



<u>Surname, First name</u>	McGowan, Gary
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Nationality/ Date of Birth	USA/ 2 April 1948

Educational/Professional Memberships

Juris Doctorate, University of Texas School of Law (1973).

Bachelor of Arts, Economics, University of Texas (1970).

Fellow, Chartered Institute of Arbitrators (London) —FCI Arb.

Fellow, College of Commercial Arbitrators.

International Panel of Arbitrators, International Centre for Dispute Resolution (New York).

Energy Arbitrators List, an international panel of energy industry arbitrators sponsored by the International Centre for Dispute Resolution.

Roster of Neutrals, American Arbitration Association; Commercial Panel, Large and Complex Case Panel , and Oil & Gas Panel.

National Panel of Distinguished Neutrals, International Institute For Conflict Prevention and Dispute Resolution ("CPR").

CPR's Energy, Oil and Gas Panel of Distinguished Neutrals.

International Panel of Arbitrators, British Columbia International Commercial Arbitration Centre

Panel of Arbitrators, Hong Kong International Arbitration Centre.

Panel of Arbitrators, Singapore International Arbitration Centre

Institute for Energy Law Directory of Energy Arbitrators.

Panel of Arbitrators, Vienna International Arbitral Centre.

Panel of Arbitrators, Kuala Lumpur Regional Centre for Arbitration.

Board of Directors, Section of Alternative Dispute Resolution, State Bar of Texas

Charter Member and Executive Committee, Texas Chapter of the National Academy of Distinguished Neutrals.

Current Position

Arbitrator, McGowan Arbitration and Dispute Resolution.

Professional Experience

1973 to 1989—practicing attorney—antitrust and complex business litigation; founding partner at Susman, Godfrey & McGowan.

1990 to present—arbitration and mediation—over 140 arbitrations and many mediations.

See www.mcgowan-adr.com for more information on experience.

Arbitration Experience

Arbitrated over 140 matters (AAA, CPR, ICC, ICDR, and *Ad Hoc*). Examples:

- Energy, oil and gas, chemicals
 - co-generation agreements between refiner and co-generator
 - gas processing agreements
 - steam supply contracts (three arbitrations)
 - coal supply contract
 - valuation of limited partner's interest in chemical plant
 - contract dispute between oil/gas company and cryogenic plant concerning contract for gas-to-LPG conversion and LPG storage
 - refinery turnaround contracts
 - JOA billing disputes
 - output contract between refinery and chemical buyer
 - gas dedication dispute between transporter and producer
 - wireline services covenant not to compete
 - joint venture to develop offshore drilling platform project in South America
 - indemnity provisions in Master Services Agreement
 - oil and gas limited partnership dispute
 - power producer claims against wind turbine manufacturer for allegedly defective turbine blades
 - biodiesel contract dispute regarding sharing of tax credits
- Construction
 - semisubmersible production platform and mooring system—engineering, procurement, and construction (EPC) contract and towing/installation contract (over \$100 M in claims)
 - large apartment complex
 - major league baseball stadium
 - refinery expansion
 - underground electrical conduit and signal installation subcontract for state highway
 - alleged defects in large diameter pipe supplied for pipeline construction project
 - gas processing plant
 - pipeline delivery station
 - chemical plant—EPC contract (over \$100 M in claims)
- Miscellaneous commercial disputes
 - airline capacity purchase agreement
 - joint venture to develop medical device
 - contract for beach cleanup of massive oil spill
 - trade secrets—computer software
 - healthcare industry—prompt pay claims; covenant not to compete; partnership disputes
 - attorneys' fee disputes—between law firm and client; between law firms
 - condominium owners statutory fraud claims against lender
 - telemarketing contract
 - indemnity claims
 - insurance claims
 - law firm partnership disputes

Chair of panel or sole arbitrator in 104 matters.

Twenty-three international arbitrations (ICDR, ICC, UNCITRAL, ad hoc).

Publications

"12 Ways To Achieve Speed and Efficiency in Arbitration" *Corporate Counsel* (April 2013).

"Sanctions in US and International Arbitrations: Old Law in Modern Context" *Kluwer Arbitration Blog* (October 2013).

"Don't Call It A Trial: What Litigators Should Know About Arbitration" *Houston Lawyer* (July-August 2014).

Languages

English (fluent); German (basic)