

Peter J. Pettibone



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Serving Russian and CIS companies and international companies doing business in Russia and the CIS as:

- Independent arbitrator and mediator
- Adviser on corporate governance
- Independent director

Peter Pettibone is a retired partner in the global law firm, Hogan Lovells. From 1991 to 2010, he was the managing partner of the Moscow offices of three international law firms, including Hogan & Hartson LLP from 2000 to 2010, and resided in Moscow.

Based on his experience of living and working in Russia for 20 years and his fluency in Russian, Mr. Pettibone offers the following services:

- Serving as an independent arbitrator and mediator with a particular focus on the resolution of commercial disputes between Russian and CIS companies and their Western counterparties
- Advising on corporate governance issues, including proper board procedures and composition, and the adoption and implementation of corporate codes of conduct and best practices
- Serving as an independent director

Arbitration and Mediation Experience

- Mr. Pettibone is a Fellow of the Chartered Institute of Arbitrators (FCIArb).
- He is listed as an arbitrator/mediator with the following international arbitration institutions – USCIB (the US national committee of the ICC), the LCIA, AAA-ICDR, CPR, the Vienna International Arbitration Court, the Dubai Arbitration Center, the Hong Kong International Arbitration Centre, the new Russian Arbitration Association (RAA) and the International Commercial Arbitration Court attached to the Russian Chamber of Commerce and Industry (ICAC).
- He has been trained as a mediator by the New York State Bar Association Dispute Resolution Section and by the International Institute for Conflict Prevention and Resolution (CPR).
- He was the chair of an arbitral tribunal formed by the Joint Corporate Ethics Commission of the Russian Union of Industrialists and Entrepreneurs (RSPP) in 2009 to resolve a multi-million dollar dispute involving a finders' fee agreement.
- He was the sole arbitrator in an ICDR arbitration in New York in 2013-2014 to resolve a contract dispute between a company in New York and an entity in China involving the payment of a finders fee.
- He is currently the chairman of an arbitral tribunal formed by the Arbitration Institute of the Stockholm Chamber of Commerce to arbitrate a construction contract dispute between the Russian subsidiary of a Western real estate developer and the Russian subsidiary of a large off-shore construction company.
- He is also currently the chairman of an arbitral tribunal formed by the Arbitration Institute of the Stockholm Chamber of Commerce to arbitrate a dispute involving a design/build contract between a large Russian company and a supplier in Eastern Europe. The language of that arbitration is Russian.

Legal Experience

Mr. Pettibone's experience as a practicing lawyer included:

Corporate Matters

- Negotiating and implementing Merger & Acquisition Agreements
- Drafting and negotiating Shareholder Agreements and Joint Venture Agreements, including agreements where the state or a state-controlled entity is a party
- Advising on Minority Shareholder Rights
- Drafting and negotiating Share Purchase Agreements
- Supervising corporate Due Diligence investigations
- Advising on Corporate Governance issues
- Forming off-shore holding company structures

Employment Matters

- Drafting and negotiating Employment Agreements and resolving disputes between the employer and the employee

Franchise Agreements and Distributorship Agreements

- Drafting and negotiating Franchise Agreements and Distributorship Agreements and advising on related trademark issues

Construction and Real Estate Matters

- Counsel to the American partners in the Joint Venture with Intourist to construct, develop and operate the Radisson Slavyanskya Hotel and Business Center in Moscow
- Representing foreign governments in acquiring real estate in Moscow for their embassies

Space Law

- Mr. Pettibone represented the first three space tourists – Dennis Tito, Mark Shuttleworth and Greg Olsen – in their successful negotiations with the Russian Space Agency to fly to the International Space Station on Russian Soyuz spacecraft.

Recent publications and speeches

- Author of an article "The Scope of the Public Policy Exception to the Recognition and Enforcement of Foreign Arbitral Awards in Russia", which was published in The American Review of International Arbitration, Vol. 25, No. 1 (2014).
- Author of an article "The Nonarbitrability of Corporate Disputes in Russia", which was published in Arbitration International, Vol. 29, No. 2 (2013).
- Chair of a panel of in-house corporate counsel of Russian companies on current issues in arbitration, at the American Bar Association Conference on Dispute Resolution held in Moscow in September 2014.
- Speaker on the limits of business confidentiality and the attorney-client privilege in Russia, at the US-Russia Business Council annual meeting in Houston, Texas, October 2013.
- Chair of a panel on Promoting Russia as a Seat of International Commercial Arbitration, at the American Bar Association Conference on Dispute Resolution held in Moscow in September 2013.
- Speaker on the topic of State Immunity at the III St. Petersburg Legal Forum in May 2013.
- Author of an article "Should Russia be in the BRICs?", prepared for a Practicing Law Institute conference in New York on doing business in the BRIC countries, July 2010.
- Author of an article in the February 19, 2010 issue of The Moscow Times, entitled "Russian Avatar", on his years of living and working in Russia.

Board Positions and Memberships

- Mr. Pettibone is a founding member of the Board of Directors of the US-Russia Business Council (USRBC), and was a member of its Executive Committee, chair of its Compensation Committee and its outside general counsel from 1993 to 2009. He is now an Honorary Director of the USRBC.
- Mr. Pettibone was counsel to the US-USSR Trade and Economic Council from 1974 to 1992.
- Mr. Pettibone was co-chair of the Investment Committee of the American Chamber of Commerce in Russia (AmCham) from 2000 to 2010.
- Mr. Pettibone was a member of the Board of Directors of the International Tax and Investment Center (ITIC) from 1993 to 2009.
- Mr. Pettibone is a member of the Council on Foreign Relations.

Education

- Princeton University, AB, *summa cum laude*, Phi Beta Kappa
- Harvard Law School, JD
- New York University School of Law, LL.M.

Bar Admissions

- New York
- District of Columbia
- Pennsylvania (currently inactive)
- United States Supreme Court

Bar Association Memberships

- International Bar Association (IBA) and ICCA.
- American Bar Association (ABA). Mr. Pettibone is a Senior Adviser to the Russia/Eurasia Committee of the Section of International Law of the ABA and a member of the ABA Section on Dispute Resolution.
- He has been a member of the steering committees for the annual conferences on dispute resolution sponsored by the ABA and held in Moscow during the last seven years.
- New York State Bar Association, Section on Dispute Resolution.
- New York City Bar Association. Member of its International Commercial Disputes Committee (ICDC).
- Member of the International Arbitration Club of New York.

Languages

- Native English speaker
- Fluent in Russian