



BASKETBALL ARBITRAL TRIBUNAL



Gabrielle Kaufmann-Kohler **Attorney at Law**

Lévy Kaufmann-Kohler
3-5, rue du Conseil-Général, 1211 Geneva 4, Switzerland

Born: 1952

Professional Experience:

Partner

Professor at the University of Geneva

Doctor of Law (University of Basle)

Also admitted to the New York Bar

Gabrielle Kaufmann-Kohler is a professor of private international law at Geneva University Law School (since 1997), director of the Geneva LLM in International Dispute Settlement (MIDS) and an international arbitrator, partner with Lévy Kaufmann-Kohler. Previously she was an adjunct professor at Geneva University Law School (1993-1997), a partner (1985-1995) and associate (1981-1985) with Baker & McKenzie, Geneva and New York, and a partner of Schellenberg Wittmer, Geneva (1996-2007). She is admitted to the New York Bar (since 1981) and to the Geneva Bar (since 1976).

She is Honorary President of the Swiss Arbitration Association which she presided for four years (2001-2005). Gabrielle Kaufmann-Kohler is a member of the International Council for Commercial Arbitration (ICCA), the ICC Court of Arbitration, the Board of the American Arbitration Association (AAA) and of the Board of the Swiss International Law Society. She was a non-executive member of the Board of UBS AG (April 2006-April 2009).

Gabrielle Kaufmann-Kohler focuses primarily on international commercial, sports and investment arbitration and has handled over 150 international arbitrations, as presiding, sole or party-appointed arbitrator, or as counsel. She appears on numerous arbitration panels, including ICC, ICSID and AAA.

With respect to sports arbitrations; she has chaired the Arbitral Tribunal at the Olympic Games from its creation in 1996 (Atlanta) until 2000 (Sydney); she has also chaired the Ordinary Division of the Court of Arbitration for Sports from 1994 to 2001, and has contributed to the drafting of the CAS Code and the Arbitration Rules for the Olympic Games; she has also set up an ad hoc panel for the FIFA World Cup (2002), and was a member of the Jury for the XXXII America's Cup (2004-2006).



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Her teaching covers international arbitration, mediation, and private international law, especially international contracts international civil procedure. Her research activities focus on increased efficiency of international dispute settlement and on transnational arbitration. She presently conducts several research projects on "Arbitration & ... economics, philosophy, sociology", and on "Brussels Regulation and Arbitration". Her past projects include "Fundamental and legal theoretical aspects of international arbitration", "Transnational arbitration in China", and multidisciplinary research (IT – law) on online dispute resolution.

Gabrielle Kaufmann-Kohler has published extensively in the areas of her specialization (publication list available on the firm website).

Languages:

French, English, German, Spanish and reading knowledge of Italian



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Theodore R. Boehm
Justice of the Indiana Supreme Court

Supreme Court of Indiana
315 Indiana State House, Indianapolis, IN 46204, USA

Professional Experience:

Theodore R. Boehm was appointed by then Governor (now U.S. Senator) Evan Bayh as the 104th Justice of the Indiana Supreme Court on August 7, 1996.

Justice Boehm is a product of the Indianapolis public schools. He received his undergraduate degree from Brown University in 1960, summa cum laude, and graduated magna cum laude in 1963 from Harvard Law School. He was an editor of the Harvard Law Review and a member of Phi Beta Kappa. He served as a law clerk to Chief Justice Earl Warren and retired Justices Stanley Reed and Harold Burton during the 1963 term of the United States Supreme Court. In 1964 he joined the Indianapolis law firm of Baker & Daniels where he became a partner in 1970 and managing partner in 1980. While in private practice he was principally engaged in business litigation, including securities, antitrust, insurance coverage and corporate control disputes. He appeared primarily in federal courts in Indiana and elsewhere, including two arguments in the United States Supreme Court. He has published on securities litigation and related topics and has spoken on panels sponsored by American Bar Association-American Law Institute, Seventh Federal Circuit Bar, and legal education organizations in several states. He is a member of the American Law Institute.

