

SalomonArbitration

Claudia Salomon

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Overview

Claudia Salomon is an independent arbitrator, specializing in international, investor–state and complex commercial disputes. She is widely recognized as one of the leading arbitration practitioners of her generation.

Ms. Salomon has experience as arbitrator and counsel in some of the most complex, high value and significant disputes. Her cases span a broad range of industry sectors including construction, energy and natural resources (oil and gas, hydroelectric, solar, wind farm), financial services, hospitality, life sciences, technology, and telecommunications. She is particularly adept at multi–party, multi–contract claims involving complex financial agreements, post–M&A disputes and intellectual property rights.

In July 2021, Ms. Salomon became the President of the ICC International Court of Arbitration, the first woman President of the ICC Court in its almost 100–year history.

Ms. Salomon is a Fellow of the Chartered Institute of Arbitrators. She is a sought after speaker and writer on international arbitration and is the co–editor of *Choice of Venue in International Arbitration*, published by Oxford University Press.

Ms. Salomon is a member of the New York Bar and a solicitor in England and Wales. She graduated from Harvard Law School, *cum laude*, and Brandeis University, *summa cum laude* with honors. She also studied at Somerville College, Oxford University.

Professional Experience

2021–present	Independent Arbitrator and President, ICC International Court of Arbitration, as of July 1, 2021
2013–2020	Latham & Watkins, New York Partner & Co–Chair, International Arbitration Practice
2005–2013	DLA Piper, New York Partner & Co–Chair, International Arbitration Practice, 2007–13 Member, Executive Committee 2012–13; Policy Committee, 2010–13 Counsel, 2005–6
1998–2004	Squire, Sanders, Prague, Czech Republic, 2001–04 Phoenix, Arizona, 1998–2001, Associate
1994–1998	Mays & Valentine (now Troutman Sanders), Associate, Richmond, Virginia, 1994–98

Bar Admissions

New York, 2005; England and Wales (solicitor), 2013
Inactive: Virginia, 1994; Arizona, 1999; Czech Republic (foreign lawyer), 2002

Education

Harvard Law School, JD 1994, *cum laude*
Brandeis University, BA 1991, *summa cum laude*, Politics with honors
Somerville College, Oxford University, 1989–90

Recognition

In *Chambers Global and USA*, Ms. Salomon has been described as: “on the ball,” “responsive and smart” and “very experienced in complicated international arbitration cases” (2020). Clients praised her as “exceptionally knowledgeable in the subject area . . . and an excellent leader of her team” who has an “incredibly thorough and strategic approach” (2019) and “a real mastery of a broad range of material in the international arbitration field” (2018).

Ms. Salomon is considered “a real leader with stamina, knowledge, expertise and vision” (2016–17); who is “very experienced in complicated international arbitration cases” and “extremely knowledgeable and [a] sophisticated advisor with a balanced approach” (2014–15). She is also highly commended for her expert knowledge of investment treaty arbitrations (2013–14).

In 2019, *Crain’s New York Business* recognized Ms. Salomon a Notable Woman in Law for her professional skills, exemplary leadership skills and impact on the local community. In 2015, *Euromoney Women in Business Law* named Ms. Salomon the Best in Commercial Arbitration (Americas). In 2007, *Global Arbitration Review* (GAR) identified her as one of the world’s top 30 women in international arbitration, and in 2006, GAR identified her as one of “45 under 45” leading international arbitration practitioners worldwide.

Ms. Salomon also has been ranked regularly as a leading lawyer in *Legal 500*, *Who’s Who Legal*, *Best Lawyers*, and *Latinvex*, Latin America’s Top 100 Female Lawyers.

Panels

AAA’s Commercial Roster of Arbitrators
AAA / ICDR International Panel of Arbitrators
BVI International Arbitration Center, Inaugural Roster of Arbitrators
CPR Panel of Distinguished Neutrals
FedArb, Distinguished Neutral
HKIAC List of Arbitrators
KCAB International Panel of International Arbitrators
SCCA, Arbitrator Roster
SIAC Panel of Arbitrators

Experience

Ms. Salomon has experience as arbitrator (chair, co-arbitrator, sole arbitrator and emergency arbitrator) and counsel in more than 100 arbitrations. She has handled arbitrations under common law and civil law, seated around the globe. Her cases have been administered by a wide variety of international arbitral institutions, as well as ad hoc (AAA/ICDR, ICC, ICSID, HKIAC, JAMS, LCIA, PCA, SIAC, UNCITRAL, VIAC).

