



<u>Surname, First name</u>	<u>Giaretta</u> , Ben
Address	Fox Williams LLP, 10 Finsbury Square, London EC2A 1AF, United Kingdom
Telephone	+44 (0) 20 7614 2610
Fax	+44 (0) 20 7628 2100
Email	bgiaretta@foxwilliams.com
Nationality/ Date of Birth	British / May 1974

Educational/Professional Memberships

- MA, Trinity College, Oxford University
- Postgraduate Diploma in International Commercial Arbitration (School of International Arbitration, Queen Mary University of London)
- Chartered Arbitrator and Fellow, Chartered Institute of Arbitrators
- Chair, London Branch of the Chartered Institute of Arbitrators (2020 to 2022)
- Honorary Treasurer and Director, Singapore Branch of the Chartered Institute of Arbitrators (2010 to 2016)
- Fellow, Singapore Institute of Arbitrators
- Associate Mediator, Singapore Mediation Centre
- Solicitor-Advocate, All Higher Courts of England & Wales
- Tutor and Examiner for Chartered Institute of Arbitrators and Singapore Institute of Arbitrators Fellowship courses
- Tutor for Royal Institute of Chartered Surveyors course
- Presidential Panel of Arbitrators, Chartered Institute of Arbitrators
- Panel of Arbitrators, Singapore International Arbitration Centre (SIAC)
- Panel of Arbitrators, Hong Kong International Arbitration Centre (HKIAC)
- Panel of Arbitrators, Asian International Arbitration Centre (AIAC)
- Panel of Arbitrators, Singapore Institute of Arbitrators
- Panel of International Arbitrators, Korean Commercial Arbitration Board (KCAB)
- Panel of Arbitrators, Japan Commercial Arbitration Association (JCAA)
- Panel of Arbitrators, Saudi Centre for Commercial Arbitration (SCCA)
- Panel of Arbitrators, London Chamber of Arbitration and Mediation (LCAM)
- Panel of Foreign Arbitrators, Badan Arbitrase Nasional Indonesia (BANI)
- Panel of Associate Mediators, Singapore Mediation Centre
- Member, International Council for Commercial Arbitration (ICCA)
- Member, LCIA
- Member, Singapore Chamber of Maritime Arbitration
- Member, Association of International Petroleum Negotiators
- Member, Society of Construction Law
- Member (Liveryman), Worshipful Company of Arbitrators
- Board of Directors, London International Disputes Week
- Editorial Board, Lexis PSL Arbitration
- Editorial Board, Journal of Enforcement of Arbitration Awards

Current Position

Partner and Co-head of International Arbitration, Fox Williams LLP

Professional Experience

Partner, Ashurst LLP, 2009 – 2018 (Head of Dispute Resolution/Head of International Arbitration in Asia). Partner at Mishcon de Reya LLP, 2018 - 2020. Partner at Fox Williams LLP since 2020.

Ben has particular experience of disputes in Asia: he lived and worked in Singapore for seven years, and worked on disputes all over Asia. He has also worked on disputes throughout Europe, Africa and the Americas. His experience spans a number of industry sectors, including oil & gas, mining, petrochemicals, telecommunications, shipping, commodities, real estate, insurance, construction, engineering and infrastructure.

Ben is highly recommended in various legal directories, where he has been described as "*a standout lawyer for international dispute work*" and "*one of the best and most active practitioners in this space*". While in Singapore, he was listed in Band 1 and called "*one of Singapore's top arbitration counsel*".

He regularly speaks at conferences about international arbitration, and lectures on arbitration at several universities (University of Aberdeen, School of Oriental and African Studies, Swiss International Law School) and for the Chartered Institute of Arbitrators.

Arbitration Experience

Ben is a Chartered Arbitrator, a Fellow of the Chartered Institute of Arbitrators and a Fellow of the Singapore Institute of Arbitrators. He has extensive experience of representing clients in international arbitration. He is on the panels of arbitrators of several arbitration institutions. He has sat as arbitrator since 2009, and his arbitrator appointments include:

Presiding arbitrator

- ICC arbitration between a Japanese company and an American company concerning lease fees (presiding arbitrator, seat of arbitration in London).
- ICC arbitration between a Japanese company and a UAE company concerning a sale and purchase agreement (presiding arbitrator, seat of arbitration in London).
- SIAC arbitration between a group of individual vendors and a Mauritius company concerning a sale and purchase agreement in the solar power sector (presiding arbitrator, seat in Singapore).
- SIAC arbitration between a Japanese group of companies and a Mauritius company concerning a sale and purchase agreement in the travel industry (presiding arbitrator, seat in Singapore).

