

Curriculum Vitae

Lea Haber Kuck

Independent Arbitrator

PROFESSIONAL EXPERIENCE

Current **Independent arbitrator**

Independent arbitrator with three decades of experience in international and domestic dispute resolution under various arbitration rules and in the United States courts. Experience with complex commercial disputes in a range of industries, including financial services, telecommunications, securities, insurance and reinsurance, food and beverage, gaming, hotel, energy, chemical, pharmaceutical, automotive, aviation, manufacturing, shipping, and construction, as well as in the context of mergers and acquisitions, joint venture, shareholder and SPAC disputes.

1998-2022 **Partner, Skadden, Arps, Slate, Meagher & Flom LLP**

Partner in International Arbitration Group resident in New York advising clients on the resolution of complex disputes arising out of international business transactions. Represented clients from around the world in federal and state courts in the United States, as well as in international and domestic arbitrations conducted under UNCITRAL, ICC, ICDR, LCIA, AAA, CPR, JAMS and other arbitration rules and in ad hoc arbitrations. Advised clients on a variety of issues relating to international dispute resolution, including drafting of arbitration, dispute resolution and choice-of-court clauses.

1992-1998 **Associate, Skadden, Arps, Slate, Meagher & Flom LLP**

1990-1992 **Law Clerk to Magistrate Judge Steven D. Pepe, United States District Court for the Eastern District of Michigan**

EDUCATION

J.D. 1990 **New York University School of Law**

- Senior Production Editor, Annual Survey of American Law

A.B. 1987 **Hamilton College, *magna cum laude***

BAR MEMBERSHIPS

New York, 1991

SELECTED PUBLICATIONS

- *New Resources to Assist Arbitrators Navigating Information Security Obligations*, NY Dispute Resolution Lawyer, Vol. 16, No. 1 (2023).
- ICCA-NYC Bar-CPR Cybersecurity Protocol for International Arbitration (September 2022)* (*member of Working Group that drafted the Protocol).
- *Latin American Dispute Resolution Update*, Skadden, Arps, Slate, Meagher & Flom LLP, co-editor and contributor (recurring publication 2017-2022).
- *US Courts Gain Prominences as 'Anchor' Forum for Enforcing International Arbitration Awards*, Skadden's 2021 Insights (January 26, 2021).
- Chapter entitled *International Arbitration* in *COMMERCIAL LITIGATION IN NEW YORK STATE COURTS* (Thomson Reuters, 5th ed. 2020).
- *Sidestep COVID-19 Judicial Logjams by Converting Litigation to Arbitration*, Skadden, Arps, Slate, Meagher & Flom LLP (April 16, 2020).
- *Newly Released Protocol Provides Guidance for Addressing Information Security in International Arbitration*, Financier Worldwide (March 2020).
- *Mini-Roundtable: Managing Cyber and Data Risk in Arbitration*, Corporate Disputes (April/June 2019).
- *International Arbitration Community Turns Its Focus to Cybersecurity*, Skadden's 2019 Insights (January 17, 2019).
- *Decisions, Decisions: Leading Cases on the Supreme Court's 2018 Business Docket*, U.S. News – Best Lawyers “Best Law Firms” 2019 (December 2018).
- “Home Country” Arbitration Clauses — Worth the Trouble?, Law360 (February 12, 2018).
- *Growing Acceptance of Arbitration in International Commercial Financial Transactions*, Skadden, Arps, Slate, Meagher & Flom LLP (January 23, 2018).
- *Business and Human Rights Movement Spurs New Initiatives*, Law 360 (March 5, 2017).
- *PEMEX and US Enforcement of Foreign Arbitration Awards Nullified in Their 'Home' Courts*, Skadden's 2017 Insights (January 31, 2017).
- Chapter entitled *Discovery* in *INTERNATIONAL COMMERCIAL ARBITRATION IN NEW YORK* (Oxford University Press, 2d ed. 2016).
- *New D.C. Circuit Ruling Impacts International Arbitration*, Law360 (October 13, 2016).
- *RJR Nabisco and the Future of Extraterritoriality*, The National Law Journal (July 4, 2016).
- *Standard Arbitration Clauses for the AAA and ICDR*, Practical Law (October/September 2015).

