Groups  
     *Restatement of Copyright* (2014-present)  
     *Restatement (Third) of Conflict of Laws* (2014-present)  
     *Restatement of the Law of American Indians* (2014-2022)  
     *Restatement (Fourth) of the Foreign Relations Law of the United States* (2013-2018)  
     *Restatement (Third) of Trusts* (2011-2012)  
     *Restatement of the U.S. Law of International Commercial and Investor-State Arbitration* (2010-2019)  
 Executive Committee, Chartered Institute of Arbitrators (CIArb) North American Branch (2010-2013)  
 Academic Council, Institute of Transnational Arbitration (ITA) (2010-2017)  
 Mentor, ArbitralWomen Mentor Program (2010-2019)

### **PEER AND EXTERNAL REVIEW PARTICIPATION**

Expert Reviewer, National Conference of Bar Examiners (2016)  
 External Referee, Netherlands Organisation for Scientific Research (NWO) (2016)  
 External Referee, Research Foundation Flanders (Belgium) (2011, 2018)  
 Promotion Reviewer, various law schools (Belgium, New Zealand, United States) (2014-present)  
 Reviewer for Academic Presses (Cambridge University Press (2011, 2015); Edward Elgar Publishing, Ltd. (2011); Oxford University Press (2012-present); Routledge Legal Press (2010-2011); Wolters Kluwer (2021))  
 Reviewer for Scholarly Journals (*International Journal of Dispute Resolution* (2019); *Conflict Resolution Quarterly* (2017); *McGill Journal of Dispute Resolution* (2016); *Melbourne Journal of International Law* (2018); *Journal of International Dispute Settlement* (2013); *Yearbook on International Investment Law and Policy* (2012))  
 Tenure Reviewer, various law schools (2011-present)

### **PROFESSIONAL AFFILIATIONS**

American Bar Association (ABA)  
     Dispute Resolution Section (International Committee)  
     International Section (Art & Cultural Heritage Law Committee; International Arbitration Committee)  
 American Law Institute (ALI)  
 American Society of Comparative Law (ASCL)  
 American Society of International Law (ASIL)  
 European Law Institute (ELI) (Fellow status)  
 International Academy of Comparative Law (IACL) (Associate member)  
 International Bar Association (IBA)  
     Arbitration Committee  
     Art, Cultural Institutions and Heritage Law Committee  
 International Chamber of Commerce Institute of World Business Law (ICC Institute)  
 Order of the Coif  
 U.S. Committee of the Blue Shield (cultural property preservation)

### **NEUTRAL PANEL AFFILIATIONS**

Court of Arbitration for Art (CAfA) List of Arbitrators and Mediators

International Chamber of Commerce (ICC) Roster of Arbitrators

International Council of Museums (ICOM)-WIPO Art and Cultural Heritage Mediation Panel

World Intellectual Property Organization (WIPO) Arbitration and Mediation Panel

### **LANGUAGES**

English (fluent)

Spanish (proficient)