In 1988 Justice Boehm joined General Electric as General Counsel of GE Appliances in Louisville and in 1989 became Vice President and General Counsel of GE Aircraft Engines in Cincinnati. These two businesses are respectively the largest appliance manufacturer in the United States and the largest manufacturer of aircraft engines in the world. In 1991 he joined Eli Lilly and Company in Indianapolis as Deputy General Counsel. He returned to Baker & Daniels in 1995.

In addition to his legal experience, Justice Boehm has been active in a variety of civic and charitable organizations. He served as Chairman and CEO of the organizing committee for the 1987 Pan American Games in Indianapolis, and was the first President and CEO of Indiana Sports Corporation, which staged the 1982 Olympic Festival and is widely regarded as a national leader among community sports development organizations. He also served as President of the Penrod Society, which supports the arts in central Indiana, and was one of the principal organizers of the Economic Club of Indianapolis. He is a Trustee Emeritus of Brown University, a director of the National Art Museum of Sport and Indiana Sports Corporation, and a member of the Nominating and Governance Committee of the United States Olympic Committee. He was Co-Chair of the Organizing Committee for the World Basketball Championships held in 2002 in Indianapolis and currently serves as Chair of the Cultural Development Commission established by the Indianapolis Capital Improvement Board.



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Quentin Byrne-Sutton Attorney at Law

Byrne-Sutton Bollen Kern
Rue de l'Hôtel-de-Ville 3, 1204 Geneva, Switzerland

Born: 1959

Qualifications and Memberships:

Doctorate in Private International Law (Ph.D.), University of Geneva (1986)

Degree in Swiss Law, University of Geneva (1981)

International Baccalaureate (1976)

Member of the Geneva Bar

ICC Arbitration Panel (Swiss National Committee)

Arbitrator of the Court of Arbitration for Sport (CAS)

Member of the Swiss Arbitration Association

Professional Experience:

General:

Partner, *Byrne-Sutton, Bollen Kern* (2006)

Partner, *Byrne-Sutton, Bonnard, Lawson, Meakin & Associés* (1995-2005)

Local Partner, *Baker & McKenzie* (1994)

Associate, *Baker & McKenzie* (1987-1993)

Tutor in Private international Law, University of Geneva (1981-1986)

Co-director of the Geneva Art-Law Centre (1991-1997)

Arbitration Experience:

Acting as chairman, party-appointed arbitrator, sole arbitrator and counsel in numerous international and domestic arbitrations, including ad hoc, Court of Arbitration for Sport (CAS), ICC, UNCITRAL, Swiss Chambers, CCIG and Zurich Chamber of Commerce arbitrations.

CAS arbitrations include numerous nominations as Chairman, party-appointed arbitrator and sole arbitrator.

Areas of Practice:

International dispute resolution; international contracts; sports law; intellectual property; information technology; construction law; labour law; general outside counsel to NGOs and multinationals.

Publications regarding Arbitration:

- International Arbitration in Switzerland, in: International Financial Law Review (Arbitration supplement, September 1991)
- Arbitration and Mediation in Art-Related Disputes, in: Arbitration International, Vol. 14/No.4 (1998), p. 447
- Transitory Rules for International Arbitration in Switzerland, in: International Business Law Journal, 7, 1990, p. 951

Languages:

English – French (bilingual), Spanish, German



Prof. Dr. Ulrich Haas
Professor of Law

University Zurich
Freiensteinstrasse 5, 8032 Zurich, Switzerland

Born: 1964

Qualifications and Memberships:

Qualification as a University Lecturer (Habilitation) in Corporate Insolvency Law, University of Regensburg (1996)

Doctorate in International Arbitration, University of Regensburg (1992)

2nd Law State Exam: court district of Nurnberg (1992)

1st Law State Exam: University of Regensburg (1988)

Arbitrator of the Court of Arbitration for Sport (CAS)

Member of the German Institution of Arbitration (DIS)

Professional Experience:

General:

Legal trainee: court district of Nurnberg (1989-1992)

Research Assistant: Department of Private International Law and International Procedural Law at the University of Regensburg (1992 – 1996)

Professor at Law, Department of Civil Law, Procedural Law and Commercial Law, Martin Luther-University Halle-Wittenberg (1996-2001)

Professor at Law, Department of Procedural Law and Civil Law, Johannes Gutenberg University Mainz/Germany (2001-2007)

Professor at Law, Department of Procedural Law and Civil Law, University of Zurich (since 2008)

Arbitration Experience:

Acting as chairman, party-appointed arbitrator and sole arbitrator in international and domestic arbitrations, including ad hoc, Court of Arbitration for Sport (CAS) and DIS arbitrations.