She recently sat as arbitrator in the following representative disputes:

Chair

- Chair, 3-member tribunal under the UNCITRAL Rules, concerning an LNG take-or-pay contract between European parties, governed by New York law, seated in New York
- Chair, 3-member tribunal under the AAA Commercial Arbitration Rules, concerning an indemnification claim under an insurance policy governed by Delaware law, seated in New York
- Chair, ICDR arbitration, AAA Commercial Arbitration Rules, claims brought under a Global Master Securities Lending and Borrowing Agreement between Filipino and US parties, involving a non-participating respondent, Nevada law, Washington, DC seat
- President, 3-member tribunal under the ICC Rules, involving a Share Purchase Agreement between US and Dutch parties, New York law, seated in New York,
- President, 3-member tribunal under the ICC Rules, involving Collaboration Agreement among U.S., Danish and Australian parties, concerning milestone payments in the pharmaceutical sector, New York law, Zurich seat
- Chair, 3-member tribunal under the ICDR Rules, involving Nicaraguan and Mexican distributorship agreements among Brazilian and Nicaraguan parties, New York law, New York seat
- Chair, 3-member tribunal under the ICDR Rules, involving a Partnership Agreement among Indian, Swiss, UAE, and US parties, concerning technology and claims of breach of contract and fraudulent inducement, Delaware law, New York seat
- Chair, 3-member tribunal under the AAA Commercial Arbitration Rules, involving a Share Purchase Agreement among US and Swedish parties, Delaware law, Wilmington seat

Co-Arbitrator

- Co-arbitrator, 3-member tribunal under the SIAC Rules, between two Indonesian parties, in the mining sector involving \$600 million in claims, Indonesian law, Singapore seat
- Co-arbitrator, 3-member tribunal under the AAA Rules, indemnification claims under a Stock Purchase Agreement New York law, New York seat
- Co-arbitrator, 3-member tribunal under the LCIA Rules, involving a Cooperation Agreement among Czech, Cypriot and Dutch parties, Czech law, London seat
- Co-arbitrator, 3-member tribunal under the ICC Rules, between US and Japanese parties, in the life sciences sector, New York law, Zurich seat
- Co-arbitrator, 3-member tribunal under the UNCITRAL Rules, administered by the PCA, involving a construction claim against an international organization, involving both the contractor and subcontractor, New York law, New York seat

Sole Arbitrator

- Sole arbitrator, ICDR arbitration under the AAA Commercial Arbitration Rules and Expedited Procedures, involving LLC Agreements, Operating Agreements and Construction Oversight Agreements between Turkish and US parties for various real estate development projects, New York and Delaware law, New York seat
- Sole arbitrator under the ICDR Rules, involving an Importing and Marketing Agreement for premium spirits between a French company and US distributor
- Sole arbitrator under the ICDR Rules, involving a License Agreement, including the valuation of patents between an Italian company and US inventor
- Sole arbitrator under the ICDR Rules, involving a License and Joint Marketing Agreement between UK and US parties

Emergency Arbitrator

- Emergency Arbitrator under the AAA Commercial Arbitration Rules, administered by the ICDR, involving \$350 million in claims under various financial instruments and requests for attachment of accounts, Delaware law, New York seat
- Emergency arbitrator under the ICDR Rules, involving franchise agreements between US and Indian parties, North Carolina law, Charlotte seat

Ms. Salomon's experience includes cases involving:

Parties from: Africa, Asia, Western and Central / Eastern Europe, Middle East, North and South (Latin) America, Caribbean

Seated in: Boston, Chicago, Dallas, Dubai, Geneva, Hong Kong, Houston, London, Mauritius, Mexico City, Miami, Muscat, New York, Paris, Phoenix, San Francisco, Seoul, Singapore, Stockholm, Vienna, Washington, DC, Wilmington, Zurich

