# John W. Hinchey

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Mr. Hinchey is recognized in the United States and internationally as a leader in resolving significant engineering, infrastructure and energy-related disputes as an arbitrator, mediator and facilitator. Prior to his retirement from the international law firm, King & Spalding, he led the Firm's commercial contracting and construction disputes practice for 18 years. He is now a full-time arbitrator who serves on institutionally administered and ad hoc panels of arbitrators, including the ICC, AAA/ICDR, LCIA, CPR International Institute, Institute for Energy Law, Chartered Institute of Arbitration Presidential Panel, the Japan Commercial Arbitration Association and the JAMS Engineering, Construction, Energy and International Panels.

As an advocate, Mr. Hinchey has represented a broad spectrum of clients engaged in engineering, construction and infrastructure projects, including financiers, bond guarantors, surety companies, insurers, owners and developers, design professionals, contractors, vendors and equipment and material suppliers. Among his former representations are Turner Broadcasting System in all aspects of its construction programs; UPS as core counsel for its worldwide construction transactions and related dispute resolution matters; Wal-Mart, Inc., in multi-state construction litigation; and The Coca-Cola Company and Home Depot, Inc., in engineering and construction matters. He has served as lead counsel in drafting, or performing risk analyses of a variety of design build, turnkey and EPC agreements for such projects as the negotiation and drafting of design and construction agreements and the resolution of disputes for the 1996 Summer Olympic Games; the Al Udeid Air Base Fueling Facility in Qatar, Turner Field in Atlanta, the Houston Astros' Stadium, the New England Patriots Stadium, the Philadelphia

Eagles Stadium, the proposed new Tacoma Narrows Bridge, and a monorail project in Las Vegas, Nevada.

Mr. Hinchey has served as Chair of, and received the highest achievement "Cornerstone" award from, the world's largest organization of construction lawyers, the American Bar Association's Forum on Construction Law. He is a Fellow and has served as President of the American College of Construction Lawyers; he is an Honorary Fellow of the Canadian College of Construction Lawyers; a Fellow of the College of Commercial Arbitrators, a Chartered Arbitrator, Fellow and Diplomate of the Chartered Institute of Arbitrators; former Chair of the Atlanta Bar Association Construction Law Section and former President of the Georgia Arbitrators Forum. In addition to the JAMS Panels of Arbitrators, he has served as arbitrator on many ICC, AAA and ICDR administered arbitrations; and he is included on the CPR International Institute's Distinguished Panels of Neutrals, including their ADR, Construction and Cross-border Panels; the Institute for Energy Law Panel, the LCIA North American Panel and the Chartered Institute of Arbitrators Presidential Panel.

Mr. Hinchey currently serves on the Advisory Board of the Institute for Transnational Arbitration; he has been a visiting lecturer to a number of colleges and universities on arbitration and dispute resolution subjects and has served on the Council of Distinguished Advisors to The Straus Institute of Dispute Resolution, Pepperdine University School of Law; he has been frequently listed in *Chambers and Partners, Best Lawyers in America, U.S. Legal 500, Guide to the World's Leading Experts in Commercial Arbitration, Superlawyers (Corporate Counsel Edition), Who's Who in American Law, and Who's Who in America.* In 2018, he received the Albert Nelson Marquis Lifetime Achievement Award from Marquis Who's Who, and he has been recognized as one of the top eight "Most Highly Regarded Individuals—Global" in the *International Who's Who of Construction Lawyers.* He is also listed in the *International Who's Who of Commercial Arbitration.* He received the 2012 Arbitration "Lawyer of the Year Award"- Washington D.C.- and 2014, 2019 and 2020 "Lawyer of the Year" Award – Atlanta, from Best Lawyers in America.

## **Education Degrees**

- M.Litt. (Comparative Law), Oxford University, England
- LL.M. (International Law), Harvard Law School
- LL.B., Emory University Law School
- A.B. in Law, Emory University
- Diploma in International Arbitration, Chartered Institute of Arbitrators

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#### **Admitted to Practice**

- United States Supreme Court
- Georgia Supreme Court
- U.S. Court of Appeals (11th Circuit)
- U.S. Middle District Court (Georgia)
- U.S. Northern District Court (Georgia)
- U.S. Southern District Court (Georgia)

# **Bar Memberships**

- International Bar Association
- American Bar Association
- State Bar of Georgia
- Atlanta Bar Association

