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Washburn University School of Law
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Topeka, KS 66621 ▪
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EMPLOYMENT

Washburn University School of Law

Associate Director, Oil and Gas Law Center
Associate Professor of Law

Topeka, KS

February 2014- present

August 2012- present

Taught Contracts, Evidence, Alternative Dispute Resolution, Arbitration, International Petroleum Arbitration, International Petroleum Transactions, Introduction to Anglo-American Law and Graduate Legal Seminar.

Georgetown University Law Center

Adjunct Professor of Law

Washington, DC

Spring 2009- Spring 2012

Taught International Arbitration and supervised independent research on public international law.

Milbank, Tweed, Hadley & McCloy LLP

Associate

Washington, DC

May 2007- May 2012

Fulbright & Jaworski LLP

Associate

Houston, TX

June 2005 – April 2007

EDUCATION

Johann Wolfgang Goethe-Universität

Doktor der Rechtswissenschaft (Ph.D. (Law))
Thesis Title: Good Faith in Transnational Law, A Pluralist Account
Supervisor: Prof. Dr. Joachim Zekoll, LL.M.

Frankfurt, a. M., Germany

expected 2018

Tulane University Law School

Juris Doctor (J.D.), cum laude; Dean's Medal
Philip C. Jessup Moot Court Team
Guest Editor, Tulane Law Review

New Orleans, LA

May 2005

University of York

Master of Arts (MA), Political Philosophy, The Idea of Toleration

York, UK

May 2003

Universitet i Oslo

Candidatus Magisterii (BA), Classics

Oslo, Norway

July 2000

HONORS & APPOINTMENTS

Government of Mongolia: Proclamation of gratitude from the Mongolian Minister of Justice for representation of Mongolia in public international law dispute (May 2011).

American Society of International Law (ASIL): Co-Chair, [Private International Law Interest Group](#), [American Society of International Law](#) (April 2016-April 2018); Selection Committee Member, [Jus Gentium Research Award Selection Committee](#), [American Society of International Law](#), [International Legal Research Interest Group](#) (2015); Prize Committee Member, [Private International Law Prize Committee](#), [American Society of International Law](#), [Private International Law Interest Group](#) (2015); Corresponding Editor, [International Legal Materials](#) (published by the American Society of International Law) (April 2014- current); Member News Editor, [American Society of International Law Private International Law Interest Group Newsletter](#) (August 2014-current)

International Law Students Association (ILSA): Editorial Committee Member, Philip C. Jessup International Moot Court Competition (The Frost Files 2016), (2017); International Rounds Quarterfinals Judge, Philip C. Jessup International Moot Court Competition (The Frost Files 2016; East Agnostica 2015; The Malachi Gap 2014; The Alfurnan Migrants 2013).

Institute for Transnational Arbitration (Center for American and International Law): Member, Academic Council (May 2016-May 2019)

Investment Claims (Oxford University Press): Managing Editor (2013- present); Editor (2010-2012)

Oxford University Press Investment Claims Summer Academy (St. Anne's College): Co-Chair (2015-present)

Annual Investment Treaty Arbitration Conference (Juris: Washington, DC): Co-Chair (2012-current)

Annual Oil and Gas Investment Arbitration Conference (Georgetown International Law Institute, University of Houston Law Center & Washburn Oil and Gas Law Center: Houston, Texas): Co-Chair (2014-present).

Institute for Energy Law (Center for American and International Law): Member, Advisory Board (2016-present)

Brill Research Perspectives: International Investment Law and Arbitration (Brill| Nijhoff): Member of the Editorial Board (2015-present)

ICSID Review (Oxford University Press): Member of the Peer Review Board (2012-present)

Journal of International Dispute Settlement (Oxford University Press): Peer Reviewer

Journal of World Investment & Trade (Brill | Nijhoff): Peer Reviewer

Council of Barristers (Georgetown University Law Center): Inaugural Alternative Dispute Resolution Award for Coaching Excellence (Fall 2010)