- *New York Courts and International Arbitration Tribunals Take Varying Approaches to Corruption Issues in Commercial Disputes*, Skadden, Arps, Slate, Meagher & Flom LLP (September 29, 2015).
- *Recent Cases Are Likely to Reduce the Use of New York Courts for “Turnover” Actions*, Banking Law Journal (July/August 2015).
- *The Evolving Landscape for Enforcement of International Arbitration Awards in the United States*, The International Comparative Legal Guide to International Arbitration (July 2015).
- *Multijurisdictional Enforcement of Foreign Judgements*, Corporate Disputes (January/March 2015).
- *Class Arbitration Decisions in 2013 Confirmed the Importance of Class Action Waivers*, NYSBA New York Dispute Resolution Lawyer (Spring 2014).
- *US Supreme Court Further Limits Jurisdictional Reach of the US Courts Over Foreign Torts*, Skadden’s 2014 Insights (January 2014).
- *The New York Courts Are Open for Business to Foreign Litigants*, Corporate Disputes (April/June 2013).
- *Inside Mariana Islands v. Canadian Imperial Bank*, Law360 (May 6, 2013).
- *International Cases Court of Appeals Decided in 2012, Looking Ahead to 2013*, New York Law Journal (March 11, 2013).
- *Debate Over Arbitral ‘Competence/Competence’ Heats Up in US Courts*, Corporate Disputes (October/December 2012).
- Chapter entitled *International Class Arbitration* in *WORLD CLASS ACTIONS: A PRACTITIONERS GUIDE TO GROUP AND REPRESENTATIVE ACTIONS AROUND THE GLOBE* (Oxford University Press, 2012).
- *Vacating an International Arbitration Award Rendered in the United States: Does the New York Convention, the Federal Arbitration Act or State Law Apply?*, Penn State Yearbook on Arbitration and Mediation (2011).
- *Will Stolt-Nielsen Push Consumer, Employment and Franchise Disputes Back Into the Courts?*, NY Dispute Resolution Lawyer, Vol. 4, No. 1 (Spring 2011).
- *Standard Arbitration Clauses of the AAA, ICDR and ICC*, Practical Law (July/August 2010).
- *Starting with the End: An Overview of Strategies for Litigating in the United States to Obtain Judgments Enforceable Abroad*, New Jersey Lawyer (February 2010).
- *‘Inexcusable’ Gamesmanship Sinks Arbitration Pact*, The National Law Journal (August 3, 2009).
- *Arbitration of Securities Claims Directed to Proceed as a Class Action Based on Deposit Agreement Governing American Depositary Receipts*, Skadden, Arps, Slate, Meagher & Flom LLP (September 2007).
- *Apple & Eve, LLC v. Yantai North Andre Juice Co., Ltd. – A Federal Court Compels Arbitration in China Despite Evidence That the Arbitration Clause May Be Invalid in China*, Mealey’s International Arbitration Report (August 2007).

SELECTED SPEAKING ENGAGEMENTS

- Speaker, *Drafting an Arbitration Agreement in 2023: Beyond Basics, Reflecting Current Trends and Events: The Litigator's Perspective*, Practising Law Institute (2023).
- Speaker, *Practical Tips for Navigating Cybersecurity And Data Privacy Issues In Arbitration*, New York State Bar Association (2023).
- Moderator, *Choosing Wisely: The Challenge of Interim Measures in International Arbitration*, New York Arbitration Week (2022).
- Speaker, *Sustainable Solutions to DEI Challenges in ADR*, MCCA Creating Pathways to Diversity Conference (2022).
- Speaker, *ICCA Cybersecurity in International Arbitration ICCA-NYC Bar-CPR Working Group Lunch Symposium, 25th ICCA Congress* (2022).
- Co-chair and Speaker, *Comprehensive Commercial Arbitration Training for Arbitrators and Counsel* (annually 2011-2023).
- Speaker, *Missed Opportunities in Approaching Your Arbitration Case*, New York State Bar Association Webinar (2021).
- Speaker, *Arbitration and Cybersecurity in the Virtual Age*, ICCA Webinar (2021).
- Speaker, *Data & Drinks*, Silicon Valley Arbitration and Mediation Center (2020).
- Speaker, *North American Launch of the ICCA-NYC Bar-CPR Cybersecurity Protocol for International Arbitration*, New York Arbitration Week (2019).
- Speaker, *Arbitration, Cybersecurity and Data Protection*, VI CAM-CCBC Arbitration Congress (2019).
- Speaker, *Are You Ready for the Case to Begin?*, Practical Law Webinar (2019).
- Speaker, *Developments in the Commercial Division*, New York City Bar Association (annually 2010-2019).
- Speaker, *60 Years Since the New York Convention: How Has Arbitration Changed?*, Association for Conflict Resolution Greater New York Annual Conference (2018).
- Speaker, *Cybersecurity and Arbitration: Arbitrating B2B Data Breaches and Protecting the Arbitral Process*, AAA-ICDR Dispute Resolution Center (2018).
- Speaker, *Appellate Attacks on Arbitration Awards*, New York State Bar Association Commercial and Federal Litigation Section Annual Meeting (2017).
- Speaker, *Challenges to the Authority of an Arbitrator*, New York State Bar Association Dispute Resolution Section Fall Meeting (2017).
- Moderator, *The Challenges for Award Creditors*, Juris Conference: Enforcement of Arbitral Awards (2017).

OTHER PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- AAA/IDCR International, Large Complex Case, and Commercial Panels of Arbitrators
- Member, Chartered Institute of Arbitrators
- New York City Bar Association: Arbitration Committee, Chair (2021-present), Member (2016-2021); International Commercial Disputes Committee, Member (2019-present)

- Editorial Board, New York Dispute Resolution Lawyer (2022-present)
- Co-Chair, Organizing Committee New York Arbitration Week 2021
- Member, Organizing Committee, New York Arbitration Week 2022
- Member, ICCA-NYC Bar-CPR Working Group on Cybersecurity in International Arbitration
- Member, International Arbitration Club of New York
- Member, USCIB Arbitration Committee
- Member, Arbitral Women
- Fellow, American Bar Foundation

CONTACT DETAILS

T: +1 917 397 2917

lhk@kuckarbitration.com