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Areas of Practice:

International dispute resolution; international contracts; sports law; corporate law and insolvency law.

Publications regarding Arbitration:

- Zur formellen und materiellen Wirksamkeit des Schiedsvertrages, IPRax 1993, 382-385
- Die Anerkennung und Vollstreckung ausländischer und internationaler Schiedssprüche, Duncker & Humblot, Berlin 1991, p. 334
- The New York Convention on Recognition and Enforcement of Foreign Arbitral Awards of 1958, in Weigand (Ed.) Practitioner's Handbook on International Arbitration, C.H. Beck, Munich 2002 p. 399-538
- Die Reform des englischen Schiedsverfahrensrechts - Der englische Arbitration Act 1996, ZZPint 1997 (Bd 2) S. 409-432
- Die Vorlagepflichten des Vollstreckungsgläubigers nach dem New Yorker Übereinkommen über die Anerkennung und Vollstreckung ausländischer Schiedssprüche von 1958, IPRax 2000, 432-435
- Zur Einführung von Schiedsklauseln durch Satzungsänderungen in Vereinen, ZGR 2001, 325-349 Haas/Hauptmann, Schiedsklauseln in „Ungleichgewichtslagen“ – am Beispiel des Sports, SchiedsVZ 2004, 175-187
- Das Verhältnis der staatlichen Gerichtsbarkeit zur privaten Schiedsgerichtsbarkeit, in Oberhammer (Ed.), Schiedsgerichtsbarkeit in Zentraleuropa, CLC-Schriftenreihe, Band 23, 2005, p. 19-60
- Die gerichtliche Kontrolle der schiedsgerichtlichen Entscheidungszuständigkeit, in Bittner/Klicka/Kodek/Oberhammer (Ed.), FS für Walter Rechberger, 2005, p. 187-210
- Beruhen Schiedsabreden in Gesellschaftsverträgen nicht auf Vereinbarungen i.S. des § 1066 ZPO oder vielleicht doch?, SchiedsVZ 2007, S. 1-10
- Letztwillige Schiedsverfügungen i.S. des § 1066 ZPO, ZEV 2007, S. 49-55.
- *Haas/Oberhammer*, „Drittwirkung“ von Schiedsvereinbarungen einer Personenhandels-gesellschaft gegenüber ihren persönlich haftenden Gesellschaftern?, in FS für Karsten Schmidt, Otto-Schmidt Verlag, Köln, 2009, S. 493-521
- Internationale Sportschiedsgerichtsbarkeit und EMRK, in SchiedsVZ 2009, S. 73-84
- International sports arbitration and the European Convention on Human Rights, Revista de Processo 2009, 179, S. 130-157

Languages:

German, English, French and Italian



Dr. Stephan P. Netzle, LL.M.
Attorney at Law

Netzle Rechtsanwaelte
Falkenstrasse 27, 8024 Zurich, Switzerland

Born: 1957

Qualifications and memberships:

Matura Typus A, Kantonsschule Schaffhausen (1977)

Lizenziat (lic.iur.), University of Zürich (magna cum laude) (1984)

Admission to the bar (1987)

Doctoral degree (Dr. iur.), University of Zürich (magna cum laude). Dissertation „Sponsoring von Sportverbänden“ (1988)

Master of Law (LL.M.), University of Virginia School of Law (UVA) (1991)

Member of the Court of Arbitration for Sport in Lausanne (CAS), 1991-2010;

Member of the ad hoc Division of CAS at the Olympic Games 2000 in Sydney and 2008 in Beijing;

Sole Arbitrator, chairman and party appointed arbitrator in numerous ad hoc arbitration proceedings (domestic and international);

Counsel to athletes, sports associations, federations, NOCs, event organisers, sponsors, marketing agencies, host cities.

