

# JENNIFER KIRBY

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## PROFESSIONAL EXPERIENCE

### **KIRBY, Paris.**

Principal from 2010 to present.

Represents clients and sits as arbitrator in a broad range of international arbitrations.

### **HERBERT SMITH LLP, Paris.**

Partner from 2008 to 2010.

Represented clients and acted as arbitrator in a variety of international commercial arbitrations.

### **INTERNATIONAL CHAMBER OF COMMERCE (ICC)**

#### **INTERNATIONAL COURT OF ARBITRATION, Paris.**

Deputy Secretary General from 2005 to 2007.

Counsel from 2002 to 2004.

Administered international arbitrations involving parties from around the world and a wide variety of economic sectors. Represented the ICC Court at the United Nations Commission on International Trade Law (UNCITRAL) and in arbitration conferences worldwide.

### **SIMPSON THACHER & BARTLETT, New York City.**

Associate from 1998 to 2001.

Managed a wide variety of complex commercial litigations, international arbitrations and white-collar criminal investigations. Areas of concentration included insurance and securities.

### **PROSKAUER ROSE LLP, New York City.**

Associate from 1995 to 1998.

Worked on diverse commercial litigation matters including securities and insurance cases, consumer-fraud class actions, white-collar investigations and criminal prosecutions.

## EDUCATION

### **UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Charlottesville.**

J.D. awarded 1995. Member of the New York Bar since 1996.

### **COLUMBIA UNIVERSITY, COLUMBIA COLLEGE, New York City.**

B.A. in European History awarded 1991.

### **CAMBRIDGE UNIVERSITY, PEMBROKE COLLEGE, Cambridge.**

Matriculated 1989.

CITIZENSHIPS United Kingdom and United States.

LANGUAGES English (native speaker) and French.

## **SELECTED SPEAKING ENGAGEMENTS**

Rome, ADVOCACY AND LEGAL PRIVILEGE – RELATIONS BETWEEN CLIENTS AND COUNSEL IN ARBITRATION, AIA/ArbIt, June 2017

Ljubljana, MODERN TIMES FOR INTERNATIONAL ARBITRATION: PARTY AUTONOMY VS. DISCRETION OF THE ARBITRAL TRIBUNAL, LAC/UNCITRAL, April 2017

Dallas, WHEN JUSTICE DELAYED WOULD BE JUSTICE DENIED: EMERGENCY ARBITRATORS AND INTERIM MEASURES IN INTERNATIONAL ARBITRATION, ITA Workshop, June 2016.

Helsinki, EFFICIENCY IN INTERNATIONAL ARBITRATION: WHOSE DUTY IS IT?, Helsinki Arbitration Day, May 2015.

San Francisco, ARBITRATOR DISCLOSURE AND ARBITRATOR CHALLENGE IN INTERNATIONAL ARBITRATION, ABA Annual Meeting, August 2013.

Miami, INTERNATIONAL ARBITRATION IN LATIN AMERICA – WHAT IS AN AWARD, ANYWAY?, ICC, November 2012.

Vienna, WITNESS PREPARATION: MEMORY AND STORYTELLING, Vienna Arbitration Days, March 2011.

Vancouver, HOT TOPICS IN INTERNATIONAL ARBITRATION, IBA Annual Meeting, October 2010.

Rio, DOUBLE-HATTING AND FACEBOOK FRIENDSHIPS IN QUESTION, ICCA YAP, May 2010.

San Francisco, ARBITRATING IN ASIA: MULTIPLE PARTIES, MULTIPLE CONTRACTS, ICC, March 2010.

Tunis, THE PLACE OF ARBITRATION: DOES IT MATTER? – LIS PENDENS, CIArb and ICC, October 2009.

Moscow, WHO IS DRIVING ARBITRATION? PARTY AUTONOMY V. ARBITRATOR'S POWER TO MANAGE THE ARBITRAL PROCESS, ICDR, September 2009.

