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### **PROFESSIONAL CAREER:**

Steptoe & Johnson LLP, Washington, DC: Partner, 2007-present

O'Melveny & Myers LLP, Partner:

Washington, DC 2005-07

Beijing, China (Managing Partner) 2002-05

Shanghai, China 1999-2002

Alston & Bird, LLP Partner:

Washington, DC 1995-99

Atlanta, GA 1989-95

United States Department of State:

Assistant Legal Adviser for Near East and South Asian Affairs 1987-89

Assistant Legal Adviser for East Asian & Pacific Affairs 1984-87

Assistant Director, Office of Iran Claims 1983-84

Attorney, East Asian & Pacific Affairs 1975-77

Covington & Burling, Associate, 1978-83

United States Senate, Select Committee on Intelligence, Counsel 1977-78

### **EDUCATION**

University of Pennsylvania, B.A., *magna cum laude*, 1969

Phi Beta Kappa; Captain, university rugby team; National Merit Scholar

Oxford University, B. Phil., 1972

Rhodes Scholar; Thouron Scholar; Woodrow Wilson Fellow

Harvard Law School, J.D., *cum laude*, 1975

Editor-in-Chief, *Harvard International Law Journal*

## **PROFESSIONAL AFFILIATIONS**

Council on Foreign Relations, 2007 – present

National Committee on U.S.-China Relations, 2006 – present

American Bar Association, Section of International Law  
Council Member, 1996-99, 2006-07  
Publications Chair, 1996-98  
Budget Officer, 1998-99

American Society of International Law, Member 1975 – present

Inter-Pacific Bar Association, Member, 1989 – present

American Chamber of Commerce, Shanghai, China  
Board of Governors 2001-02  
Vice-Chair, Legal Committee 2000-01

## **PROFESSIONAL HONORS**

Distinguished Presidential Rank Award, 1989

Meritorious Presidential Rank Award, 1988

## **ARBITRATION EXPERIENCE**

### **As an Arbitrator**

- Appointed by ICC to chair three-arbitrator panel for dispute between Korean company and European company over control of joint venture in Korea.
- Appointed by ICC as sole arbitrator in three arbitrations in Beijing and Shanghai between foreign investors and Chinese companies. Issued awards in two cases; one case was settled.
- Party-appointed arbitrator in UNCITRAL arbitration involving international investments in Kazakhstan oil fields.
- Party-appointed arbitrator in ICC arbitration in Stockholm between U.S. and Chinese joint venture partners in production facility in southern China.
- Chairman of AAA arbitration by U.S. manufacturer of armored cars against Latin American government.

## As Counsel

- Represented U.S. supplier in \$60 million contract dispute with Indian customer under ICDR Rules.
- Represented German manufacturer in ICC arbitration in Zurich against the Government of Iraq for equipment purchased prior to the First Gulf War. Represented same client in U.S. litigation to compel payments by Italian bank pursuant to letters of credit securing payment of arbitral award. Client successfully recovered 100% of its claims plus interest.
- Represented U.S. importer in three arbitrations brought against Chinese suppliers under CIETAC Rules in Beijing and Shanghai. Total amount in dispute: \$40 million. Client was successful on all of its principal claims.
- Represented a NYSE-listed Chinese company in interrelated S.D.N.Y. litigation and London (LCIA) and Singapore (SIAC) arbitrations. All cases were settled on terms advantageous to client.
- Advised foreign receivers of a \$250 million real estate development project in China regarding litigation in China, the U.K., and the Caribbean, and in related arbitration proceedings (ICC) in Paris. The receivers' interests were successfully protected in all proceedings.
- Represented Japanese company in HKIAC arbitration with Chinese state-owned company. Client's claims were settled on terms advantageous to client prior to issuance of an award.
- Represented U.S. company in patent dispute brought by Swedish licensee in Stockholm under the Stockholm Chamber of Commerce Rules. Client's claims were settled on terms advantageous to client prior to issuance of an award.
- Represented U.S. purchaser of Spanish company in ICC arbitration in London. Client's claims were settled on terms advantageous to client prior to issuance of an award.
- Represented U.S. manufacturer in UNCITRAL arbitration in Washington, D.C., brought by Polish purchaser of machine tools. Client's claims were settled on terms advantageous to client while award was pending.
- U.S. State Department, Deputy Director of Iran Claims: Responsible for representing the United States in all government-to-government claims before the Iran-U.S. Claims Tribunal. Supervised all U.S. Government pleadings in 130 arbitrations involving US\$ 30 billion in claims. Briefed and successfully argued three of the largest cases, including two cases heard by the full Iran-U.S. Claims Tribunal.
- U.S. State Department: Led U.S. Government team representing the United States in *Nicaragua vs. United States*, International Court of Justice (1985-86). Responsible for all written briefs and oral arguments in preliminary measures and jurisdiction phases of case.

