

Curriculum Vitae of DOAK BISHOP

King & Spalding
1100 Louisiana, Suite 4100
Houston, Texas 77002-5219
Phone: (713) 751-3205
Fax: (713) 751-3290
e-mail: dbishop@kslaw.com

EXPERIENCE

- 40 years experience in litigation and arbitration, with an emphasis in:
- international arbitration and litigation
 - foreign investment disputes
 - oil & gas and energy disputes
 - construction cases
 - environmental disputes
 - commercial disputes

EDUCATION

- Southern Methodist University (1973)
- Bachelor of Arts degree
 - High honors
 - Departmental distinction (Philosophy)
- University of Texas Law School (1976)
- Juris Doctor degree
 - Honors
 - Research Editor, Texas Law Review

BOARD CERTIFICATION

Board Certified in Civil Trial Law by
the Texas Board of Legal
Specialization

HONORS & ASSOCIATIONS

- Listed by Chambers USA in Tier 1: as one of the top 7 international arbitration counsel in the USA (2012)
- Listed by Chambers Global in Tier 1: as one of the top 11 international arbitration counsel in the world (2012)
- Chairman, Institute of Transnational Arbitration (2012-2015)
- Member of Board of Directors, American Arbitration Association (2010 – 2015)
- Member of Board of Trustees of the Center for American and International Law (formerly the Southwestern Legal Foundation)
- Executive Committee, American Society of International law (2015 - present)
- Member of the London Court of International Arbitration (2015 - present)
- Member of the Court of Arbitration of the Singapore International Arbitration Centre (2012 – 2015)
- Adviser to the American Law Institute project to develop the U.S. Restatement (Third) of the Law on International Commercial Arbitration
- Member, U.S. delegation to the NAFTA Advisory Committee on Private Commercial Disputes (1998 - present) (appointed by U.S. State and Commerce Departments)
- Chairman, International Advisory Committee of the ICDR/AAA (2012-2013)
- Fellow, Chartered Institute of Arbitrators; Chartered Arbitrator; Executive Committee, North American Chapter (1996-2002)
- Fellow, College of Commercial Arbitrators (2006-2011)
- Advisory Board of the Master's program in International Dispute Settlement at the Graduate Institute of International Studies of the University of Geneva

- Advisory Board of the Center for Global Energy, International Arbitration and the Environment of the University of Texas Law School (2010 – 2013)
- Chairman, Southwest Arbitration Committee of the U.S. Council for International Business, which is the U.S. National Committee of the International Chamber of Commerce (ICC) (1998 - 2004)
- Co-Chair, Energy Committee of the Institute of International Arbitration (France) (2007-2008)
- Regional Advisory Council, American Arbitration Association (1993-1998)
- Trainer for AAA International Arbitration Panel (2000)
- Tutor for Chartered Institute of Arbitrators program on international commercial arbitration (1999)
- Adjunct Professor, University of Texas Law School — Foreign Investment Disputes (2013)
- Adjunct Professor, University of Oklahoma Law School – Investment Arbitration (2011, 2013, 2015)
- Adjunct Professor, SMU Law School – International Commercial Arbitration (1999)
- Adjunct Professor, University of Houston Law School - Foreign Investment Disputes (2002)
- Co-Chair, International Litigation Committee of the ABA’s Litigation Section (1998 - 2000)
- Editor, International Litigation Quarterly (publication of the ABA Litigation Section’s International Litigation Committee) (1985 - 2000)
- Chairman, Litigation Section of the State Bar of Texas (1998 - 1999)
- Chairman, International Arbitration and Litigation Committee of the International Law Section of the State Bar of Texas (1993 - 1994)
- Chairman, Rules of Evidence Committee of the State Bar of Texas (1990)
- Chairman, Court Rules Committee of the State Bar of Texas (1987)
- Ex-officio member, Texas Supreme Court Advisory Committee (1987, 1990)
- Member, Texas Civil Trial Law Exam Commission (1985 - 1989)
- Chairman, International Law Section of the Dallas Bar Association (1986)
- Chairman, Business Litigation Section of the Dallas Bar Association (1992)
- Association of International Petroleum Negotiators (Co-chair, Drafting Committee for the Model International Dispute Resolution Agreement, 2004; member, Drafting Committee for the Model International Joint Operating Agreement, 1995 & 2002 revisions)

COURTS

Licensed to practice before all state courts in the State of Texas, USA, and the following US federal courts: Fifth Circuit Court of Appeals, Federal Circuit Court of Appeals, and the U.S. district courts for the Northern, Southern, Eastern and Western Districts of Texas.