Professional Experience:

Foreign Associate bei Shearman & Sterling, Washington D.C. (1991)

Associate and Partner with Stiffler & Nater, Zürich (1988-1999)

Managing Partner of Andersen Legal, Switzerland (2000-2002)

Partner with Wenger Plattner Rechtsanwälte in Zürich-Küsnacht (2003-2008)

Founder and Partner of Netzle Rechtsanwaelte (since 2008)

Areas of practice:

Contracts, Corporate and M&A, Sport and Media, Arbitration



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Publications Regarding Sports Law:

- Die Beschwerde gegen Schiedssprüche des CAS, in: SpuRt 1/2011, 1-7
- The Court of Arbitration for Sport, in: Sport: Law and Practice, ed. by Adam Lewis and Jonathan Taylor, London 2008, p. 325 et seq., together with Michael Beloff, Q.C.
- Immaterialgüterrechtlicher Schutz von Sportveranstaltungen, Sport und Recht, Universität St. Gallen, Tagungsband (2006)
- Examination of witnesses and experts in CAS hearings, CAS Newsletter 1/2004, 24
- Mehrarbeit für das internationale Sportschiedsgericht, Neue Zürcher Zeitung Nr. 85, 11. April 2003, S. 51
- Zwischen Recht und Gerechtigkeit; Die Schwächen der Dopingbekämpfung aus juristischer Sicht; NZZ Nr. 213, 13. September 2000, sowie in Gamper, Mühlethaler, Reidhaar (Hrsg.), Doping, Spitzensport als gesellschaftliches Problem, Zürich 2000
- Die Verantwortlichkeit des Sportveranstalters (Hrsg.), Neuchâtel 1998
- Arbitration Agreements incorporated by Reference to Regulations of Sportsorganisations, in: Arbitration of Sports-related Disputes, ASA Special Series No. 11, Zürich 1998
- Das internationale Sport-Schiedsgericht in Lausanne. Zusammensetzung, Zuständigkeit und Verfahren, in Röhricht (Hrsg.), Sportgerichtsbarkeit, Recht und Sport (Band 22, Stuttgart 1997)
- Ambush Marketing, Die neue unfaire Marketing-Massnahme im Sport, Sport und Recht 3/1996, S. 86
- Der Sportler, Subjekt oder Objekt? Überlegung zur Verwendung des Sports in der Werbung. Referate und Mitteilungen des Schweizerischen Juristenvereins, Heft 1, 1996 = ZSR NF 115, 1996 II, S. 1
- The Court of Arbitration for Sport: An alternative for Dispute Resolution in U.S. Sports, in: The Entertainment and Sports Lawyer, Vol. 10.1, 1992 p. 1
- Sponsoring von Sportverbänden (Dissertation) Zürich 1988
- Co-editor of the German-Swiss bi-monthly "Sport und Recht"

Extracurricular activities

World champion 1982 and diploma at the Olympic Games 1980 (6th) and 1984 (5th) (rowing), 9 times national champion.

Languages:

German, English, French, Norwegian



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Raj Parker
Attorney at Law

Freshfields Bruckhaus Deringer
65 Fleet Street, London EC4Y 1HS, England

Qualifications and Memberships:

Called to the Bar 1983 (Inner Temple)

Freshfields 1986

Partner 1993

Professional Experience:

Recorder of the Crown Court

Arbitrator at the LCIA

Solicitor Advocate (rights of audience in Higher Courts all civil proceedings)

Accredited CEDR (Centre for Dispute Resolution) Mediator

CAS Arbitrator 1998 – 2007

Raj Parker is a Dispute Resolution partner based in London. He specialises in general commercial and financial services contentious work, international regulatory investigations, public and administrative law and sports issues.