PUBLICATIONS

Books & Edited Volumes

1. International Petroleum Transactions (Rocky Mountain Mineral Law Foundation, anticipated 2017) (as contributing author with editors Ernest Smith, John S. Dzienkowski, Owen Anderson, John Lowe, Jacqueline Weaver, and Harry Sullivan and contribution author Keith Hall)
2. Evidence in International Investment Arbitration (Oxford University Press, anticipated 2016) (with Ian Laird & Kabir Duggal) (under contract).
3. International Petroleum Arbitration (Rocky Mountain Mineral Law Foundation, anticipated 2016) (with Teddy Baldwin).
4. Investment Treaty Arbitration and International Law, vol. ix (with Ian Laird, Borzu Sabahi & Todd Weiler: Juris Publishing, anticipated 2016) (proceedings of conference entitled "Investment Treaty Arbitration and Natural Resources").
5. A Nascent Common Law, The Process of Decisionmaking in International Legal Disputes Between States and Foreign Investors (Brill | Nijhoff, 2015) (peer reviewed).
6. Investment Treaty Arbitration and International Law, vol. viii (with Ian Laird, Borzu Sabahi & Todd Weiler: Juris Publishing, 2015) (proceedings of conference entitled "New Developments in Investment Treaty Arbitration: A Return to Fundamentals?").
7. Investment Treaty Arbitration and International Law, vol. vii (with Ian Laird, Borzu Sabahi & Todd Weiler: Juris Publishing, 2014) (proceedings of conference entitled "BIT, Contract, or a Bit of Both? Investor-State Dispute Resolution in the Energy Sector").
8. Investment Treaty Arbitration and International Law, vol. vi (with Ian Laird, Borzu Sabahi & Todd Weiler: Juris Publishing, 2013) (proceedings of conference entitled "NAFTA, DR-CAFTA & Beyond").
9. Reports of Overseas Private Investment Corporation Determinations (contributing editor; Mark Kantor et al. eds.: Oxford University Press 2011) (peer reviewed).

Articles, Book Chapters, Essays (By Year of Publication)

Published in 2017

10. The Privacy Principle, 42 Yale Journal of International Law __ (forthcoming, January 2017)

Published in 2016

11. Supernational Law, 49 Vanderbilt Journal of Transnational Law __ (forthcoming, October 2016)
12. The Virtue of Path Dependence in the Law, 56 Santa Clara Law Review 303 (2016)
13. Dispute Resolution and Political Risk, in International Petroleum Transactions (Rocky Mountain Mineral Law Foundation, anticipated 2016).
14. Public Contract Guarantees by National Institutions, Transnational Law of Public Contracts 739 (with Michael Nolan & Mark Rockefeller; Mathias Audit & Stephan Schill eds.: Bruylant, 2016) (peer reviewed).
15. The Stability Function of Natural Resource Arbitration, Investment Treaty Arbitration and International Law, vol. ix at ____ (Ian Laird et al. eds.: Juris Publishing, March 2016) (forthcoming).
16. Constitutional Law, Angloamerikanische Rechtssprache, vol. iii at 1 (with Raymond Diamond) (Franz J. Heidinger & Andrea Hubalek eds., LexisNexis Verlag Wien, 2016).
17. Administrative Law, Angloamerikanische Rechtssprache, vol. iii at 61 (with Raymond Diamond) (Franz J. Heidinger & Andrea Hubalek eds., LexisNexis Verlag Wien, 2016).

Published in 2015

18. The End of Law: The ISIL Case Study for a Comprehensive Theory of Lawlessness, 39 Fordham International Law Journal 355 (2015).
19. Functions of Freedom, Privacy, Autonomy, Dignity, and the Transnational Legal Process, 48 Vanderbilt Journal of Transnational Law 471 (2015).
20. Reconstructing International Law as Common Law, 47 George Washington International Law Review 1 (2015) (lead article).
21. Fundamentals Revisited, Investment Treaty Arbitration and International Law, vol. viii at xi (Ian Laird et al. eds.: Juris Publishing, 2015).
22. ICSID Decisions 2013, Yearbook of International Investment Law and Policy __ (with Nicholas Birch, Kabir Duggal, Ian Laird & Borzu Sabahi; Andrea Bjorklund ed.: Oxford University Press, anticipated 2015) (peer reviewed).
23. Creating Conduits: Summary Report of the First Annual Oxford Investment Claims Summer Academy, St. Anne's College (Oxford), EJILTalk!, <http://www.ejiltalk.org/creating-conduits-summary-report-of-the-first-annual-oxford-investment-claims-summer-academy-st-annes-college-oxford/> (Aug. 12, 2015) (with Diane Desierto & Ian Laird)