### **Clerkships**

Chief Justice, Supreme Court of Pakistan

### **Appointments and Memberships**

- Former President and current Fellow of the American College of Construction Lawyers
- Honorary Fellow, Canadian College of Construction Lawyers
- Past Chair, American Bar Association, Forum on Construction Law
- Fellow, International Academy of Construction Lawyers
- Charter Fellow, Construction Lawyers Society of America
- Past Chair, Atlanta Bar Association, Construction Law Section
- Past Chair, Legal Steering Committee, Georgia State Financing and Investment Commission (GSFIC)
- Co-Chair, International Bar Association, International Construction Projects Committee (2009-2010)
- Chartered Arbitrator, Diplomate and Fellow, Chartered Institute of Arbitrators

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- Fellow, College of Commercial Arbitrators
- Former President, Georgia Arbitrators' Forum
- JAMS International, Energy and Global Engineering and Construction Panels (London, New York, Washington, DC, Atlanta, Miami).
- London Court of International Arbitration (LCIA) North American Council
- American Arbitration Association, Large Complex Case Panel and Master Panel of Construction Arbitrators (1992-2010)
- CPR Distinguished Panel of Construction Arbitrators
- CPR Distinguished Panel of Cross-border Arbitrators
- CPR Distinguished ADR Panel
- Chartered Institute of Arbitrators, Presidential Panel
- Chartered Institute of Arbitrators, Approved Faculty Member
- Institute for Energy Law Panel
- Japan Commercial Arbitration Association
- Former Member, Council of Distinguished Advisors, The Straus Institute For Dispute Resolution, Pepperdine University School of Law
- Advisory Board, Construction Contract Law Report, published by Thomson West
- Advisory Board, Institute for Transnational Arbitration
- Advisory Board, Institution of Civil Engineers (ICE) Journal of Management, Procurement and Law (2010-2011)
- American Bar Association, International Section, International Arbitration Rules Committee project on comparative arbitration rules (2013)
- Former Member, Executive Committee, State Bar of Georgia, Dispute Resolution Section

# Awards and Recognition

- Cornerstone Award (2006); highest award for distinguished service by the American Bar Association, Forum on Construction Law
- Albert Nelson Marquis Lifetime Achievement Award (2018) by Marquis Who's Who
- 2014, 2019 Arbitration "Lawyer of the Year Award", Atlanta, GA; Best Lawyers in America (Listed from 2003-date).

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- 2012 Arbitration "Lawyer of the Year Award", Washington DC.; Best Lawyers in America (Listed from 2003-date)
- International Who's Who of International Arbitration (2012-date)
- International Who's Who of Mediators (2012 date)
- <u>International Who's Who of Construction Lawyers</u>; Top 10 "Most Highly Regarded Individuals-Global" *International Who's Who of Construction Lawyers* (2007-2010)
- 1st Band, Leading Individual Lawyers (Construction-Georgia), *Chambers and Partners* (2005-2010)
- International Finance, "Top 500 Lawyers in the World" (2014)
- Diploma in International Arbitration, conferred by the Chartered Institute of Arbitrators (2012)

### Representative Transactions as an Advocate

- Development of project delivery systems, EPC, engineering, design and construction contracts for the 1996 International Olympic Games
- Development of service and procurement agreements for the 2004 Global G-8 conference in Sea Island, Georgia
- Drafting and development of engineering, design and construction agreements for United States Golf Association, Bethpage Black Golf Course renovation
- Engineering and construction risk review and analysis of agreements for City University of New York Student Housing Project
- Preparation of insurance and OCIP-related agreements for Yale University Construction Program
- Development of engineering, design and construction agreements for Turner Broadcasting System, Inc. on multiple projects
- Development of engineering, design and construction agreements for The Home
   Depot on multiple projects
- Risk analysis of engineering, design and construction agreements for re-fueling and pipeline facility in Qatar
- Review of construction related agreements for Equatorial Guinea Oil Development Project
- Advice and counsel regarding engineering, design and construction of world's largest beverage concentrate plant in Ireland

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- Advice and contract drafting for development of international telecommunications facilities (uplink and downlink satellite TV stations) in various countries, including India and China
- Drafting, negotiating or performing risk analyses of a variety of design build, turnkey and EPC agreements for such mega projects as the new Olympic Stadium/Turner Field in Atlanta, the Houston Astros' Stadium, the New England Patriots Stadium, the Philadelphia Eagles Stadium, the proposed new Tacoma Narrows Bridge, various sustainable energy projects and a monorail project in Las Vegas, Nevada.
- Development of design-build agreements for developer of Guam School construction project
- Drafting and negotiation of contracts for large national railroad company involving the installation of sub-surface fiber optic cable across the United States
- Development of design and construction agreements for corporate campus headquarters of health services supply company
- Analysis of U.S. Department of Justice fair housing claims against international consumer products company
- Construction risk review and analysis of world-class convention hotel and conference center in Phoenix, Arizona
- Construction risk review and analysis of multiple design and construction agreements for consumer storage facilities in multiple states
- Advice, counsel and research regarding licensing of international architectural and engineering firm in multiple states
- Advice on contracts arising out of design and construction of several Ritz Carlton Hotel and Resort projects
- Representation of various regulatory agencies, including a public utility regulatory commission and parties appearing before regulatory agencies