ARBITRATION PANELS

Served as arbitrator (including chairman of panels and sole arbitrator) in approximately 80 arbitrations, including ICSID, ICC, LCIA, UNCITRAL, ICDR, AAA, IACAC, CPR and ad hoc arbitrations. Member of the arbitration panels of the International Dispute Resolution Center (ICDR) of the American Arbitration Association (International Panel, Large Complex Case Panel, Commercial Panel, Energy Panel), the Center for Public Resources (CPR) Oil & Gas and Energy Panel, the London Court of International Arbitration, Singapore International Arbitration Centre; the Dubai International Arbitration Centre, the Cairo Centre for International Commercial Arbitration, the World Intellectual Property Organization Arbitration Court in Geneva, the British Columbia International Commercial Arbitration Centre, the Chartered Institute of Arbitrators in London, and the Commercial Dispute Resolution Center for the Americas in Miami. Included on list of arbitrators of the U.S. Council for International Business, which is the U.S. national committee for the ICC. Member of the committees that evaluate arbitrators for the energy panels for the ICDR, AAA and CPR.

REPRESENTATIVE CASES AS ARBITRATOR (Approximately 80 cases as arbitrator)

- Chairman of a UNCITRAL arbitration in New York involving an international organization, an Asian company and application of international law. Reasoned award issued.
- Party-appointed arbitrator in a NAFTA, UNCITRAL Rules arbitration administered by ICSID. Case settled and consent award issued.
- Party-appointed arbitrator in a NAFTA, UNCITRAL Rules arbitration administered by the Permanent Court of Arbitration (“PCA”) in Toronto involving a wind-energy project.
- Party-appointed arbitrator in an ICSID arbitration in Washington, D.C., involving an investment dispute over a casino in Eastern Europe. Reasoned award issued.
- Party-appointed arbitrator in an investment dispute under the UNCITRAL Rules and administered by the PCA in Singapore involving a mining concession in Southern Africa.
- Party-appointed arbitrator in an investment dispute under the UNCITRAL Rules and administered by the PCA involving the claimed breach of a BIT by an Eastern European government through the privatization/restructuring of an allegedly state-owned company.
- Party-appointed arbitrator in a UNCITRAL Rules investment arbitration administered by the LCIA in New York between a European company and a Caribbean State under a BIT involving a power industry claim. Jurisdictional decision published. Case settled.
- Party-appointed arbitrator in a non-administered UNCITRAL arbitration in Geneva concerning a power plant project in Central America between a U.S. company and a state-owned power company. Case settled after a jurisdictional hearing and a two-week merits hearing. Reasoned jurisdictional decision upheld by Swiss courts.
- Arbitrator appointed by a European company in a UNCITRAL arbitration in Calgary, Canada, involving an oil project in a former Soviet Union country (\$50 million claim). Reasoned decision issued on request for interim measures.
- Party-appointed arbitrator by a European company in a UNCITRAL arbitration involving a \$10 million claim relating to an international drilling project. Case settled.