Published in 2014

24. Law's Laboratory: Developing International Law on Investment Protection as Common Law, 34 Northwestern Journal of International Law & Business 181 (2014) (lead article, issue 2).
25. Reason and Reasonableness, The Necessary Diversity of the Common Law, 67 Maine Law Review 73 (2014).
26. What is a Distressed Investor to Do?, 1 Journal of Damages in International Arbitration 103 (with Michael D. Nolan: 2014) (peer edited).
 - *Republication of 2 Transnational Dispute Management* (2008).
27. Truth in Method, The Interpretation of International Investment Law: Equality, Discrimination and Minimum Standards of Treatment by Dr. Todd Weiler, 28 ICSID Review, Foreign Investment Law Journal 247 (2014) (invited article).

28. ICSID Decisions 2012, Yearbook of International Investment Law and Policy 69 (with Nicholas Birch, Kabir Dugal, Ian Laird & Borzu Sabahi; Andrea Bjorklund ed.: Oxford University Press, 2015) (peer reviewed).
29. Is it Time for a Regime Change? Protecting International Energy Investments against Political Risk, Investment Treaty Arbitration and International Law, vol. vii at vii (Ian Laird et al. eds.: Juris Publishing, 2014).

Published in 2013

30. *Die Geister Die Ich Rief*, Uncommon Remedies in International Dispute Resolution, 107 American Society of International Law Proceedings 33 (with co-authors: 2013).
31. By Equal Contest of Arms, Jurisdictional Proof in Investor-State Arbitrations, 38 North Carolina Journal of International Law & Commercial Regulation 875 (2013).
 - *Republished* in 1 Transnational Dispute Management (2014) (peer edited).
32. Keep the Faith, Investment Protection Following the Denunciation of International Investment Agreements, 11 Santa Clara Journal of International Law 335 (2013) (invited).
33. Doubling Down on Deference? Treatment Standards and the Public Law Fallacy, 8 World Arbitration & Mediation Review 379 (with Baiju Vasani: 2013) (peer reviewed).
34. Free Trade à l'Américaine, NAFTA, DR-CAFTA and Beyond, Investment Treaty Arbitration and International Law, vol. vi at xi (Ian Laird et al. eds.: Juris Publishing, 2013).
35. Leviathan on Life-Support, Restructuring Sovereign Debt And International Investment Protection After Abaclat, Yearbook of International Investment Law and Policy 485 (with Michael Nolan & Hugh Carlson; Karl Sauvant ed., Oxford University Press: 2013) (peer reviewed).
36. A Bit of a Virtual Vade Mecum, Oxford University Press Blog, <http://blog.oup.com/2013/07/international-investment-law/> (July 2013)

Published in 2012

37. ICSID Decisions 2011, Yearbook of International Investment Law and Policy 41 (with Ian Laird, Sobia Haque & Borzu Sabahi, Karl Sauvant ed.: Oxford University Press, 2012) (peer reviewed).

Published in 2011

38. The Limits of Discretion? Self-Judging Emergency Clauses in International Investment Agreements, Yearbook of International Investment Law and Policy 362 (with Michael Nolan; Karl Sauvant ed.: Oxford University Press, 2011) (peer reviewed).
39. ICSID Decisions 2010, Yearbook of International Investment Law and Policy 62 (with Ian Laird & Borzu Sabahi; Karl Sauvant ed.: Oxford University Press, 2011) (peer reviewed).
40. Recent Trends in Public Political Risk Instance Coverage, Corporate Finance Review (with Michael Nolan et al., May/ June 2011).
41. The U.S. and EU Debt Crises in International Law—A Preliminary Review, Wall Street Lawyer (with Michael Nolan et al., Oct. 2011).

Published in 2010

42. Limits of Consent, Arbitration Without Privity and Beyond, Liber Amicorum Bernardo Cremades (with Michael Nolan: Kluwer, 2010).
43. ICSID Decisions 2008-2009, Yearbook of International Investment Law and Policy 87 (with Ian Laird & Borzu Sabahi; Karl Sauvant ed.: Oxford University Press, 2010) (peer reviewed).
44. State-Controlled Entities as Claimants in International Investment Arbitration: An Early Assessment, 32 Columbia Center on Sustainable International Investment (with Michael Nolan, December 2, 2010).

45. The Importance of History – Reflections on Lassa Oppenheim’s 150th Birthday, 5(3) Friends of Jessup Newsletter (2010).