Governed by laws of: Australia, Austria, Bahamas, Canada (Ontario, Ottawa), China, Cyprus, Czech Republic, England and Wales, Egypt, France, Gabon, Georgia, Ghana, Hong Kong, India, Indonesia, Japan, Madagascar, Mexico, Oman, Serbia, Singapore, South Korea, Switzerland, and U.S. law (Arizona, California, Delaware, Florida, Illinois, Massachusetts, New Jersey, New Mexico, Nevada, New York, North Carolina, Oregon, Texas, Virginia); European Union competition law

Construction: Owners, contractors, sub-contractors; power barge, toll road, container terminal at port (quay wall), manufacturing plant, dam for hydroelectric plant, wind-powered electric generation facility (wind farm), solar plant; subcontractor agreements, turnkey engineering, procurement and construction (EPC) agreements

Energy/natural resources/mining: Multinational energy companies, upstream and downstream, electric utility, hydroelectric, liquefied natural gas (LNG), oil and gas concession, power generation, solar, failure of steam generators, shutdown of nuclear power plant, fertilizer and potash permits; copper mining; transportation and sale of natural gas, intrastate pipeline and option rights, delivery of a rig; Trans-Caucasus oil and gas pipelines

Financial services: Financial agreements, including loans; sale and purchase of bank

Hospitality: Hotels, motels, restaurants, food, franchise

Life Sciences: Health care and consumer products, cosmetics (beauty) and skin care products, pharmaceutical, biopharmaceutical and biotechnology companies; license and development agreement for drug delivery system for chronic diseases, including disputes over milestone payments and regulatory requirements; manufacturing supply agreements, clinical trials and collaboration agreements

Technology: Technology companies, electronics manufacturers, information technology companies; royalties, R&D, license termination, patent infringement and valuation, copyright, trademark claims, strategic alliance agreement, digital management platform, use of confidential/proprietary information; share purchase agreement involving dispute over patent ownership; OEM agreement involving design and construction of computer server systems; cross patent license agreement; licensing agreement; option agreement; supply and funding agreement; supply agreement for computer components

Telecommunications: Telecommunications companies, privatization of telecommunications sector; supply agreement for telecommunications equipment, issuance of GSM mobile licenses; exclusivity and escrow agreements

Post-M&A, joint venture, commercial: Post-M&A purchase price (working capital) disputes, accounting/tax, environmental indemnification claims, asset purchase agreement, cooperation agreement, concession, distribution agreement, franchise agreement, joint venture agreement, lease, marketing agreement, manufacturing agreement, including questions of conformity of products, partnership agreement, purchase option, real estate and development agreement, revenue sharing agreement, share purchase agreement, supply agreement, airlines and aviation engines and parts, charitable (non-profit) organization, premium spirits (gin, cognac), university and education, commodities (flour, metals), galvanized steel coils, waste management, recycling

Public international law; investment treaties: investors and states in more than a dozen investment treaty arbitration cases involving supply agreements, corruption scandal, educational issues, tax assessments, mining, oil and gas pipelines, reorganization of a metallurgy plant, concessions, telecom, banking, hospitality; sought and opposed enforcement of investment treaty arbitration award; represented international organization in claims alleging breaches of public international law and human rights

Professional Activities

ICC Leadership

- President, ICC International Court of Arbitration, July 2021-present
- Vice President, ICC International Court of Arbitration, 2018-21
- US Member, ICC International Court of Arbitration, 2015-18
- Member, ICC Commission on Arbitration & ADR, 2007-2008, 2010-present
- Co-chair, Task Force on Financial Institutions & International Arbitration, 2013-16
- Member, Task Force on Reducing Time & Costs in International Arbitration, 2006-7
- Chair, Young Arbitrator Forum, USCIB (US national committee), 2007-2009
- Member, ICC YAF, North America Chapter, Regional Coordinating Committee, 2008-2009

Other Professional and Civic Activities

- New York Civil Liberties Union, Board of Directors, September 2020–present
- American Review of International Arbitration, Global Advisory Board, 2020–present
- Member, New York City Bar, Int’l Commercial Disputes Committee, 2018–20
- Board Member, New York International Arbitration Center, 2013–19
- Member, ArbitralWomen, 2006 – present
- Member, International Bar Association, Arbitration Committee
- Member, Harvard International Arbitration Law Students Association Advisory Board