# Representative Disputes as Arbitrator and Advocate

- Service as arbitrator on a great variety of high-value national and international contract, procurement, energy generation, engineering and construction disputes, including the following:
- Service as a Dispute Resolution Board member on a multi-billion US Dollar nuclear powered generation project in the State of South Carolina

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- Experience as dispute resolution facilitator on a number of high-value cases involving energy generation, infrastructure and engineering disputes
- Service as a co-arbitrator on a dispute in a proceeding involving the design and construction of a ballistic resistance enclosure for a multi-billion dollar nuclear powered generation project in the State of Georgia
- Party appointment as co-arbitrator on an ICC administered arbitration panel seated in Taipai, Republic of China, involving the engineering and equipping of a nuclear powered electricity generating plant
- Appointment as a co-arbitrator on an ICC administered arbitration tribunal in Paris, involving the design, supply and construction of a digester, pulp drying lines, recovery and power boilers, evaporation plant, and white liquor project in Uruguay
- Service as sole arbitrator in a JAMS administered dispute involving the design and construction of 16 PV, totaling 1000 acMW, solar powered energy generation plants in the State of Minneapolis
- Service as party-appointed arbitrator in an ICC administered arbitration between a French supplier of heat exchangers for a Spanish owned parabolic heat storage solar powered energy generation facility, concerning claimed warranty obligations
- Service as chair of a AAA administered arbitration panel, involving the design and construction of a PV solar powered energy generation plant near Las Vegas, Nevada
- Service a sole arbitrator in an ICC administered arbitration involving the engineering and installation of a solar-panel electric power generation facility in the Caribbean
- Service as party-appointed arbitrator in an ICC administered arbitration involving disputes arising out of a U.S. Government contract for supply of parts for a fleet of F-155 fighter jets owned by the Royal Saudi Air Force
- Service as a party-appointed arbitrator in an ICC administered arbitration, involving the design and construction of a hot briquetted iron manufacturing plant near Nueces, Texas
- Service as a party-appointed arbitrator in an ICC administered arbitration involving the construction of a \$2.2 billion greenfield ammonia and fertilizer manufacturing plant in the Mid-West, USA
- Service as President of an ICC administered arbitration involving a dispute between U.S. and Spanish entities involving the engineering and construction of a segment of an interstate highway in the state of Indiana.

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- Service as party-appointed arbitration in an ICC administered arbitration involving the design and construction of a toll-road highway neat Austin, Texas
- Appointment as chair of a AAA administered arbitration involving the expansion and improvement of a railway line and related facilities in the State of Florida
- Service as party-appointed arbitrator in a JAMS administered arbitration between a plastics supplier of components for a waste treatment facility in the State of Pennsylvania
- Appointment as sole arbitrator of a dispute involving the design and operation of a software communications system for a telemarketing communications firm in Toronto, Ontario, Canada
- Service as a co-arbitrator in a AAA administered arbitration involving an experimental chemical process through plastic waste is transformed through a proprietary series of chemical processes, into crude oil
- Service as a co-arbitrator in a AAA administered arbitration involving the design, engineering, procurement, delivery, installation, cold commissioning and testing services for a first-of-a-kind waste to energy conversion system Akron, Ohio
- Service as co-arbitrator of an ad hoc arbitration in the US Midwest involving the engineering, procurement and construction of a large bore piping system for an electric power generation plant
- Appointment as sole arbitrator in a JAMS administered case involving breach of contract and fraud claims against a housing developer
- Party appointment as a co-arbitrator on an ICDR administered arbitration, involving a chlorine-alkali plant near Freeport, TX
- Service as Chair of an ICDR administered arbitration tribunal, involving the engineering and construction of a U.S. \$2 billion supercritical coal-fired electric power generation plant in the state of West Virginia
- Service as a party-appointed arbitrator on an ICC administered arbitration tribunal in San Francisco, involving a US 7 billion dollar dispute concerning the engineering and installation of two nuclear steam-powered generation units by a Japanese based supplier
- Service as Chair of a AAA arbitration tribunal involving the construction of a steam methane reformer hydrogen and chemical processing plant on the Gulf of Mexico