Published in 2009

46. Issues of Proof of General Principles of Law in International Arbitration, 4 World Arbitration & Mediation Review 505 (with Michael Nolan: 2009) (peer reviewed).
47. Annulment and Judicial Review - How "Final" Is an Award?, Investment Treaty Arbitration and International Law, vol. ii (Ian Laird and Todd Weiler eds.: Juris Publishing, 2009)

Published before 2009

48. A Preliminary Comment – The Interplay Between State Consent to ICSID Arbitration and Denunciation of the ICSID Convention: The (Possible) Venezuela Case Study, Transnational Dispute Management (with Michael Nolan: 2007).
49. Comparative Law as Rhetoric: an Analysis of the Use of Comparative Law in International Arbitration, 8 Pepperdine Dispute Resolution Journal. 1 (2007).
 - *Republished in 3 Georgia Commercial Law Journal (2016) (forthcoming).*
50. Positivism, Humanism, and Hegemony - Sovereignty and Security for Our Time, 25 Penn State International Law Review 433 (2007).
51. ICSID Arbitration and the Importance of Public Accountability of a Private Judicature- A Roman Law Perspective, 9 International Community Law Review 59 (2007).
52. Norway: Arbitration in Norway, 12(1) IBA Arbitration Committee Newsletter 23 (with Mark Baker, May 2007).
53. Fulbright Arbitration Report (editor, 2006).
54. Glem ikke Østerrike!, 54(8) Universitas (Mar. 8, 2000).

Lectures, Presentations & Panel Participations

1. Supranational Law, Fall 2016 International Investment Law and Policy Speaker Series, Columbia Law School, New York, Sept. 26, 2016.
2. Internal Preparation of a Case in International Arbitration, 2016 Selected Topics and Miscellany CLE, Washburn University School of Law, Topeka, Kansas, June 24, 2016.
3. Is the Vienna Convention on the Law of Treaties Dead in BIT Arbitration?, OUP Investment Claims Webinar, Oct. 20, 2014.
4. Frack that! Can Investment Treaties Provide Effective Protections Against Fracking Bans?, 2014 Selected Topics and Miscellany CLE, Washburn University School of Law, Topeka, Kansas, June 27, 2014.
5. Applicable Law in Transnational Proceedings, Comparative Law and Rhetoric in International Arbitration, National Commercial Law Week, National Commercial Law Center, Tbilisi, Georgia, May 25, 2014 (USAID sponsored).
6. Recognition and Enforcement of Interim Measures Issued by International Arbitral Tribunals, National Commercial Law Week, National Commercial Law Center, Tbilisi, Georgia, May 25, 2014 (USAID sponsored).
7. Political Risk and Government Change: The Good, the Bad and the Ugly, National Commercial Law Center/ National Institute for Human Rights, Free University of Tbilisi, Tbilisi, Georgia, May 24, 2014 (USAID sponsored).
8. *Iura Novit Curia* in Investor-State Arbitration, National Commercial Law Center/ National Institute for Human Rights, Free University of Tbilisi, Tbilisi, Georgia, May 23, 2014 (USAID sponsored).
9. Control Mechanisms in International Adjudication, Georgetown University Law Center, Washington, DC, April 11, 2014.

10. The Interpretation of International Investment Agreements, Young International Centre for the Settlement of Investment Disputes (World Bank), Washington, DC, February 2014.
11. Discovery in International Arbitration Workshop, Young ICCA, Boston, MA, October 7, 2013.
12. Annulment of ICSID Awards, Columbia Law School, New York, NY, April 2013.
13. Uncommon Remedies in International Dispute Resolution, 107th Annual Meeting of the American Society of International Law, Washington, DC, April 4, 2013.
14. Annulment, Club Español del Arbitraje & American University Washington College of Law, Investment Arbitration in Latin America (2011).

MEMBERSHIPS

American Society of International Law
American Bar Association
State Bar of Texas
Bar of the District of Columbia

OTHER LEGAL EXPERIENCE

Judicial Extern
United States District Court for the Eastern District of Louisiana
The Hon. Martin L.C. Feldman
2004-2005

LANGUAGES

German (native), French (native), Norwegian (fluent), Italian (fluent), Danish (working knowledge), Spanish (reading proficiency), Portuguese (reading proficiency), Dutch (basic reading proficiency).