Publications (select)

Book

- Co–editor, *Choice of Venue in International Arbitration*, Oxford University Press, 2014

Chapters

- Arbitration, *Commercial Litigation in New York State Courts* (ch. 69), 5th ed., October 2020; 4th ed., 2015 and supplements (co–author)
- Witnesses, Subpoenas, Documents & the Relationship between the FAA and State Law, *International Arbitration in the United States*, January 2018 (co–author)
- Damages in International Arbitration, *International Commercial Arbitration in New York*, 2nd ed. 2016, 1st ed. 2010
- Arbitrator’s Disclosure Standards: The Uncertainty Continues, *AAA Handbook on International Arbitration Practice*, 2010

Articles (select)

- International Arbitration with a Client Mindset, *ICC Bulletin*, June 2021
- Respondent Non–Participation in International Arbitration, *The American Review of International Arbitration*, September 2020 (co–author)
- Top 10 Tips for Effective Written Advocacy in International Arbitration, *New York Law Journal*, September 2020 (co–author)
- Respondent Non–Participation in International Arbitration, *New York Law Journal*, August 2020 (co–author)
- Enforcing Foreign Arbitral Awards as Foreign Judgments in the United States, *New York Law Journal*, June 2020 (co–author)
- A witness outside your control, *Global Arbitration Review*, June 2020 (co–author)
- Primer on International Arbitration Costs, *Bloomberg*, September 2019 (co–author)
- Compelling Third–Party Discovery In New York Arbitration, *New York Law Journal*, November 2018 (co–author)
- When International Arbitration Becomes Domestic, *Law360*, November 2018 (co–author)
- New York Vacates Arbitral Award with Manifest Disregard Doctrine, *New York Law Journal*, August 2017
- Making the most of mock arbitrations, *Global Arbitration Review*, May 2017 (co–author)
- What financial institutions think of International Arbitration, *Law360*, November 2016
- Splitting the Baby in International Arbitration, *The National Law Journal*, January 2015

- The United States Federal Arbitration Act: A Powerful Tool for Enforcing Arbitration Agreements and Arbitral Awards, *LexisPSL Arbitration*, April 2014 (co-author)
- Choosing an arbitral seat in the United States, *LexisPSL Arbitration*, March 2014 (co-author)
- Investment arbitration in the East Asia and Pacific region: a statistical analysis, *Global Arbitration Review*, November 2013 (co-author)
- How most favoured nation clauses in bilateral investment treaties affect arbitration, *Practical Law*, October 2013 (co-author)
- A Game Plan For Effective Cross-Border Dispute Resolution, *Law360*, August 2013 (co-author)
- Obtaining and Submitting Evidence in International Arbitration in the United States, *The American Review of International Arbitration*, 2013 (co-author)
- Enforcement Begins when the Arbitration Clause is Drafted, *The American Review of International Arbitration*, 2011 (co-author)
- Focusing on enforcement early and often, *National Law Journal*, May 2010 (co-author)
- Keep an Eye on the End Game: Enforcement, *New York Law Journal*, April 2010 (co-author)
- Enforcement of Arbitral Awards Against States and State Entities, *Arbitration International*, September 2007 (co-author)
- The International Arbitration Rules: Do The Rules Make A Difference, *Journal of International Arbitration*, April 2004
- Submitting Evidence in International Arbitrations, *Journal of International Arbitration*, June 2003 (co-author)
- Selecting an International Arbitrator: Five Factors to Consider, *Mealey's International Arbitration Report*, October 2002

Speaking Engagements (select)

