

# Dr. Katherine Simpson

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Dr. Katherine Simpson, Esq. is a full-time Arbitrator with a global practice and experience in business, commercial, consumer, employment, US labor, and investment disputes valued at up to US\$ 2.6 billion. She is a panel member with many leading dispute resolution institutions and an Academic Affiliate at the University of Michigan. She publishes and speaks frequently on topics related to alternative dispute resolution (ADR), ESG, equality, and artificial intelligence (AI).

## **Qualifications & Peer Nominated Memberships**

Dr. Simpson is a U.S.-qualified attorney (Maryland, New Jersey). She is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and of the College of Commercial Arbitrators (CollArb) and a Member of the National Academy of Distinguished Neutrals (NADN).

## **Arbitration & Mediation Expertise**

- **Commercial contracts:** payment, pricing, defective deliverables, fraud, UCC, warranties
- **Construction:** oil and gas exploration, mining, delay damages
- **Corporate mergers, acquisitions, dissolutions, shareholder disputes:** reps and warranties, post-closing adjustments, earn-outs entitlement, asset valuation, fraud
- **Employment:** COVID-19, wage & hour, reasonable accommodations, bullying, retaliation, collective actions, discrimination (age, ethnicity, gender, national origin), whistleblower
- **Energy:** oil & gas exploration, electricity production, pricing and distribution, service contracts, photovoltaic/solar, hydraulic fracturing (fracking), subsidies, environmental, state-owned entities, public-private partnership, investor-state
- **Environmental:** social license to operate, water pollution, infrastructure disputes, state-owned and state-affiliated entities, environmental assessments, public-private partnership
- **Financial matters:** financial inclusion and consumer protection, duty of care, investor-state
- **Hospitality:** travel interruption due to COVID-19, construction and permits, cruise, consumer, peer-to-peer exchange, insurance, package holidays
- **Intellectual Property:** IP licensing, R&D, ownership disputes, patent infringement, trade secret misappropriation, trademark infringement, FRAND licensing
- **Labor (US):** mass actions (up to 1,700 potential grievants), COVID-19 policies and payments, telework, CBA mediation involving a municipality, interest arbitration, military, maritime
- **Partnerships and Joint Ventures:** payments and ownership, accounting, mismanagement and misappropriation, non-compete, fiduciary duties, dissolution, cross-border
- **Pharmaceuticals, Life Sciences:** product testing, product development, royalties, distribution, marketing, pricing, rebates, licensing, recall
- **Securities:** fraud, customer/broker/adviser disputes, private placements, churning
- **Sport:** allegations related to doping
- **Telecommunications:** carrier services, FRAND licensing disputes, post M&A disputes

## **Investor-State Dispute Settlement**

Dr. Simpson has experience in investor-state disputes and in commercial cases involving state-owned or state-related enterprises, such as matters related to the hospitality industry, renewable energy, mining, oil & gas, construction, financial services, entitlement to subsidies, concessions, social license to operate, most-favored nation treatment, allegations of expropriation, and financial disputes.

## **Panel Memberships**

- Registered with London Court of International Arbitration (LCIA)
- Registered with the Stockholm Chamber of Commerce (SCC)
- Registered with United States Council for International Business (USCIB) for International Chamber of Commerce (ICC) appointments
- American Arbitration Association, International Centre for Dispute Resolution (AAA/ICDR), Puerto Rico Panel, Consumer Panel, Commercial, and International (ICDR) Panels
- Chartered Institute of Arbitrators, Business Appointment Service & Pandemic Business Disruption Panel
- Financial Industry Regulatory Authority (FINRA)
- International Institute for Conflict Prevention and Resolution (CPR), Panels of Distinguished Neutrals: Banking Accounting and Financial Services, Pro-Bono, Health Care and Life Sciences, Detroit ADR, Employment Disputes Panel-Midwest, Energy, Oil & Gas Panel, Cross-Border
- Federal Mediation and Conciliation Service (FMCS)
- Court of Arbitration for Art (CAfA)

## **Professional Activities & Memberships**

- Vice Chair of the Board of Directors of the Ray Corollary Initiative (RCI), Inc.
- Co-Chair, Women in Dispute Resolution (WIDR) Committee of the American Bar Association (ABA) Dispute Resolution Section
- Member, American Bar Foundation
- Member, International Council for Commercial Arbitration (ICCA)
- Member, Energy Arbitration Club (formerly Oil & Gas Arbitration Club)
- Member, Peer Review Board, ICSID Review – Foreign Investment Law Journal
- Member, ArbitralWomen
- Member, International Institute for Conflict Prevention and Resolution (CPR)

## **Academic & Teaching Experience**

- Academic Affiliate at the University of Michigan in Ann Arbor, Michigan, US, leading research on ADR, investor-state, and equality (2016 – Present). Adjunct Professor teaching International Commercial Arbitration and Legal Research and Analysis in American Law (2016 – 2020).
- Visiting Professor at University of Bucharest, Bucharest, Romania (2015, 2016) teaching Vice Chair of the Board of Directors of the Ray Corollary Initiative (RCI), Inc.