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- Service as co-arbitrator on an ad hoc arbitration concerning the installation of a wind-powered turbine electric generation facility in West Virginia
- Service as Chair of a AAA administered arbitration between a U.S. freight railway company in the Western United States and a European company providing equipment and maintenance services for locomotive rolling stock
- Service as sole arbitrator in a CPR Institute non-administered arbitration involving a dispute concerning the servicing of home mortgages
- Service as President of an ICC administered, later becoming an ad hoc, arbitration concerning the design and installation of a transcontinental natural gas pipeline between Canada and the United States
- Service in Mumbai as Presiding Arbitrator on an ICC, later becoming an ad hoc, arbitration involving the destruction by cyclone of an oil refinery in Northwest India, contemporaneously reputed to have the largest amount in dispute of any arbitration proceeding in the state of India
- Service as chair of a AAA administered arbitration involving the design and construction of: (a) a 30-foot diameter and 600-foot deep vertical "Access Shaft"; (b) a 200-foot long "Assembly Chamber"; (c) a "Starter Tunnel" for the housing and assembly of the TBM; (d) a three-mile long tunnel underneath Lake Mead, to be excavated by the TBM; and (e) a submerged intake riser structure in the Lake at the end of the tunnel.
- Service as Chair of a Dispute Resolution Board involving a large multi-use international resort facility in the Caribbean, then being constructed by an affiliate of China State Construction Company, with an engineering and construction budget of approximately US \$3 Billion
- Representation in arbitration and in court of a large national railway corporation involving contracts for repair, maintenance and replacement of rolling stock and for installation of fiber optic cable throughout the United States
- Service as Chair of a AAA administered tribunal concerning claims arising out of an offshore intake line to a power generation plant on the coast of Mexico
- Service as Chair of tribunal concerning the engineering and construction of an ethanol manufacturing facility in the Midwest, including design performance and production issues.
- Service as Chair of an ICC administered arbitration panel, arising out of the engineering, design and construction of a large electric power generation plant project in Boston, Massachusetts

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- Representation of a public utility commission as an Assistant Attorney General for the State of Georgia
- Assertion and defense of claims on behalf of a Ritz Carlton hotel, condominium and resort owner in Grand Cayman versus a large international construction contractor, resulting in jury verdict award exceeding \$30 million.
- Assertion of claims and litigation on behalf of the Bank of America, NA, against a contractor concerning construction of a banking facility
- Defense of an international manufacturer against claims by U.S Department of Justice concerning fair housing issues
- Litigation, arbitration and mediation of a dispute between U.S. based railway company and international telecommunications company
- Litigation of claims and defenses on behalf of a U.S. based apartment and condominium developer doing business in multiple US domestic states
- Litigation in the London Technology and Construction Court on behalf of an international beverage manufacturing company involving the design and construction of a chemical processing plant in Ballina Ireland against one of the world's largest international contractors
- Advice and counsel to Chilean Developer in an ICC administered arbitration regarding defense of claims by an international contractor
- Service as member of a Dispute Review Board involving claims arising out of regional medical center in the Southeastern United States
- Representation a party in an ICC administered arbitration arising out of mining project in Peru
- Representation of Home Depot, Inc., regarding assertion of claims and defenses of claims arising out of multiple construction projects
- Representation of the Ritz Carlton Management Company regarding litigation, arbitration and mediation of disputes concerning the design and construction of flag hotels in various locations throughout the U.S.
- Representation of Rolls Royce, Inc., concerning a waste-to-energy power generation plan near Chicago, Illinois
- Representation of the City of Atlanta regarding claims arising out of the construction of Atlanta Hartsfield-Jackson Airport International Terminal
- Representing Wal-Mart Stores, Inc., regarding the assertion of claims, including litigation and mediation, against contractors and sureties arising out of design and construction of multiple stores in multiple US states

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■ Representation of the State of Georgia Public Service Commission on a variety of utility rate matters