- 6th Annual ATLAS Lecture, Atlanta International Arbitration Society, April 2021
- ITA-ALARB Americas Workshop, disclosure and conflicts of interest, commentator, December 2020
- ICC Webinar, Challenges of Multi-Party and Multi-Contract Issues in International Arbitration and the Anticipated ICC Rules Changes, November 2020
- ICC Webinar, Arbitrating with Non-Participating Respondents: Pitfalls and Best Practices, November 2020
- ICC Webinar, Navigating the Challenges of Case Management During COVID-19, June 2020
- Georgetown International Arbitration Society, respondent non-participation in international arbitration, Washington, DC, February 2020
- Arizona State University Conference on Arbitration, innovation in arbitral institutions, Phoenix, January 2020
- Harvard International Arbitration Conference, closing remarks, February 2019; cross-cultural considerations, Cambridge, March 2018
- Georgetown International Arbitration Society, arbitrator and arbitral institution immunity, Washington, DC, February 2019
- ICC Miami Conference, Arbitration in the Banking and Finance Sector, November 2018
- HKIAC ADR in Asia Conference, interim measures, Hong Kong, October 2018
- Stockholm Oxford Law Symposium, Oxford, UK, September 2018
- GAR Live BITs, parallel proceedings, Washington, DC, May 2018
- When ICC meets Atlanta, practice under the ICC rules, Atlanta, March 2018
- ICADR-AAA International Arbitration Track – iLaw 2018, moderator, drafting international arbitration awards, Miami, February 2018

- ICC Taskforce on Financial Institutions and International Arbitration, Launch Events, Rome, New York, London, Hong Kong, Singapore, Jakarta, 2017
- Fordham International Arbitration Conference, mock arbitrations, November 2017
- ICC New York Conference, program chair and moderator, cyber-security in international arbitration, September 2017
- PLI Conference on International Arbitration, New York, 2017, 2009, 2008 and 2007
- ICC West Coast Conference, Behind the Scenes at the ICC Court: Demystifying the Decisions, Procedures & Practices, San Francisco, May 2016
- ICC New York Conference, arbitrator and arbitral institution immunity, September 2015
- ICC YAF, Protecting your client in the global marketplace: arbitrating technology disputes, San Francisco, April 2015
- International Arbitration in Latin America: The ICC Perspective, Miami, November 2014
- ITA Workshop, Dallas, June 2014
- Fourth Annual ICC Asia-Pacific Conference, Seoul, South Korea, May 2014
- IBA Arbitration Conference, dispositive motions, Toronto, May 2014
- HKIAC Conference, mock hearing on new rules, October 2013
- Harvard Law School Celebration 60, international panel, September 2013
- ICDR Conference, Miami, September 2013
- New York City Bar Association, New York versus London as the Place of Arbitration: A Transatlantic Debate, New York, June 2010
- ITA Workshop Co-Chair, Damages in International Arbitration, Dallas, June 2008
- ICC/AAA/ICSID Joint Colloquium on International Arbitration, Developments in Investor-State Arbitration, Paris, November 2007
- ICC Latin American Conference, YAF, Efficiency in Arbitration, Miami, November 2007
- Juris Conferences and the ABA Section of International Law, The Conduct of International Arbitration conference, New York, June 2007
- ICC Conference on Arbitration, Recovering Costs in Arbitration, Charleston, June 2006
- IBA Conference, Using Experts in International Arbitration, Prague, September 2005
- Center for International Legal Studies, Conference Chair, Conference on Negligence and Damages in an International Setting, Salzburg, September 2004
- Center for International Legal Studies, Common Law versus Civil Law Regimes, Conference on International Arbitration, Salzburg, June 2004

Guest lectures/teaching

- Harvard Law School, oral advocacy workshop, February 2020, November 2018
- McGill Dispute Resolution Lecture Series, the intersection of courts and international arbitration, Montreal, January 2015
- Georgetown Law Center, Investment Arbitration and Regime Change: The Latin American Experience vs. the Eastern European Experience, March 2009
- University of Addis Ababa Law School, 2-week international arbitration course, Addis Ababa, Ethiopia, 2008
- University of Richmond Law School, adjunct professor, voting and political participation, 1998

Community/Pro Bono (select)

- Member, Board of Directors, New York Civil Liberties Union, September 2020

- Pro bono representation of the NAACP, Spring Valley Branch, and Black and Latino voters, challenging the method of electing a school board under the Voting Rights Act
- Pro bono representation of the League of Women Voters, challenging the 25-day cut off for voter registration in New York

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