His work has included:

- for the Football Association in advisory and contentious work, including the Hillsborough proceedings, establishing the FA Premier League in 1992 and various disciplinary and other matters, including Bruce Grobbelaar, George Graham, Notts Forest FC, Chesterfield FC, Tottenham FC, Arsenal FC and participating in working parties which reported on financial irregularities, betting and compliance issues;
- chaired the FA panel on Wimbledon FC's move to Milton Keynes May 2002;



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- appointed by the Board of Control for Cricket in India and the ICC as sole arbitrator in relation to sponsorship issues concerning the 2003 Cricket World Cup;
- for the Rugby Football Union (RFU) in relation to current proposals to the restructure of the game;
- for the Lawn Tennis Association (LTA) in relation to members issues relating to the sale of Queens Club and insurance;
- work for Kuwait Sporting Club involving many football related issues;
- extensive involvement in sports disputes in particular in arbitration before CAS including Association Football, Show Jumping, Cycling, Gymnastics, Water Polo, Formula 1, Ten Pin Bowling, Ice Hockey and Rugby;
- for Chelsea FC in the Gael Kakuta appeal to CAS.

Raj is top ranked in all the leading directories.



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Klaus Reichert **Barrister**

145-151 Church Street, Dublin 7, Ireland and
Brick Court Chambers, 7 - 8 Essex Street
London WC2R 3LD, England

born: 1968

Qualifications and Memberships:

Admitted to the Bars of Ireland (1992 - King's Inns), England & Wales (1996 - Middle Temple) and Northern Ireland (1998)

CEDR Accredited Mediator

Member of:

- the International Law Association International Commercial Arbitration Committee as Irish nominee
- the ICC Commission on Arbitration (including various Task Forces) (Paris)
- the LCIA European Users' Council (as a Council member)
- the European Advisory Council of the ICDR/AAA
- the Irish ICC national arbitration committee
- the International Arbitration Club (London)
- LCIA, IAI, ASA, DIS, and the Austrian Arbitration Association
- the roster of international arbitrators of the ICDR/AAA
- the IBA (he is the Co-Chair of the Litigation Committee)
- the Bar Council of Ireland Arbitration & ADR Committee
- the Board of Rapporteurs of InternationalADR.com
- Advisory Board of the Institute for Transnational Arbitration (Dallas)

Professional Experience:

His work principally involves commercial dispute resolution in the international field, both as Counsel and Arbitrator. He has had numerous appointments as Arbitrator, including under:

- The Netherlands/Czech Republic Bilateral Investment Treaty
- The ICC Rules
- The LCIA Rules
- The UNCITRAL Rules
- The DIFC/LCIA Rules
- The AAA/ICDR Rules
- Appeal Panel under the Legal Services Arbitration Scheme (UK)
- ad hoc Arbitrations

Klaus Reichert acts regularly as Counsel in such matters, and has advised and represented parties from several countries in disputes under the ICC Rules, LCIA Rules, ICDR Rules, ICSID Rules and numerous ad hoc cases in the field of intellectual property, hedge funds, investments, joint ventures, construction, competition, hotels and general commercial contracts. Cases have been undertaken in London, Dublin, Paris, Zürich and many other centres.

He also very frequently appears before the Courts of Ireland in commercial litigation of all kinds including many significant cross-border jurisdiction disputes (ancillary litigation in Ireland to an US\$18 billion New York case; the first case in Ireland concerning the Rome Convention on Applicable Law before the Commercial Court; representing a major stock-broking firm before a Tribunal of Enquiry; lis alibi pendens issues as between Irish Courts and US Federal Courts; the first New York Convention matter due to be heard by the Irish Supreme Court). He has also appeared in cross-border litigation cases in the Courts of England & Wales up to the highest appellate level there (formerly the House of Lords). He recently acted as Counsel in *Dallah v Pakistan* in both the High Court and Court of Appeal. In addition he regularly undertakes work in mediation, both as mediator and counsel.

Klaus Reichert was voted by his peers onto the 2006 Global Arbitration Review "45 under 45" leading lights of international arbitration. He has been consistently recommended in the Guide to Experts in Commercial Arbitration and The International Who's Who of Commercial Arbitration. The UK edition of Chambers and Partners ("hugely respected"... "heavily in demand") rates him in the top tier of international arbitrators. He is also rated highly as an arbitrator by Legal 500.

In 2008 he served as the Chair of the Host Committee for the ICCA Conference of that year marking the 50th Anniversary of the New York Convention.