#### **Publications and Speeches**

- Co-author, with Professor Troy Harris, of the <u>International Construction Arbitration Handbook</u>, a two-author treatise published by Thomson Reuters, now in the 2019 edition, originally published in 2008
- Co-author, "What We Can Learn From International Arbitration to Improve U.S. Domestic Construction Arbitration," lead article, <u>Journal of the American College of Construction Lawyers</u>, Vol. 18, No. 1, pp. 1-87 (Summer, 2019)
- Contributing Author, <u>The Use of Forensic Experts in Construction Litigation</u>, a booklet published by the ABA Forum on Construction Law, 2019
- Co-author, College of Commercial Arbitrators (CCA), <u>Guide to Best Practices in</u> Commercial Arbitration, (4<sup>th</sup> edition, 2017)
- Co-author with Kimberly Taylor, "Tailor Your International Arbitration Agreements to Reduce Time, Control Costs and Reach Desirable Outcomes", American Corporate Counsel (*ACC*) Docket, June 2018, p. 44
- Fast-Track Arbitrations Pros, Cons and Compromise, published in Leaders' League Arbitration, January 2018
- Featured Luncheon speaker, Atlanta International Arbitration Society, September 6, 2019, on "Rethinking International Commercial Arbitration", Georgia Statute University School of Law
- Panel Member, 2d Annual Global Arbitration Review (GAR) Live Conference, on Dispositive Motions in International Commercial Arbitration, September 9, 2019
- Lead Moderator, Atlanta International Arbitration Society, Forum on Award Writing, September 10, 2019, Georgia State University School of Law
- Panel Moderator, "Selected Issues of Energy and Construction Dispute Resolution in the Peoples Republic of China," 2019 Summit Conference, Beijing Arbitration Commission/Beijing International Arbitration Center (July 28, 2019)
- Panel Moderator for plenary session, Annual Meeting of the American College of Construction Lawyers, "How US Domestic Arbitration Can Benefit from International Arbitration Procedures," (February, 2019)

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- Tutor and Lecturer, Chartered Institute of Arbitrators Accelerated Route to Fellowship qualification course, Miami, April 27-29, 2019
- Luncheon speaker at the 2018 Fall Meeting of the ABA Forum on Construction Law on "Important Differences Between U.S. Domestic Arbitration and International Arbitration" (Montreal, October 4, 2018)
- Organizer and Moderator of a panel presentation on "Causes and Cures of Megaproject Failures", to the 8<sup>th</sup> Conference of the Society of Construction Law, in Chicago (September 27, 2018)
- Visiting lecturer on International Commercial Arbitration subjects, Pepperdine Law School, Straus Institute of Dispute Resolution (2009 2017)
- Service as faculty member and tutor for a Chartered Institute of Arbitrators Accelerated Route to Fellowship training course in the City of Atlanta (October 21-22, 2017)
- Speaker and panelist at the joint ICDR/AAA/ICC/ICSID 34<sup>th</sup> Annual Joint Conference on International Arbitration in New York City, December 1, 2017
- Moderator of a group discussion on Selection of Arbitrators in International Arbitration at the 6<sup>th</sup> Annual Meeting of the Atlanta International Arbitration Society (ATLAS) on October 13, 2017.
- Speaker, "Dispute Resolution and Payment Issues", ABA Forum on Construction Law, Regional Program, Atlanta, Georgia (November 4, 2016)
- Panelist, "Rules Convergence and 'Flattening' Among Leading Arbitral Institutions; Does the Choice of Seat Still Matter?", 5<sup>th</sup> Annual Conference of the Atlanta International Arbitration Society, Atlanta, Georgia (October 10, 2016)
- Speaker, "Collaborative Dispute Resolution," ABA Forum on Construction Law, Fall Meeting, Chicago, Illinois (October 6, 2016)
- Speaker, "Current Developments in Arbitration", Arbitration Institute, Georgia Bar Association (August 5, 2016)
- Panelist, "Are Dispute Resolution Boards and Arbitration Redundant?", Annual Meeting, American College of Construction Lawyers, Laguna Beach, California (February 19, 2016)

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- Panelist, "Lessons for Effective Advocacy and Management of Proceedings in International Arbitration," Atlanta Bar Association, Atlanta, Georgia (February 12, 2016)
- Paper and panel presentation on "Demystifying International Arbitration", American Bar Association, Forum on Construction Law, October 8-9, 2015, Austin, TX
- Speaker and Panelist, "Management of Time and Cost in International Arbitration", Chartered Institute of Arbitrators, Centenary Conference, Keble College, Oxford University (13 September 2015)
- Panelist, "Distinctions Between Arbitration Practices of US and UK Lawyers", ABA Meeting, London, on the 800th Anniversary of the signing of Magna Carta (June 15, 2015)
- Speaker and panelist, joint program of the College of Commercial Arbitrators and the American Arbitration Association, Atlanta (May 27, 2015)
- Panelist, Annual Meeting of the American College of Construction Lawyers, Miami (February, 20, 2015)
- Chapter author, "International Arbitration", published in <u>Construction ADR</u>, by the American Bar Association Forum on Construction Law (2014).
- Panelist, Atlanta Arbitration Society (ATLAS) Conference on Africa-related Subjects, "Developments and Trends in Resolving Infrastructure Disputes" (November 4, 2014)
- Faculty Member, American Bar Association, Section of Dispute Resolution Arbitration Institute, Washington, DC (June 6-7, 2014)
- Speaker and panelist, "What In-house and Litigation Counsel Say about Arbitration of Big Cases The Neutrals Respond", SuperConference, San Francisco (December 13, 2013)
- Speaker, 2d Annual Construction Law Conference on "Effective Advocacy in Mediation and Arbitration"; Atlanta, Georgia; March 1, 2013
- Speaker and Panelist, JAMS/Atlanta Bar Association Seminar on Current Developments in International Arbitration; Atlanta, Georgia; February 26, 2013
- Chapter author, "Fast-track International Construction Arbitration", published in Contemporary Issues in International Arbitration and Mediation The Fordham Papers (2012) (Nijoff, 2013)