- Arbitrator appointed by an oilfield supply company in a UNCITRAL arbitration involving an oil project in a former Soviet Union country. Case settled, but the same Panel was named in the settlement agreement, and a reasoned award was rendered on a claim for breach of the settlement agreement, and upheld by US federal courts.
- Party-appointed arbitrator in an UNCITRAL arbitration in Singapore involving the gaming industry and claims and counter-claims up to \$1 billion.
- Chairman of an LCIA tribunal in London involving an offshore drilling dispute. Case settled.
- Chairman of an LCIA tribunal in London in a case involving a Joint Operating Agreement (“JOA”) in an oil project in West Africa and involving \$200 million of disputed costs. Reasoned award issued and upheld by English courts.
- Sole ICC arbitrator in an arbitration involving a major public construction project in a Caribbean country (\$12 million claim.) Reasoned award issued and upheld by a Caribbean court.
- Sole ICC arbitrator in a case involving the purchase and sale of a high technology business. Reasoned award issued.
- Party-appointed arbitrator in two ICC arbitrations in Australia, involving an oil & gas project in Papua New Guinea. Cases settled.
- Party-appointed arbitrator in an ICC arbitration involving a \$200 million financing dispute
- Party-appointed arbitrator in an ICC arbitration in New York involving an offshore drilling project (\$16 million claim). Reasoned-award issued.
- Arbitrator appointed by a construction company in an ICC arbitration in a Caribbean island country involving the construction of an ethanol plant (\$10 million claim). Case settled.
- Arbitrator appointed by the ICC for a party in a \$3 million ICC arbitration in San Francisco involving an oil project in Asia under a JOA Accounting Procedure. Case dismissed.
- Party-appointed arbitrator by a major hotel chain in a IACAC arbitration in Miami arising from a project in El Salvador (\$3 million claim). Reasoned award issued and upheld by a Salvadoran court.
- Chairman of ICDR/AAA International Rules arbitration involving \$18 million claim relating to an international bank’s purchase of receivables from commodities’ companies. Case dismissed.
- Chairman of ICDR/AAA International Rules arbitration involving a data processing contract between US and Indian companies. Reasoned award issued.
- Chairman of ICDR/AAA International Rules arbitration involving the dissolution of a merger of US and English health care companies. Case settled, but settlement resulted in a second arbitration as the sole arbitrator. Reasoned award issued.
- Sole arbitrator in ICDR/AAA arbitration involving a \$15 million claim relating to EPC and transportation contracts for a project in Latin American between Panamanian and Canadian companies. Case settled.
- Sole arbitrator in ICDR/AAA International Rules arbitration involving claims and counterclaims exceeding \$20 million in a petroleum industry construction project involving FPSO and FSO vessels. Reasoned award issued.

- Sole arbitrator in ICDR/AAA International Rules arbitration involving an oilfield parts supply contract between US and Eastern European companies. Case settled after reasoned award issued on competing motions for summary judgment.
- ICDR/AAA arbitrator in a \$50 million construction and engineering dispute involving an energy project. Case settled.
- ICDR/AAA arbitrator in a case involving a \$20 million claim related to a bank line of credit for funding an insurance company. Reasoned award issued.
- Party-appointed arbitrator in an ICDR/AAA International Rules arbitration involving JOA and Farmout Agreements for an oil exploration project in the Middle East. Reasoned award issued.
- ICDR/AAA International Rules arbitrator in an arbitration involving three private parties under a drilling contract for an oil project offshore of Africa. Case settled.
- ICDR/AAA International Rules arbitrator in a \$2 million case between two oilfield supply companies (US and African) involving an oil project in Africa. Case settled after the hearing on the merits.
- ICDR/AAA International Rules arbitrator in a case involving a carbon dioxide supply contract and environmental issues. Case settled.
- ICDR/AAA International Rules party-appointed arbitrator in an international drilling dispute between US and Malaysian companies for a project in the old USSR region. Case settled.
- Party-appointed arbitrator in an ad hoc arbitration in London in a \$50 million insurance policy dispute. Reasoned award issued.
- Party-appointed arbitrator in an *ad hoc* arbitration involving *force majeure* claims for electricity generation and distribution in Calgary, Canada.
- Chairman of AAA Commercial Rules arbitration in a case involving a take-or-pay gas supply contract between a producer and an electric utility company involving \$38 million claim. Reasoned award issued.
- Chairman of AAA Commercial Rules arbitration involving a 2-week hearing on \$27 million environmental and title indemnity claims resulting from the sale of oil & gas properties. Reasoned award issued.
- Chairman of a AAA Commercial Rules arbitration in a claim for \$30 million in a case involving a natural gas fractionation plant in Alabama. Reasoned award issued.
- Chairman of AAA Commercial Rules arbitration involving a shareholders' agreement for indemnity relating to the volume of natural gas produced from Wyoming shallow gas wells. Reasoned award issued.
- Chairman of AAA Commercial Rules arbitration in an \$18 million arbitration by various hospitals against a health insurance company. Case settled.
- Chairman of AAA Commercial Rules arbitration involving the purchase and sale of oil assets (co-arbitrators were party advocates). Reasoned award issued.
- Sole AAA arbitrator in a case involving a \$70 million claim in a 2-week arbitration hearing involving an infield oil & gas drilling program and purchase and sale of oil properties. Reasoned award issued.