Party-nominated appointments

- SIAC arbitration between an Indian company and a US company concerning the construction of a solar power project (party-appointed arbitrator, seat of arbitration in Singapore).
- ICC arbitration between a Singapore company and a Qatari company concerning an airport construction project (party-appointed arbitrator, seat of arbitration in Qatar).
- SIAC arbitration between an Indian company and a US company concerning a construction guarantee (party-appointed arbitrator, seat of arbitration in Singapore).
- ICC arbitration between a Mauritius company and an Indian group of companies concerning

a shareholders agreement in a solar power construction project (party-appointed arbitrator, seat in Singapore).

- ICC arbitration between a Singapore company and an American company concerning an oilfield licence (party-appointed arbitrator, seat of arbitration in London).
- ICC arbitration between a Singapore company and an Australian individual concerning a petrochemical process (party-appointed arbitrator, seat of arbitration in Singapore).

Sole arbitrator appointments

- SIAC arbitration between an Indian company and a Singapore company concerning the sale of palm oil (sole arbitrator, seat of arbitration in Singapore).
- Ad hoc arbitration between a Hong Kong company and a Singapore company concerning the sale of stainless steel (seat in Singapore, sole arbitrator).
- ICC arbitration between a South African company and a Vietnamese company concerning the sale of steel (seat in Singapore, sole arbitrator).
- Ad hoc arbitration between a Singaporean company and a PRC company concerning the sale of mung beans (seat in Singapore, sole arbitrator).
- ICC arbitration between a Hong Kong company and a Vietnamese company concerning a sale and purchase agreement (sole arbitrator, seat in Singapore).
- Ad hoc arbitration between a Thai company and a Singapore company concerning the sale of grain (sole arbitrator, seat in Singapore).
- ICC arbitration between a Korean company and a Cambodian company concerning an airport services agreement (sole arbitrator, seat of arbitration in Singapore).
- Ad hoc arbitration between a Singapore company and a Chinese company concerning the sale of iron ore (sole arbitrator, seat in Singapore).
- SIAC arbitration between a Chinese company and a Singapore company concerning the sale of chrome ore (sole arbitrator, seat of arbitration in Singapore).
- SIAC arbitration between a Singapore company and a Canadian company concerning a licensing agreement in the restaurant sector (sole arbitrator, seat of arbitration in Singapore).
- ICC arbitration between a Korean company and a US company concerning a tunnelling construction project (sole arbitrator, seat of arbitration in Singapore).
- SIAC arbitration between a Hong Kong company and a Russian company concerning an IT contract (sole arbitrator, seat of arbitration in Singapore).
- Ad hoc arbitration between a UK football club and a UK stadium owner concerning *force majeure* arising from the COVID-19 pandemic (sole arbitrator, seat in England).

Emergency arbitrator appointments

- SIAC arbitration between a Korean company and a PRC party concerning a home shopping joint venture – interim relief application (emergency arbitrator, seat in Singapore).
- SIAC arbitration between a Singapore company and a Brunei party concerning the purchase of a UK company – injunction application (emergency arbitrator, seat in Singapore).
- SIAC arbitration between a Netherlands company and a Hong Kong company concerning a supply agreement (emergency arbitrator, seat in Singapore).