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- Panelist, American College of Construction Lawyers Annual Meeting, Scottsdale, "Developing a Practice in Arbitration and Mediation" (February 2013)
- Chapter author, "Dispute Resolution", Chapter 12, <u>Managing Gigaprojects Advice From Those Who've Been There</u>, <u>Done That</u>, a 2012 publication of the American Society of Civil Engineers
- Speaker and panelist; ABA Forum on Construction Law, 2012 Fall Program, Boston, Massachusetts, on the topic: "Cross-Border Dispute Resolution"
- Speaker and panelist; Inaugural Conference of the Atlanta International Arbitration Society, "The United States and its Place in the International Arbitration System of the 21<sup>st</sup> Century: Trendsetter, Outlier or One in a Crowd," (April 16, 2012)
- Speaker and panelist; Seventh Annual Fordham Law School Conference on International Arbitration and Mediation, King's College, London (April 26–27, 2012)
- Speaker, presentations by the American and Canadian Colleges of Construction Law, in conjunction with the 2012 International Construction Law Conference of the Society of Construction Law, Melbourne, Australia (May 6-8, 2012)
- Author, "Rethinking Conflict in Construction Project Delivery and Dispute Resolution," Vol. 29, Part 1, International Construction Law Review, January, 2012
- Speaker and Panelist at the Chartered Institute of Arbitrators Conference on Costs of International Arbitration, London (September, 2011)
- Panelist, 5<sup>th</sup> Annual Arbitration Institute, Atlanta, August 19, 2011, on "Advanced Arbitration Case Management"
- Keynote Speaker and Panelist, Society of Construction Law of Australia, Annual Conference, Sydney, August 5-7, 2011, on "Rethinking Adversarialism"
- 8<sup>th</sup> International Litigation and Arbitration Conference, Florida Bar Association (February 12, 2011), Miami, Florida. Topic: "Regional Developments in the United States"
- Contributing author, <u>JAMS Global Engineering and Construction Newsletter</u> (2009-2016)
- Co-author, <u>Handbook on Arbitration Practice</u>, Chapter 26 "An Arbitrator's Authority to Award Attorney Fees for Bad-Faith", published by the American Arbitration Association (2010, 2015)

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- Co-author, <u>Construction Law Glossary</u>, publication by the American Bar Association, Forum on Construction Law (2010)
- Speaker, Arbitration Conferences, Chartered Institute of Arbitrators and Society of Indian Law Firms, Mumbai and New Delhi, 27 November and 2 December 2010
- Guest lecturer, Georgia State University, Global Partners MBA Program (2008-2011)
- Panelist and Moderator, 4<sup>th</sup> Annual Arbitration Institute, co-sponsored by State Bar of Georgia, Dispute Resolution Section, and Institute of Continuing Legal Education (Atlanta, 2010)
- Speaker and Panelist, ABA Section of Dispute Resolution, ABA Midyear Meeting on the topics: "Current Trends and Developments in International Arbitration" and "Reigning in Costs and Delays in Commercial and Construction Arbitration," (Orlando, 2010)
- Chapter author, "Construction Dispute Resolution", published in <u>International</u> Construction Law: A Guide for Cross-Border Transactions, Chapter 10, by the American Bar Association (2009)
- Co-author, Chapter 5, Preface, <u>Justin Sweet Anthology</u>, published by the American Bar Association, Forum on Construction Law (2009)
- Author, "Taming Construction Disputes Through 'Rapid Resolution'", Editorial, Engineering News-Record (ENR) (July 8, 2009)
- Speaker and Panelist, The 3-D's of International Business Transactions, a conference sponsored by the Chartered Institute of Arbitrators, on the topic: "Presenting Your Case to an International Tribunal" (Atlanta, 2009)
- Speaker and Panelist, 2009 Neutrals Conference, 16<sup>th</sup> Annual Alternative Dispute Resolution Institute, on the topic: "Is Arbitration Broken?" (Atlanta, 2009)
- Speaker and Panelist, Construction Managers of America (CMAA) Annual Conference on the topic: "What Construction Managers Should Know about Dispute Resolution", (Orlando, 2009)
- Program Chair and Moderator, The Next Wave of Construction Dispute Resolution, The Seminar Group (Atlanta, 2009)
- Panelist, Resolving Construction Law Issues Across the 49<sup>th</sup> Parallel, sponsored by Society of Illinois Construction Attorneys and JAMS (May 28, 2009), Chicago, Illinois

