

VIAC – Questionnaire for Arbitrators

1. Name: Dr. Michael Hofstätter, LL.M.

2. Citizenship: Austria

3. Contact information:

Address: PARAGON Advocacy, Am Hof 13, 1010 Vienna, Austria

Telephone: +43 1 934 63 23 0, + 43 699 161 940 92

E-Mail: m.hofstaetter@paragon-advocacy.com

Website: <https://www.paragon-advocacy.com/>

LinkedIn: <https://www.linkedin.com/in/michael-hofst%C3%A4tter-838a5691/>

4. Current position: Partner

5. Education: Law School of Vienna (Mag. iur., Dr. iur.), Cardozo School of Law, New York (LL.M.)

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?

Domestic: 8 (VIAC; ICC; ad-hoc)

International: 42

- How often have you acted as Chairman? 0
- How often have you acted as Sole Arbitrator? 3
- How often have you acted as Co-Arbitrator? 2
- How often have you acted as Counsel? 37
- How often have you acted in a different function (e.g. Administrative Secretary)? 8

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

Publications:

- *Ökonomie des Schiedsverfahrens*, in Hofstätter/Flecke-Giammarco (eds), *Schiedsverfahren in der Unternehmenspraxis*, Schäffer Poeschl 2024 (Co-author with Gustav Flecke-Giammarco)
- *Beschleunigte Schiedsverfahren*, in Hofstätter/Flecke-Giammarco (eds), *Schiedsverfahren in der Unternehmenspraxis*, Schäffer Poeschl 2024 (Co-author with Martin Hackl)
- *Ablauf des Schiedsverfahrens*, in Michael Nueber (ed), *Handbuch Schiedsgerichtsbarkeit und ADR*, Lexis Nexis, 2021 (Co-author with Martin Hackl)
- *Commentary on Arts. XIII to XXVII EGZPO (Introductory Law to the Code of Civil Procedure) & on Arts. 577 to 618 ZPO (Austrian Arbitration Act)*, in Walter H. Rechberger/Thomas Klicka (eds),

Commentary on the Austrian Code of Civil Procedure 5th edition, Verlag Österreich, 2019 (Co-author with Walter H. Rechberger)

- *Annotation to Art. 7 Vienna Rules*, in VIAC (ed), VIAC Handbook Arbitration and Mediation Rules 2018 – A Practitioner’s Guide, WKO Service, 2019 (Co-author with Walter H. Rechberger)
 - *Gerichtliches Verfahren (§§ 615, 616 ZPO)*, in Liebscher/Oberhammer/Rechberger (ed), Schiedsverfahrensrecht II, 2016 (Co-author with Walter H. Rechberger)
 - *Annotations to various arbitral awards (A18 to A 32)*, in VIAC (ed), Selected Arbitral Awards I – 40 years VIAC, 2015 (Co-author with Walter H. Rechberger)
 - *Entscheidungsanmerkung zu OGH 19.03.2013, 10 Ob 5/13b (Wirkungslose Zustellung an Partei statt Vertreter - nicht fristauslösend)*, EvBl 2014, 69
 - *Entscheidungsanmerkung zu OGH 20.11.2012, 10 Ob 42/12t (Jede mögliche Abgabestelle setzt regelmäßigen Aufenthalt voraus)*, EvBl 2013, 421 (Co-author with Ulrike Frauenberger)
- Entscheidungsanmerkung zu OGH 18.09.2012, 4 Ob 30/12h (Schiedsrichtervertrag besteht zu den Schiedsparteien)*, EvBl 2013, 178

Teaching Engagements:

- University of Natural Resources and Life Sciences, Vienna, lecture on forestry, hunting and fisheries law (since 2022)
- Danube University Krems, LL.M. programme Vertragsrecht und Vertragsgestaltung, Module *Schiedsverfahrensrecht international* (since 2015)
- Danube University Krems, LL.M. programme Vertragsrecht und Vertragsgestaltung, Module *Schiedsverfahrensrecht national* (since 2013)
- University of Vienna, lecture on civil procedural law, *Pflichtübung aus Zivilverfahrensrecht* (2013, 2014)

Speaking Engagements:

- Law applicable to the Arbitration Agreement, YIAG meets VIS Moot Court, Vienna (11.04.2019)
- Damages in Energy Disputes, Seminar on Energy and Arbitration, Brussels (19.05.2016)
- The Arbitrator’s Contract: Formation and Content, YAAP Anniversary Conference, Vienna (12.12.2013)
- Recognition and Enforcement under the Recast of Brussels I and the Austrian Arbitration Amendment Act 2013, Eurojuris Conference, Vienna (02.11.2013)
- The Austrian Arbitration Amendment Act 2013 and Article 40 of the new VIAC Rules, ArbAut Twin Conference, Belgrade (27.09.2013)

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

- Austrian Arbitration Association (ArbAut)
- Young Arbitrators Forum of the International Chamber of Commerce (ICC-YAF)
- DIS40

9. Languages

Mother tongue: German

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): English

10. In which legal systems have you trained?

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input checked="" type="checkbox"/> Common Law | |
| <input checked="" type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input type="checkbox"/> Swiss Law |
| <input type="checkbox"/> Czech Law | <input type="checkbox"/> Polish Law | <input type="checkbox"/> Ukrainian Law |
| <input type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law | <input checked="" type="checkbox"/> European Law |
| <input checked="" type="checkbox"/> US-American Law | | |

11. What is your main jurisdiction of practice?

Austria, Europe, US

12. In which jurisdictions are you admitted to the bar?

Austria, New York State (USA)

13. Special expertise or specializations (please list a maximum of five):

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Antitrust/Unfair competition | <input type="checkbox"/> Damages | <input type="checkbox"/> Insolvency | <input type="checkbox"/> Natural resources |
| <input type="checkbox"/> Aviation | <input checked="" type="checkbox"/> Distribution | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Power plants |
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | <input type="checkbox"/> Intellect. property (IP) | <input type="checkbox"/> Private Intern. Law |
| <input type="checkbox"/> Capital markets | <input type="checkbox"/> Employment | <input type="checkbox"/> Investment arbitration | <input type="checkbox"/> Public Intern. Law |
| <input type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input type="checkbox"/> ISDS/Foreign inves. | <input type="checkbox"/> Real estate |
| <input type="checkbox"/> Civil fraud disputes | <input checked="" type="checkbox"/> Engineering | <input type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input type="checkbox"/> Commodity market | <input checked="" type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Maritime arbitration | <input type="checkbox"/> Technology |
| <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Media | <input type="checkbox"/> Telecommunication |
| <input checked="" type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Mining | <input type="checkbox"/> Transport |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: 4.4.1982

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

X I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

09.11.2023

Date