- Sole AAA Commercial Rules arbitrator in a case involving the termination of a distributor by a high technology computer filter manufacturer. Reasoned award rendered.
- Sole AAA Commercial Rules arbitrator in a case involving a franchise agreement. Reasoned award issued.
- Sole AAA Commercial Rules arbitrator in a case involving the alleged breach of a Joint Venture Field Development agreement for an offshore oil project in the Gulf of Mexico.
- Sole AAA Commercial Rules arbitrator in a data processing contract case between a bank and a data processing company. Reasoned award issued.
- Sole AAA Commercial Rules arbitrator (and mediator, as required by contract, although one party failed to appear for the mediation) in a case involving an oilfield supply contract. Award rendered.
- Sole AAA Commercial Rules arbitrator in a case involving the purchase and sale of a media and public relations business. Reasoned award issued.
- Sole AAA Commercial Rules arbitrator in a case involving a multi-million dollar claim by natural gas well investors for alleged breach by an operator of a contract to drill a well to a specified depth. Case settled.
- Sole AAA Commercial Rules arbitrator involving a telecommunications contract. Case settled.
- Sole AAA Commercial Rules arbitrator in an automobile accident case. Award issued.
- AAA Commercial Rules arbitrator in an arbitration involving an alleged breach of an Electric Interchange Agreement to take firm electrical transmission service in a case between two large electricity utilities and involving the interpretation of contracts and US federal regulations. Case settled.
- Party-appointed arbitrator in an ad hoc arbitration applying Federal Rules of Procedure and Evidence in a case involving a 3-week hearing and a \$40 million claim for environmental indemnity in the sale of 220 gasoline stations around the country. Reasoned award issued.
- AAA Commercial Rules arbitrator in a \$20 million case involving the purchase and sale of a pipeline with environmental and title issues. Case settled.
- AAA Commercial Rules arbitrator in a case involving an \$18 million claim for a coal mining and supply contract between a coal mining company and an electric power plant. Reasoned award issued.
- AAA Commercial Rules arbitrator in a \$19 million case involving intellectual property in the oil & gas business. Case settled.
- Party-appointed arbitrator for drilling company in a CPR arbitration involving the loss of a drill string and hole. Reasoned award issued.
- AAA Commercial Rules arbitrator in a \$5 million case involving an oil exploration investment program. Case settled.
- AAA Commercial Rules arbitrator in a \$5 million case involving a byproduct acid supply contract. Reasoned award issued.
- AAA Commercial Rules arbitrator in a case involving the purchase and sale of oil properties in the Gulf of Mexico. Reasoned award issued.

- AAA Employment Rules arbitrator in a case involving a company founder's claim against his children and grandchildren for return of the stock and control granted as part of retirement. Reasoned award issued.
- AAA Commercial Rules arbitrator in an arbitration involving an alleged breach of a Purchase and Sale Agreement and Escrow Agreement. Case settled.
- AAA Commercial Rules arbitrator in a case involving a law firm dissolution. Case settled.
- AAA Commercial Rules arbitrator in a breach of contract case. Award rendered.
- Arbitrator in various other AAA Commercial and International Rules arbitrations that settled