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- Author, "Taming Construction Disputes Through Rapid Resolution," published in Engineering News Record (July 08, 2009)
- Co-presenter, American Arbitration Association Global Webinar; September 10, 2009; Topic: "Hot Topics in International Construction Dispute Resolution"
- Panelist, Associated Owners & Developers, 2009 National Conference, Atlanta; (September 15, 2009); Topic: "Managing the Risks and Obligations of Electronic Discovery; Sanctions, Spiraling Costs and Accessibility"
- Panelist, Construction SuperConference--2008, San Francisco, California (December, 10-12, 2008); Topic: "From the Other Side of the Bench: Views of Cross-Border Construction Mediators and Arbitrators About Dos and Don'ts of Case Presentation and Cost Control"
- Co-instructor, JAMS Institute, Arbitration Training Workshop, New York (October 25, 2008)
- Chair, International Construction Law Conference, Sponsored by the American College of Construction Lawyers and the Society of Construction Law, London (October 5, 2008)
- Panelist, American Bar Association, Section of Dispute Resolution Annual Meeting, New York (August 9, 2008): Topic: "The Emerging Global Order in International Construction 'Disputology'; The Top 10 Cutting-edge ADR Processes Employed in Construction World-wide"
- Co-author, "A Perspective From the United States: Tensions Between 'Getting it Right' and 'Getting it Done'", American Society of Civil Engineers (ASCE) Journal (April, 2008)
- Co-author, "Methods for Discovery in Arbitration," Georgia Bar Journal, Vol. 13, No. 6 (April, 2008)
- Speaker: "Construction Defect Litigation", Condominiums: Opportunities & Pitfalls in Today's Environment. The Seminar Group, Atlanta, Georgia (March, 2007)
- Keynote Speaker and Panelist for the Annual Meeting of the Canadian College of Construction Lawyers. (June 2007) Vernon, British Columbia
- Speaker and Panelist. "Achieving Efficiency With Fairness", ADR Institute, ABA Section of Dispute Resolution (April 2007) Washington, D.C.

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- Author and Speaker, "Change In Law", paper and presentation to the American Bar Association, Forum on Construction Law, Mid-Winter Meeting, New York (January 2006); paper published in <u>The Construction Lawyer</u> (Fall 2006)
- Co-author, "Multifamily Housing Developers See Increase in FHA and ADA Litigation", co-authored with Michael J. Malone, <u>The Real Estate Finance Journal</u> (Winter 2006)
- Co-author, "The Effect of Forum Selection Clauses on a District Court's Power to Compel Arbitration", with Professor Thomas V. Burch, <u>Dispute Resolution Journal</u> (AAA, November 2005 January, 2006)
- Co-author, "An Arbitrator's Authority to Award Attorney's Fees for Bad Faith Arbitration, with Professor Thomas V. Burch, <u>Dispute Resolution Journal</u> (AAA, May-July, 2005)
- Program Chair: "Construction Defects: Water Intrusion and Other Calamities"; The Seminar Group, Atlanta, Georgia (July, 2005)
- Author, "Best Practices in Document Management For Complex Commercial Construction Cases", <u>Construction Law Journal</u> (Sweet & Maxwell, Vol. 21, No. 5, 2005)
- Speaker, "Picking the Right ADR Method for Your Contracts and Cases", Institute of Continuing Legal Education conference in Atlanta, Georgia (September, 2005)
- Speaker and paper on "Best Practices In Document Management For Complex Commercial And Construction Cases", conference sponsored by Center for International Legal Studies, Salzburg, Austria (June 2004)
- Speaker, "International Construction Arbitration (Frequently Asked Questions)", State Bar of Georgia ADR Section meeting (March, 2004)
- Co-author, "Georgia General Assembly Adopts "Manifest Disregard" as Ground For Vacating Arbitration Awards: How Will Georgia Courts Treat The New Standard?", with Professor Thomas V. Burch), Georgia Bar Journal (February, 2004)
- Panelist, "Manifest Disregard Of The Law: How This New Standard For Vacatur Will Change The Arbitral Process", 10<sup>th</sup> Annual ADR Institute and 2003 Neutrals' Conference, Lake Lanier Islands, Georgia (November, 2003)
- Speaker, "Construction Management/Design-Build in Texas", Lorman Education Services Seminar, Houston, Texas (November, 2003)