## **Education & Training**

- University of Cologne, Dr. iur., magna cum laude, international banking law
- University of Cologne, LL.M. oec., summa cum laude, international labor, social, and economic law
- University of Baltimore School of Law, J.D., concentration in international and comparative law
- University of Bonn, Masters, European (Integration) Studies
- Ohio University, B.A./M.A. in Political Science and International Relations

## **Languages**

- English (native)
- German (fluent, legal)
- French (reading)

## **Recent Publications**

- *CETA – Where Are the Women? Diffusing the Thought-Terminating Clichés That Impeded Diversity* in SUSTAINABLE DIVERSITY IN INTERNATIONAL ARBITRATION (Edward Elgar Publishing, 2022) (with Dr. Anthony Scott Marcum)
- *Are Rosters a Solution to the Lack of Diversity of Arbitrators and Women in Arbitration* in EDWARD ELGAR INTERNATIONAL ECONOMIC LAW ENCYCLOPEDIA (2022, forthcoming)
- *Conclusion* in SOCIAL LICENSE & DISPUTE RESOLUTION IN THE EXTRACTIVE INDUSTRIES (Boston: Brill, 2021)
- *The Commission’s Priority: ‘A Balanced and Progressive Trade Policy to Harness Globalization in POLITICIZING EU POLICIES – THE JUNCKER COMMISSION 2014 – 2019* (Nomos, 2020)
- *Arbitrator ‘Intelligence’ and the Mysterious Brown M&M*, 52 U. TOL. L. REV. 27 (2021)
- *The Diversity Dividend*, 52 U. TOL. L. REV. 447 (2021)

## **Invited Lectures & Presentations**

- Panelist and Moderator, “Bias Busters: Implicit Bias and Selection of Neutrals” (March 2023), CPR Annual Meeting 2023: Practical and Innovative Dispute Management Solutions
- Guest Lecturer, “International Arbitration” at Emory University (November 2022)
- Presenter, “Diversifying Neutral Panels: Let’s Get It Done” (September 2022), Maryland State Bar Association (MSBA), Virtual Legal Summit Series
- Co-Presenter, “Fake Smarts and Algowrongs: What to do with creepy AI” (November 2021), National Center for Technology and Dispute Resolution, Online Dispute Resolution (“ODR”) CyberWeek 2021
- Co-Presenter, “ADR: All Disputes Resolved – Wishful Thinking” (October 2021), Peggy Browning Fund, National Law Students Worker’s Rights Conference
- Panelist and Moderator, “International Arbitration 2021” (June 2021), Practising Law Institute (“PLI”), International Arbitration 2021
- Presenter, “Arbitrator Independence and Impartiality in International Commercial and Investment Arbitration” (June 2021) American University Washington College of Law, Summer Conference
- Panelist, “Efficiently Resolving International Construction Disputes” (March 2021), AELEX Arbitration Month
- Panelist, “Social License and Dispute Resolution in the Extractive Industries” (February 2021), University of Lausanne
- Chartered Institute of Arbitrators, North American Branch
  - Moderator, “Best Practices in Commercial Arbitration – Tips from Leading Arbitrators and In-house Counsel” (February 2023)
  - Moderator, “Efficiency, Enforceability, Effectiveness” (March 2021)
  - Panelist, “Diversity, Equity, and Inclusion” (February 2021)
- Panelist, “Privacy vs. Confidentiality – What is the New Normal?” (January 2021), 9th Annual Arbitration and Investment Summit - Caribbean, Latin America and Other Emerging Markets 2021 - A Clear Vision for Your Future
- United States Council for International Business (USCIB)
  - Panelist, “Use of Tribunal Secretaries in International Arbitration” (September 2020)
  - Panelist, “Expedited Arbitration Proceedings” (November 2019)
- University of Michigan Law School, Ann Arbor, Michigan, USA
  - Presenter, “U.S. and U.K. Practice in International Arbitration” (with Paul Rose) (November 2019)
  - Presenter, “International Human Rights Law” (with Judge Bruno Simma) (March 2018)
- Panelist, “Regulation, Compliance and Ethical Considerations.” (June 2019), Financing, Structuring & Investing in Litigation Finance, New York City, New York USA

## **Contact Dr. Katherine Simpson, Esq.**

For calendar inquires and arbitration appointments in matters unrelated to the United Kingdom, or to obtain copies of recent publications, schedule a speaking engagement, or book a mock arbitration, please contact Dr. Simpson through her US office, Simpson Dispute Resolution, Inc., at [info@simpsonadr.net](mailto:info@simpsonadr.net) or directly at [simpson@simpsonadr.net](mailto:simpson@simpsonadr.net)

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For calendar inquires and arbitration appointments in matters related to the United Kingdom (for example, for matters seated in London), please contact Dr. Simpson through 33 Bedford Row Chambers, at [clerks@33br.co.uk](mailto:clerks@33br.co.uk), or directly through Mark Byrne, her Clerk: [markb@33br.co.uk](mailto:markb@33br.co.uk)

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