

CURRICULUM VITAE

Name

Andrew G. Paton, BA, LL.B, FCIArb

Date of Birth

31st October 1955

Present Position

Partner
De Berti Jacchia Franchini Forlani
Studio Legale
Italy
(Rome office)
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Qualifications and Admissions

Bachelor of Arts, University of Sydney	1977
Bachelor of Laws, University of Sydney	1981
Admitted as solicitor, Supreme Court of New South Wales, Australia	1981
Admitted as solicitor, Supreme Court of England and Wales	1990
Fellow, Chartered Institute of Arbitrators	since 1993
Completed equivalency law exams, University of Rome I (La Sapienza)	1995
Italian bar exams	1996
Admitted to the Italian bar	since 1996

Principal areas of specialisation

Corporate/commercial (cross-border) and related international arbitration and mediation

Languages

Native language	English
Second language	Italian - Fluent/Bilingual
Other language	French – Read

Relevant Experience

Andrew G. Paton is among only a handful of common lawyers to have gained full admission to practise in Italy where, over the past 22 years, he has built up solid cross-border commercial transaction and arbitration practices. He has worked with a variety of legal cultures and has in depth experience of the legal and procedural conflicts which can arise in arbitrations between parties of different legal traditions.

He has been appointed sole arbitrator or a member of the arbitration panel in several international arbitrations with seat in Italy conducted under the Rules of the Milan Arbitration Chamber. He has acted as counsel in numerous international arbitrations

in the construction and manufacturing industries and in the international sale and distribution of goods, mostly conducted under the rules of the International Chamber of Commerce. He has advised on complex arbitration clauses in a variety of multi-party international commercial agreements and is an expert on private international law and procedure.

He has led teams of lawyers on major projects for multinational IT companies servicing the automated fare collection and automobile industries, and on corporate and commercial transactions in diverse industrial sectors including tobacco, pharmaceutical, tourism and manufacturing. Transactions include complex mergers and acquisitions, spin-offs, public procurement, joint ventures, outsourcing agreements, collaboration agreements, licensing agreements, financing agreements. He has been recognised as a leading 250 technology licensing lawyer by IAM Magazine, 2010.

In Australia, he worked as senior investigation officer for the NSW Ombudsman, participating in numerous arbitration style hearings before the then Ombudsman, George Masterman, Q.C.

Specific Experience in International Arbitration and Dispute Resolution

Relevant most recent experience as arbitrator:

- Sole arbitrator in dispute between Spanish company and Italian company over sale of machinery.
- Partly-appointed member of arbitration panel in dispute between Italian company and Indian company over JV involving distribution of goods.
- Sole arbitrator in dispute between Swiss company and Italian company over exclusive agency.

Relevant most recent experience as counsel/co-counsel representing clients of various nationalities in international arbitration and litigation:

- International distribution of building materials – termination of agreement – ICC Arbitration (value AU\$ 10 million approx).
- Construction industry – major building project in Tajikistan – ICC Arbitration (value USD\$ 7 million approx).
- Construction industry – major Egyptian glass plant project – ICC Arbitration (value US\$ 5 million approx)
- Construction industry – major Sydney building project – ICC Arbitration (value AU\$ 35 million approx).
- International Corporate, multi-jurisdictional - sale of Brazilian companies (value US\$ 35 million approx).
- Advising on FIDIC standard construction contract.
- Advising on and drafting arbitration agreements and clauses in complex international JV projects including in a major Italian re-gasification project.
- Enforcement of arbitration awards before the Italian courts and advising on and challenging arbitration clauses before the Italian courts.

Professional Memberships

Steering committee and founding member, ARBIT – Italian forum on arbitration
Fellow, Chartered Institute of Arbitrators – London
Member, London Court of International Arbitration
Member, International Bar Association, Arbitration committee
Rome Bar
Accredited Mediator, ADR Center, Rome
Law Society of England and Wales - non practising
Law Council of Australia, European Focus Group
Member, Association Internationale des Jeunes Avocats, Council Representative to
Unidroit – Rome (1995 - 2000)

Publications

- Vertical Agreements, Law Business Research, (2008-2010).
- National reports for Italy in the IBA Arbitration and ADR newsletters and in Allen & Overy newsletters (2000-2005).
- Comment in “Conciliazione e arbitrato nelle controversie societarie” on Italian reforms on arbitration in corporate disputes published by Associazione Italiana per l’arbitrato (2003).
- Co-author “Enforcement and Setting Aside of Awards”, Italian national report in AIJA publication (2003).
- Co-author “Due Diligence in Corporate Acquisitions” Italian national report, in Kluwer/AIJA publication of the same title (1996).
- Co-author “The Hague Convention of the Recognition of Trusts: Ratification by Italy” in Comparative Law Quarterly (1994).
- Evidence-Taking in Arbitration Proceedings, Italian national report in Kluwer/AIJA publication of the same title (1994).

Rome, November 2010