

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Adam SAMUEL  
London  
United Kingdom



Nationality: British

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LL.M. in American Banking Law, Boston University, Boston, 1990;  
A.J. Serino Outstanding Graduate Prize 1990;  
B.A., (Jurisprudence), St. Anne's College, Oxford - 2:1 equivalent 1982.

Fellow, Chartered Institute of Arbitrators, 2006;  
Advanced Financial Planning Certificate, 2001;  
Mortgage Advisers Qualification, 1999;  
Financial Planning Certificate, 1996.

Admitted to:  
New York Bar, 1991;  
English Bar, 1983.

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### LANGUAGES

English, French, German

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### PRESENT POSITION

Consultant: Advises and trains financial institutions and advisers, arbitrators and lawyers and writes on international and domestic dispute resolution and compliance issues including financial advertising, computer law, enforcement of foreign awards, conflict of laws and commercial law generally. Has written scripts and gives interviews for BBC on international dispute resolution, banking, financial

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services, compliance, European and sports law topics. Author of the only book on consumer financial services complaint handling in the UK.

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Personal Authority Ombudsman, London, England 1995;  
 Deputy Chief Executive, issued binding quasi-arbitral adjudications on over 40 disputes Insurance Ombudsman's Assistant, London, England 1991-95; resolved 615 financial services disputes by mediation or by assisting the Ombudsman with quasi-arbitral adjudications;  
 Research Assistant to Professor William Park, Boston University School of Law, Boston, USA, 1989-90; teaching and research assistant in the field of international business law;  
 Swiss Institute of Comparative Law, Lausanne, Switzerland: 1985-89;  
 Staff Lawyer responsible for the English-speaking world;  
 Advised the Swiss Government, courts, arbitrators and private clients on a broad range of topics covering the English-speaking world and dispute resolution worldwide. Wrote a book on arbitration and published on that subject and business law worldwide;  
 Lectured to lawyers and business students on international dispute resolution.  
 Awarded van Calker Scholarship to do international arbitration research, 1985;  
 Pupil barrister, Chambers of D. Stanford, London, England, 1984-85;  
 Pupil barrister, Chambers of K. Rokison QC, 1983-84.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Member:

Swiss Arbitration Association;  
 Personal Finance Society;  
 American and New York Bar Associations;  
 Chartered Institute of Arbitrators.

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### MAJOR PUBLICATIONS

#### Books:

"Jurisdictional Problems in International Commercial Arbitration" - A Study of Belgian, Dutch, English, French, Swedish, US and West German Law. Schulthess, 1989. "Consumer Complaints and Compensation: A Guide to the Financial Services Market, City & Financial 2005;  
 Commercial Insurance Contract Wording (with B Rendall, C Parsons, H Gullick, L Lucas, T Gregory), CII, 2006;

#### Pamphlets:

"Home and Away - Child Abduction in the Nineties", The All-Party Committee Report on International Child Abduction, Reunite, London 1993, 97 pages;  
 Standards & Guidelines for Successful Complaint Handling in Financial Services, Infoline 2000.

#### Articles - Alternative Dispute Resolution

"Imperialism and Chauvinism in International Arbitration: Lawyers, Statutes and Scoundrels" in *Impérialisme et chauvinisme juridiques*, Swiss Institute of Comparative Law, Schulthess, Lausanne, 2004, 193;  
 "Arbitration, Alternative Dispute Resolution Generally and the European Convention on Human Rights: An Anglo-Centric View" 21 *Journal of International Arbitration* 413 (2004);  
 "Chartered Institute of Arbitrators Guideline on Jurisdictional Issues in International Arbitration", 70 *Arbitration* 308 (2004);  
 "Fomento - A tale of "litispendance", arbitration and private international law" in *Liber Amicorum Claude Reymond: Autour de L'Arbitrage*, ed. Bredin, Lalive, Poudret, Terré, Litec, Paris 2004, 255;  
 "Jurisdiction, interim relief and awards under the LCIA Rules" in *International Arbitration: Practical Perspectives*, ed A Berkeley & J Mimms, London 2001, 35;  
 "Separability of arbitration clauses - some awkward questions about the law on contracts, conflict of