REPRESENTATIVE BOOKS & ARTICLES

1. Bishop, Crawford & Reisman, Foreign Investment Disputes: Cases, Materials & Commentary (Kluwers 2005), (Kluwers 2nd ed. 2014).
2. Editor, The Art of Advocacy in International Arbitration (Juris Publishing 2nd ed. 2010).
3. Editor, Enforcement of Arbitration Awards Against Sovereigns (Juris Publishing 2009).
4. Bishop & Marchili, Annulment Under the ICSID Convention (Oxford 2012).
5. Co-author, Arbitration Road Map (State Bar of Texas 2007).
6. Co-author of 2 chapters, College of Commercial Arbitrators Guide to Best Practices in Commercial Arbitration (JurisNet 2006) (jurisdiction and discovery chapters)
7. International Arbitration of Petroleum Disputes: The Development of a *Lex Petrolea*, 23 Y.B. Com. Arb. 1131 (1998), also published as Discussion Paper DP 12 by the Centre for Energy, Petroleum & Mineral Law & Policy of the University of Dundee, Scotland.
8. Strategic Options Available When Catastrophe Strikes the Major International Energy Project, 36(4) Tex. Int'l L.J. 635 (2001).
9. Practical Guidelines for Interviewing, Selecting and Challenging Party-Appointed Arbitrators in International Commercial Arbitration, 14 Arb. Int'l 395 (1998) (with Lucy Reed)
10. Theories of State Responsibility in International Law: Expropriation and Fair and Equitable Treatment, 58th Annual Institute on Oil & Gas Law (Matthew Bender 2007).
11. Co-author, Investment Claims — First Lessons from Argentina, in International Investment Law & Arbitration (Cameron May 2005)
12. A Practical Guide for Drafting International Arbitration Clauses, 1 Int'l Energy L. & Tax'n Rev. 16 (2000).
13. Survey of Arbitration Awards Under Chapter 11 of The North American Free Trade Agreement, 19(6) J. Int'l Arb. 505 (2002).

14. The Duty to Negotiate in Good Faith and the Enforceability of Short-Form Natural Gas Clauses in Production Sharing Agreements, published as Discussion Paper DP 13 by the Centre for Energy, Petroleum & Mineral Law & Policy of the University of Dundee, Scotland (1997).
15. Psychology of Persuasion, paper presented at several litigation conferences sponsored by the U of Houston Law School.

LECTURES ON INTERNATIONAL ARBITRATION:

- Lectured on issues of international arbitration at seminars in Buenos Aires, Argentina; Beijing and Hong Kong, China; Calgary, Toronto and Vancouver, Canada; Florence, Italy; Auckland, New Zealand; Caracas, Venezuela; Lima, Peru; Budapest, Hungary; London, England; Paris, France; Mexico City, Mexico; Dubai; Geneva, Switzerland; Ljubljana, Slovenia; Dublin, Ireland; Lithuania; and various cities in the United States (New York, Miami, San Francisco, Boston, Washington, D.C., Vail, New Orleans, Dallas, and Houston) for various groups including the International Congress of Commercial Arbitration; International Bar Association, American Bar Association, Buenos Aires Bar Association, New York Bar Association, Beijing Bar Association, Association of International Petroleum Negotiators, British Institute of International & Comparative Law, Institute of Transnational Arbitration, University of London, Duke University Law School, University of Glasgow Law School, American University Law School (Washington, D.C.), Fordham University Law School, University of Dundee (Scotland); University of Geneva Graduate Program on International Dispute Settlement; Center for Global Energy, International Arbitration and the Environment at the University of Texas Law School; University of Oklahoma Law School; International Chamber of Commerce, London Court of International Arbitration, the American Arbitration Association, and the Arbitration Court of the Dubai International Financial Centre.
- Keynote speaker, ICCA Congress (Rio de Janeiro 2010) (*The Compelling Need for a Code of Ethics in International Arbitration: Transparency, Integrity and Legitimacy*)
- Keynote speaker, British Institute of International & Comparative Law (London 2010) (*ICSID Annulment Process*)
- Rapporteur, ICCA Congress (Singapore 2012) (*The Role of the Regulator in International Arbitration: Ethics*)
- Speaker, ICCA Congress (Dublin 2008) (*Comment: Remedies in Investment Arbitration*)
- Keynote speaker, Institute of Transnational Arbitration (Dallas 2012) (*The Quality of Arbitral Decision-Making and Justification*)
- Speaker, Houston International Arbitration Club (2016) (*The Framework of Decision-Making and its Implications for Legal Advocacy*)