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- Speaker, "Alternative Dispute Resolution: Guidelines For Choosing The Right Process For Your Case", Law Seminars International seminar, Atlanta, Georgia (November, 2003)
- Speaker, "Alternative Dispute Resolution: Guidelines For Picking The Right Forum For Your Case", Institute of Continuing Legal Education conference, Atlanta, Georgia (September 2003)
- Author, "Guarantees of Performance", <u>Construction Business Handbook</u>, Aspen (2004)
- Co-author, "Asking The Right Questions For The Construction Industry", with Laurence Schor, <u>Dispute Resolution Journal</u> (August-October, 2002)
- Panelist, "Ethics In A World of Mandatory Arbitration", Law Review Symposium, GSU College of Law (February, 2002)
- Author, "Exchanges of Documents and Depositions in International Arbitration", Kluwer Law International Comparative Law Yearbook (2001).
- Panelist, Global Construction Superconference, London (November, 2001)
- Speaker and paper, "What's Right and What's Wrong with ADR?", presented in London and Paris, Construction Bar Symposium (November, 2001)
- Panelist, "Mediation Advocacy For Attorneys", sponsored by the AAA, Atlanta, GA (July, 2001)
- Speaker and paper, "The Owner and Contract Risk Allocation on High Profile Projects", ABA Forum on Construction Law, New Orleans, Louisiana (April, 2001)
- Speaker and paper, "Emerging Trends In Construction Arbitration", ADR Institute, Callaway Gardens, Georgia (November, 2000)
- Moderator and speaker, "Emerging Trends In International Construction Arbitration, sponsored by King & Spalding and the ICC, Atlanta, Georgia (October, 2000)
- Moderator, "How Arbitrators Can Make Hearings Fairer and More Efficient", American Arbitration Association, Atlanta, Georgia (June, 2000)
- Speaker and paper, "ADR in the UK and USA", ABA Annual Meeting, London (July, 2000)

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- Speaker, "The Design Blueprint; Key Aspects of Every Architectural and Engineering Contract", Public Owner's Seminar, Association of County Commissioners, Atlanta, Georgia (November, 1999)
- Chapter author, <u>Construction Law Handbook</u>, Chap. 2, "Visions for the Next Millennium", Aspen Law and Business Publications (1999)
- Speaker, "The Design Contract", Construction Law For the General Practitioner, Georgia Continuing Legal Education Institute (October, 1999)
- Speaker, "Construction Law Update", Advanced Construction Law Program; Georgia Institute of Continuing Legal Education (March, 1999)
- Speaker and paper, "The Five Most Important Clauses in Every Construction Contract", Georgia Institute for Continuing Legal Education (October, 1998)
- Author, "No Damages For Delay; The Law in Georgia", ABA Construction Litigation Committee, Monograph Chapter (September, 1998)
- Speaker and paper, "Guarantees of Performance", Center for International Legal Studies, Salzburg, Austria (June, 1998)
- Chair, Atlanta Bar Association Regional Seminar on "The New AIA Documents", Atlanta, Georgia (May, 1998)
- Speaker, "Selected Contracting Issues", Arthur Andersen/King & Spalding Seminar for Emerging Companies (April, 1998)
- Panelist, "Construction Lawyering in the 21st Century", ABA Forum on Construction Law, Annual Meeting, Orlando, Florida (April, 1998)
- Speaker and paper, "Model Dispute Resolution Clauses for Domestic and International Agreements", Georgia Institute of Technology, Advanced Technology Development Center, Atlanta, Georgia (June, 1997)
- Speaker and paper, "Mastering Mediation--5 Steps to Successful ADR", ABA Section of Litigation Annual Meeting, Washington, DC (April, 1997)

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- Author, "Evolution of ADR Techniques for Major Construction Projects in the Nineties and Beyond", Construction Law Journal (Sweet & Maxwell, 1996)
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- Chapter author: <u>The Troubled Construction Loan</u> (John Wiley & Sons, 1991)
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- Contributing author: <u>Annotated Commercial Blanket Bond</u> (American Bar Association, Rev. 1990)
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- Contributing editor: Subrogation Rights of Surety (American Bar Association, 1990)
- Contributing author: <u>Business Insurance Law and Practice Guide</u> (Matthew Bender, 1989)
- Contributing author: <u>Construction Litigation: Strategies and Techniques</u> (John Wiley & Sons, 1989)
- Case Notes Editor: <u>The Construction Lawyer</u> (American Bar Association, Forum on Construction Law 1989-1994)
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