



<u>Surname, First name</u>	<u>Townsend</u> , John M.
Address	Hughes Hubbard & Reed LLP 1775 I Street, NW Washington, DC 20006
Telephone	+1 (202) 721-4640
Fax	+1 (202) 721-4646
Email and Website	john.townsend@hugheshubbard.com
Nationality/ Date of Birth	USA/21 March 1947

Educational/Professional Memberships

Yale University B.A. 1968, J.D. 1971

Current Position

Partner, Hughes Hubbard & Reed, LLP, Washington, DC, USA

Professional Experience

John M. Townsend is a litigation partner in the Washington office of Hughes Hubbard and chairs the firm's Arbitration and ADR Practice Group. His practice focuses on complex disputes, particularly international disputes, both in court and before arbitral tribunals. John's arbitration practice includes representing parties in international and domestic commercial arbitration and in investment treaty disputes, and acting as an arbitrator.

John served as Chair of the Board of Directors of the American Arbitration Association (AAA) from 2007 to 2010 and as chair of the Executive Committee of the AAA from 2004 to 2007 and currently chairs the AAA's Law Committee. He is a member and a Vice President of the Court of Arbitration of the LCIA. John was the first chair of the Mediation Committee of the International Bar Association (IBA). In February 2008, he was appointed by President Bush as one of the American members of the Panel of Arbitrators of the International Centre for the Settlement of Investment Disputes (ICSID), on which he served until 2016. Chambers has consistently ranked John among the top international arbitration lawyers in the United States and has described him as "just a master," who "understands international ADR better than any other in the market." He served as lead counsel to Canada in Canada's entirely successful defense of two arbitrations between the United States and Canada brought under the Softwood Lumber Agreement. John's litigation practice has included participation as a Hughes Hubbard associate in the successful defense of Ford Motor Company on a charge of negligent homicide in the Pinto fuel tank trial in Indiana and as a young partner in the defense of the building owner in the Kansas City Skywalks Collapse Litigation. He led a Hughes Hubbard team acting as national counsel to a major pharmaceutical manufacturer in nationwide, multi-defendant litigation challenging the use of published "Average Wholesale Prices" (AWPs) as a reference point in Medicaid reimbursement.

John served as a Trustee of the U.S. Council for International Business and chaired the Council's European Privilege Task Force. He submitted an application on behalf of the Council to intervene in the Akzo Nobel v. European Commission case in the European Court of Justice to urge European recognition of an attorney-client privilege for company counsel.

John is a member of the American Law Institute (ALI) and serves as an Advisor to the ALI's project to draft a Restatement of the American Law of International Commercial Arbitration. He has also served on the Harvard Law School Trial Advocacy Workshop faculty.

Arbitration Experience

Selected Arbitration Matters

- Representation of Ukrainian investors in five arbitrations against the Russian Federation under the Russia-Ukraine BIT arising out of measures carried out after the Russian annexation of Crimea
- Representation of Canada in two arbitrations captioned United States of America v. Canada under the Softwood Lumber Agreement of 2006 and the LCIA Rules
- Representation of investor in expropriation claim against the Russian Federation in BIT arbitration in Stockholm that secured the first award holding that the Russian measures taken against Yukos amounted to expropriation
- Submitted two amicus curiae briefs to U.S. Supreme Court on behalf of professors and practitioners of arbitration law in *BG Group plc v. Argentina*
- Representation of an American company in ICC Arbitration in Paris and related European Commission proceedings involving chemical technology license dispute with a Spanish former joint venture partner
- Representation of an American manufacturer in arbitration under Netherlands Arbitration Institute rules concerning a contract to build a major chemical plant in Rotterdam
- Representation of American Arbitration Association in Eleventh Circuit appeal involving issues of arbitral immunity
- Representation of German company in AAA arbitration in Seattle concerning validity of patent and technology license under European competition law
- Representation of a major New York educational institution in AAA arbitration concerning construction of its library
- Served as advisor to the Ministry of Justice of Bahrain concerning drafting of the 2009 Arbitration Law
- Submitted amicus curiae brief to U.S. Supreme Court on behalf of the American Arbitration Association in *Green Tree Financial Corp. v. Randolph*
- Testimony before U.S. House of Representatives subcommittee in opposition to an attempt to amend the Federal Arbitration Act to permit antitrust litigation in court against a Japanese client
- Service as arbitrator in more than fifty arbitrations seated in New York, Washington, Houston, Ann Arbor, Chicago, London, Paris, The Hague, Hong Kong, Tokyo, and Reykjavik, including eight investment treaty arbitrations
- Member of AAA Commercial, International, and Class Arbitration panels; CPR Panel of Distinguished Neutrals; Panel of Energy Arbitrators; LCIA panel; WIPO List of Neutrals; Lists of Arbitrators of the Vienna International Arbitral Centre, the Hong Kong International Arbitration Centre, the Singapore International Arbitration Centre, and the Japan Commercial Arbitration Association
- Served on committees that drafted the AAA's International Arbitration Rules, Supplementary Rules for Class Arbitrations, and ICDR Guidelines for Arbitrators Concerning Exchanges of Information
- Represented the AAA in working with the ABA on the 2004 revision of the AAA/ABA Code of Ethics for Arbitrators in Commercial Disputes
- Member of CPR's Challenge Review Board, and of the committee that drafted the CPR Rules for Non-Administered Arbitration