- laws and the administration of justice”, [2000] ADRLJ 36;
- “Arbitration Statutes in England and the USA”, [1999] ADRLJ 2;
- “Arbitration clauses incorporated by general reference and formal validity under article II(2) of the New York Convention” in *Études de procédure et d’arbitrage en l’honneur de Jean- François Poudret*, ed Ferrari, Lausanne 1999 505;
- “Alternative Dispute Resolution: Anglo-American Style” in *The Responsiveness of Legal Systems to Foreign Influences* ed. Swiss Institute of Comparative Law, Schulthess, Zurich 1992, 373;
- “The Effect of the Place of Arbitration on the Enforcement of the Agreement to Arbitrate” in *The Place of Arbitration*, ed., M. Storme & P. De Ly, Mys & Breesch, Ghent 1992, 40 & 8 *Arbitration International* 257 (1992);
- “Arbitration in Western Europe - A Generation of Reform”, 7 *Arbitration International* 319 (1991);
- “A Critical Look at the Reform of Swiss Arbitration Law in the Private International Law Act”, 7 *Arbitration International* 27 (1991);
- “Sporting Arbitration and the International Olympic Committee’s Court of Arbitration for Sport” (with Richard Gearhart), 6 *Journal of International Arbitration*, 4, 39 (1989) re-published in *The Court of Arbitration for Sport 1984-2004* ed. I Blackshaw, R Siekmann & J Soek, TMC Asser Press, 2006, 313;
- “The Unauthorized Publication of Arbitration Awards”, [1989] L.M.C.L.Q. 158;
- “Developments in English Arbitration Law since the 1984 Antaios decision”, 5 *Journal of International Arbitration* 3, 9 (1988);
- “Separability in English law - Is an Arbitration Clause an Agreement Separate and Collateral to the Contract in which it is Contained?”, 3 *Journal of International Arbitration* 2, 95 (1986);
- “The 1979 Arbitration Act - Judicial Review of Arbitration Awards on the Merits in England”, 2 *Journal of International Arbitration* 4, 53 (1985);
- “The New Swiss Private International Law Act”, 37 *International and Comparative Law Quarterly* 681 (1988);
- “Chinese Foreign Economic Contract Law” (with Xu Guojian), [1989] *Lloyd’s Maritime and Commercial Law Quarterly* 476.

### **International Law**

- “Injonctions anglaises empêchant l’introduction d’actions antitrusts à l’étranger”, 81 *Schweizerische Juristen-Zeitung* 398 (1985);
- “The Recognition and Enforcement of Foreign Judgments and Arbitral Awards in England with a Comparative Look at the United States” in *Le juriste suisse face au droit et aux jugements étrangers*, ed. F. Knoepfler, Editions universitaires, Fribourg 1988, 105;
- “The New Swiss Private International Law Act”, 37 *International and Comparative Law Quarterly* 681 (1988);
- Review of “International Arbitration: Three Salient Problems” by S. Schwebel, 5 *Journal of International Arbitration* 1, 119 (1988).

### **Financial Services**

- “Treating Customers Fairly”, *Compliance Officer Bulletin*, August 2004;
- “Reforming the Complaint Rules”, *Compliance Officer Bulletin*, September 2003;
- “Consumer Financial Services Law” in *International Tracing of Assets*, Vol 1, ed. Andrew Kielty, FT Law & Tax 2003, B2;
- “Complaint Handling” in *The IFA’s Guide to the FSA Handbook*, ed L Chandler, City & Financial, Woking 2003, 209;
- “Consumer Financial Services in Britain: New Approaches to Dispute Resolution”, 3 *European Business Organization Law Review* 649 (2002);
- “Repeal of the 30% Withholding Tax on Interest Payments to Foreign Eurobond Holders” (with Arlene Mainster & Brenda Winterholder), 9 *Boston University International Law Journal* 59 (1991).

### **Commercial Law**

- “The Chinese Foreign Economic Contract Law” (with Xu Guojian), [1989] *Lloyd’s Maritime and Commercial Law Quarterly* 476;
- “Three Conventions, cross-border contracts and English law”, *Television Education Network* 1992.

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**Constitutional Law**

“The Influence Abroad of the United States Constitution on Judicial Review and a Bill of Rights”, 3 Temple International and Comparative Law Quarterly 71 (1989).

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**EXPERIENCE IN COURT LITIGATION**

Appeared as an advocate in English court proceedings.

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**EXPERIENCE IN MEDIATION**

Over 300 cases resolved by mediation working for Insurance and Pension Ombudsman Bureaux. Involved in over 600 such cases.

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**PROFESSIONAL TRAINING IN ARBITRATION**

Taught on three seminars of the Chartered Institute of Arbitrators Diploma on International Arbitration.

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**EXPERIENCE IN ARBITRATION**

Co-counsel in international trade arbitrations;  
Counsel to arbitration tribunals;  
Independent investigator and member of the Institute of Financial Planning’s Disciplinary Tribunal. Drafted the current rules;  
Decided over 40 cases as a PIA Ombudsman, a quasi-arbitral form of adjudication;  
Arbitrator and expert in insurance arbitrations;  
Lecturer on the Asser Institute’s Post-Graduate Arbitration Course, 2002-3;  
Visiting Professor, University of San Diego (Summer arbitration law programme) 1998.

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**ARBITRATION EXPERIENCE**
**SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA					
	ICC					
	LCIA					
	Ad Hoc					
Number of cases: sub-total						
Domestic Arbitrations	AAA					
	Ad Hoc	1		1		
Number of cases: sub-total						
<b>TOTAL</b>		<b>1</b>		<b>1</b>		

**MEDIATION EXPERIENCE****SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad hoc			
Number of cases: sub-total				
Domestic Mediations (Estimates)	AAA			
	Insurance Ombudsman Bureau	c650	625	25
	Personal Investment Authority Ombudsman Bureau			
	Court-annexed			
	Ad Hoc			
Number of cases: sub-total		C650	625	25
<b>TOTAL</b>		<b>C650</b>	<b>625</b>	<b>25</b>