Publications

- “The problem with carving out disputes from disputes clauses”, client update March 2021
- “Court of Appeal rules on conflicts of interest clause”, client update March 2021
- “Arbitration and statutory employment rights: are you aware of the options?”, client update

January 2021

- "The four elements of a dispute", LexisNexis Future of Law blog, January 2021
- "Facilitated Contract Renegotiation", LexisNexis In-house Counsel blog, December 2020
- "How to approach a facilitated contract renegotiation", London Chamber of Arbitration and Mediation, November 2020
- "Questions to ask your lawyer at the start of a dispute", London International Disputes Week, November 2020
- "Virtual hearings: what do you need to do?", client update November 2020
- "Driverless arbitration", LexisNexis Future of Law blog, October 2020
- "Slow arbitration", LexisNexis Future of Law blog, September 2020
- "Developing your arbitration career", Chartered Institute of Arbitrators website, September 2020
- "The third age of arbitration", LexisNexis Inhouse blog, August 2020
- "Force majeure notices under English law: what comes next?", *New York Dispute Resolution Lawyer*, July 2020
- "The forces against virtual arbitration", LexisNexis Future of Law blog, July 2020
- "What is force majeure?", *Estates Gazette* magazine, March 2020
- "Duties of good faith in commercial contracts", *CDR* magazine, February 2020
- "Force majeure clauses", client update, 2020
- "What will arbitration look like in a future virtual world?", *Arbitration* (Chartered Institute of Arbitrators), Vol. 85, No. 4, November 2019
- "Dispute Resolution in the Energy Sector", *Globe Law and Business* (2019 edition) – chapter on LNG plant disputes
- "Play by the (Prague) Rules", *The Resolver*, Spring 2019
- "Extending the time to challenge an arbitration award", client update, 2019
- "The arbitration of trust disputes", client update, 2019
- "Anti-enforcement injunctions in international arbitration", client update, 2019
- "Arbitrators, football and AI", client update, 2019
- "The Prague Rules: the proactive arbitrator revisited", client update, 2018
- "When an arbitrator gives an unexpected decision ", client update, 2018
- "New arbitration rules in Hong Kong", client update, 2018
- "Promoting Institutional Arbitration in India", client update, 2018
- "The Singapore Mediation Convention: a game changer?", client update, 2018
- "Arbitration-related injunctions: an update from England", client update, 2018
- "The high hurdle of challenging an arbitration award in England", client update, 2018
- "The practice of emergency arbitration", *Belgian Review of Arbitration*, 2017, Issue 1
- "Blind appointment of arbitrators: the way forward?", *Legal Era Magazine*, February 2017
- "Project management in international arbitration", *McGill Journal of Dispute Resolution*, 2016, Vol. 3
- "International arbitration: 2016 in review"
- "The Indian Arbitration and Conciliation (Amendment) Act", LexisNexis PSL, 2016
- "Observations on key trends in international arbitration", LexisNexis PSL, 2015
- "Promissory notes and arbitration", LexisNexis PSL, November 2015
- "One arbitrator or three?", LexisNexis PSL, October 2015
- "Changing the arbitration law in India", LexisNexis PSL, September 2015
- "Public policy in Indian Arbitration", LexisNexis PSL, June 2015
- "Separating arbitration clauses in India", LexisNexis PSL, 2015
- "The changing landscape of investment treaty protection in India", LexisNexis PSL, 2015

- "How to help write an arbitral award", LexisNexis PSL, April 2015
- "Known unknowns in international arbitration", LexisNexis PSL, March 2015
- "Know your arbitrator", LexisNexis PSL, February 2015
- "Anti-arbitration injunctions: mixed signals from India", LexisNexis PSL, 2015
- "The Singapore International Commercial Court: the best of both worlds?", LexisNexis PSL, 2015
- "Why mediate?", LexisNexis PSL, 2014
- "The Singapore International Mediation Centre", LexisNexis PSL, 2014
- "When should you mediate?", LexisNexis PSL, 2014
- "Six practical tips for drafting international arbitration clauses", LexisNexis PSL, 2014
- "The risks of lists in international arbitration", LexisNexis PSL, 2014
- "The separated arbitrator", LexisNexis PSL, 2014
- ICLG Guide to International Arbitration 2014 – chapter on Singapore
- "How to train your arbitration counsel", LexisNexis PSL, 2014
- "Ten tips for saving time and cost in international arbitration", LexisNexis PSL, June 2014
- "Questions from the C-suite", LexisNexis PSL, May 2014
- "The Evolution of International Arbitration", LexisNexis PSL, March 2014
- "Dispute Resolution in the Energy Sector", Globe Law and Business (2012 edition) – chapter on Investment Treaty Arbitration
- "Duties of arbitrators and emergency arbitrators under the SIAC Rules", *Asian International Arbitration Journal*, 2012, Vol. 8

Languages

English