Publications

- Book Review of Gary Born, *International Commercial Arbitration* (2d Ed.), ARBITRATION INTERNATIONAL, 2015
- "Protection of Communications with Company Lawyers: The Last Gap in the Common Law -- Civil Law Divide in Arbitration" (with James H. Boykin), *Festschrift for Siegfried H. Elsing on His 65th Birthday*, edited by Werner F. Ebke, Dirk Olzen, Otto Sandrock, R&W Fachmedien Recht und Wirtschaft, 2015.
- "When the BIT hits the FAA: U.S. Courts Confront Conditions Precedent in Bilateral Investment Treaties," *Contemporary Issues in International Arbitration and Mediation – the Fordham Papers*, edited by Arthur W. Rovine, Brill Nijhoff, 2014.
- "Promoting Peace Before Conflict: Integrating Alternative Methods of Dispute Resolution into the Arbitration Process," *Arbitration Advocacy in Changing Times*, edited by Albert Jan Van Den Berg, International Council for Commercial Arbitration, series no. 15, 2011.
- "The Rise and Fall of Class Arbitration," *AAA Yearbook on Arbitration & the Law, 23rd Edition*, edited by Stephen K. Huber and Ben H. Sheppard, Jr., Juris Publishing, Inc., 2011.

- “Arbitrating US Antitrust Law in Pharmaceuticals Markets” (with Robert Reznick), in *EC and US Antitrust Arbitration*, edited by G. Blanke and Ph. Landolt, Kluwer/Aspen, 2011.
- “The New Bahrain Arbitration Law and the Bahrain ‘Free Arbitration Zone,’” *Dispute Resolution Journal*, February-April 2010.
- “Crossing the Hot Tub: Examining Adverse Expert Witnesses in International Arbitration,” *Take the Witness*, Juris Publishing, 2010.
- “Extending an Arbitration Clause to a Non-Signatory Claimant or a Non-Signatory Defendant: Does it Make a Difference?” *Dossiers of the Institute n° VII*, ICC Institute, 2010.
- “Non-Signatories in International Arbitration – An American Perspective,” *International Arbitration 2006: Back to Basics*, International Council for Commercial Arbitration Congress series No. 13, 2007.
- “Leave the Federal Arbitration Act Alone,” *ABA TIPS Section Business Litigation Committee News*, 2007.
- “Class Arbitration in the United States,” *LCIA News*, 2007.
- “State Court Enforcement of Arbitration Agreements,” Report to the *U.S. Chamber Institute for Legal Reform*, 2006.
- “Holding the Fort Until the Arbitrators Are Appointed: The New ICDR International Emergency Rule” (with Ben H. Sheppard, Jr.), *Dispute Resolution Journal*, 2006.
- “Arbitrator Neutrality and Disclosure: The End of the ‘American Problem,’” *Journal of International Dispute Resolution - IDR*, 2005.
- “Clash and Convergence on Ethical Issues in International Arbitration,” *Inter-American Law Review*, 2004.
- “The Federal Arbitration Act Is Too Important To Amend,” *The International Arbitration News*, 2004.
- “Revised Code of Ethics for Commercial Arbitrators Explained” (with Bruce Meyerson), *Dispute Resolution Journal*, 2004.
- “Commentary on the July 2003 Revisions to the AAA Commercial Arbitration Rules” (with Paul D. Friedland), *Dispute Resolution Journal*, 2003/2004.
- “Drafting Arbitration Clauses: Avoiding the 7 Deadly Sins,” *Dispute Resolution Journal*, 2003.
- “Arbitration Across the Civil Law – Common Law Divide” (with Siegfried Elsing), *Arbitration International*, 2002; included in *ADR & The Law*, 17th Edition.
- “Recent Developments in NAFTA Arbitration,” *ADR Currents*, 2001.
- “Obtaining A Preliminary Injunction In Aid Of Arbitration,” *Metropolitan Corporate Counsel*, 1999.
- “Commercial Arbitration in the United States: The Legal Structure,” NAFTA Advisory Committee on Private Commercial Disputes, Mexico City, 1999; *Commercial Mediation and Arbitration in the NAFTA Countries*, JurisNet, 1999.
- “What To Do Until The Arbitrator Comes: Obtaining Urgent Preliminary Relief,” *Corporate Counsel Magazine*, 1999.
- “The Case for Site Licenses,” *European Competition Law Review*, 1999.
- “The Initiation of Arbitration Procedures,” *ICSID Review – Foreign Investment Law Journal*, 1998.
- “Recourse against the Arbitrator,” published in “The Status of the Arbitrator,” Special Supplement to *The ICC International Court of Arbitration Bulletin*, 1995.
- “Provisional Remedies in Aid of Arbitration,” *The Preparation and Trial of a Commercial Arbitration*, NYSBA, 1990.
- “Right to Trial by Jury in Declaratory Judgment Actions,” *3 Connecticut Law Review* 564, 1971.

Languages

English and French.