Seoul, ARBITRATION IN ASIA: BEST PRACTICES, APRAG, June 2009.

Ankara, DEALING WITH ARBITRAL INSTITUTIONS, British-Turkish Lawyers Association, March 2009.

Algiers, UNITED STATES LAW ON THE ENFORCEMENT OF FOREIGN ARBITRAL AWARDS SET ASIDE AT THE PLACE OF ARBITRATION, Algerian Ministry of Justice, December 2008.

Frankfurt, THE FORMAL SCRUTINY OF AWARDS WITHIN THE ICC COURT, German-American Lawyers' Association Conference, March 2008.

Paris, ANNUAL SYMPOSIUM OF ARBITRATORS, School of International Arbitration and Queen Mary, University of London, March 2007.

Bangkok, ICC INTERNATIONAL ARBITRATION WORKSHOP, December 2005.

Paris, DISCOVERY IN COMPLEX INTERNATIONAL ARBITRATION, Association of Corporate Counsel, March 2005.

## **UNITED NATIONS COMMISSIONS ON INTERNATIONAL TRADE LAW (UNCITRAL)**

WORKING GROUP II ON REVISION OF THE UNCITRAL ARBITRATION RULES, Vienna, September 2006 to February 2007.

WORKING GROUP II ON REVISION OF THE UNCITRAL MODEL LAW ON INTERNATIONAL ARBITRATION AND INTERPRETATION OF THE NEW YORK CONVENTION, Vienna and New York, September 2004 to October 2005.

### **SELECTED PUBLICATIONS**

HOW FAR SHOULD AN ARBITRATOR GO TO GET IT RIGHT?, Liber Amicorum Pierre Karrer (2017).

EFFICIENCY IN INTERNATIONAL ARBITRATION: WHOSE DUTY IS IT?, J. Int'l Arb. (2015).

ABU DHABI INV. AUTH. V. CITIGROUP, INC.: HOW THE SOUTHERN DISTRICT APPROACHES MOTIONS TO VACATE INTERNATIONAL ARBITRAL AWARDS, Int'l J. Arab Arb. (2014).

WHAT IS AN AWARD, ANYWAY?, J. Int'l Arb. (2014).

FINALITY AND ARBITRAL RULES: SAYING AN AWARD IS FINAL DOES NOT NECESSARILY MAKE IT SO, J. Int'l Arb. (2012).

WITNESS PREPARATION: MEMORY AND STORYTELLING, J. Int'l Arb. (2011).

T.CO METALS LLC V. DEMPSEY PIPE & SUPPLY, INC.: ARE THERE REALLY NO LIMITS ON WHAT AN ARBITRATOR CAN DO IN CORRECTING AN AWARD?, J. Int'l Arb. (2010).

A VIEW FROM PARIS, Mealey's Int'l Arb. R. (2009/2010) (co-authored with Denis Bensaude).

INSIGMA TECHNOLOGY CO. LTD V. ALSTOM TECHNOLOGY LTD: SIAC CAN ADMINISTER CASES UNDER THE ICC RULES!?, Arb. Int'l (2009).

WITH ARBITRATORS, LESS CAN BE MORE: WHY THE CONVENTIONAL WISDOM ON THE BENEFITS OF HAVING THREE ARBITRATORS MAY BE OVERRATED, J. Int'l Arb. (2009).

SOURCING UNLIMITED, INC. V. ASIMCO INT'L, INC.: APPELLATE JURISDICTION AND EQUITABLE ESTOPPEL, J. Int'l Arb. (2009).

THE ICC COURT: A BEHIND THE SCENES LOOK, ICC Bull. (2005).

### **SELECTED CURRENT ASSOCIATIONS**

AMERICAN LAW INSTITUTE

COLLEGE OF COMMERCIAL ARBITRATORS

ICC COMMISSION ON ARBITRATION

ICDR INTERNATIONAL ADVISORY COMMITTEE

ITA EXECUTIVE COMMITTEE

LCIA EUROPEAN USERS' COUNCIL