## PUBLICATIONS

### Books

Co-editor, *The International Lawyer's Deskbook* (ABA, 1<sup>st</sup> ed. 1995, 2<sup>nd</sup> ed. 2001)

Co-author, *China Trade Law & Practice* (looseleaf, Cameron May, London 2000-05)

### Articles

"Anti-Corruption Risks: Complying with the United State Foreign Corrupt Practices Act in China," in K. Cutshaw, M. Burke, and C. Wagner, *Doing Business in China*, 3D (West 2009).

"When Prevention Fails: Internal Investigations and Disclosure Issues," in *The Foreign Corrupt Practices Act 2009* (Practising Law Institute, 2009)

Co-author, "The Foreign Corrupt Practices Act: Nuts and Bolts of Conducting an Internal Investigation," in *The Foreign Corrupt Practices Act 2008: Coping with Heightened Enforcement Risks* 293 (Practising Law Institute, 2008)

"FCPA Compliance in China," 1 *Journal of Securities & Futures Law* 45 (2008)

"Informal Dispute Settlement Approaches," in M. Moser (ed.), *Managing Business Disputes in China Today* 19 (Kluwer, 2007)

"The Foreign Corrupt Practices Act Dilemma," *The China Business Review* 16 (Nov-Dec 2006)

"Chinese Trade and Investment Disputes: Offshore Options" in I J. Cohen et al. (eds.) *Arbitration in China: A Practical Guide* 7-01 (Sweet & Maxwell 2004)

Co-author, "Mergers and Acquisitions in China: Finding a Route Through the Maze," in *Mergers and Acquisitions 2003-04* (Global Counsel Handbooks 2004)

"The Foreign Corrupt Practices Act and Business in China," 18 *China Law & Practice* 15 (2004)

Co-author, "China Invokes the WTO 'Escape Clause'" *Topics in International Law* (O'Melveny & Myers 2003)

Co-author, "Mergers and Acquisitions in China," in *Global Counsel Mergers and Acquisitions Handbook* (London 2003)

"Privatization of State-Owned Enterprises Through Foreign Investment," *Topics in International Law* (O'Melveny & Myers 2003)

Co-author, "China's New Anti-Dumping Rules: Battleground for New Protectionism?" 16 *China Law & Practice* 79 (2002)

Co-author, "International Payment Methods" in Norton et al. (eds.), *The International Lawyer's Handbook* 83 (2<sup>nd</sup> ed. 2002)

Co-author, "Defending Dumping Claims: Exporters to China Beware," 14 *China Law & Practice* 1 (2000)

"Back to the Future: Expropriation and the Energy Charter Treaty," in T. Waelde (ed.), *The Energy Charter Treaty* 365 (1996)

"A Law of the Future or a Law of the Past? Modern Tribunals and the International Law of Expropriation," 85 *Am. J. Int'l L.* 474 (1991)

"The *Nicaragua Case*: Political Questions Before the International Court of Justice, 27 *Va. J. Int'l L.* 459 (1987)

"Between the Ideology and the Reality: The Shadow of the Law of Neutrality," 17 *Harv. Int'l L. J.* 249 (1976)

"The Tanzanian Ombudsman," 22 *Int'l & Comp. L. Q.* 603 (1973)

### **Seminars & Events**

American Conference Institute, China Summit on Anti-Corruption, Shanghai, 2008, 2009, 2010, 2011

"Conducting Effective FCPA Due Diligence to Expose Corruption Risks" at the 4th National Symposium on Mergers & Acquisitions in China, February 25, 2010

"Due Diligence and Compliance Risk Management in the Middle East" Webinar, December 3, 2009

"Understanding European Anti-Corruption Law and the Foreign Corrupt Practices Act," Webinar, December 2, 2009

"Managing International Regulatory Risks in M&A," November 13, 2008

"The FCPA Risk in China," Deloitte Seminar on Doing Business in China, September 24, 2008

### **LANGUAGES**

Mandarin Chinese

French

German