

KOSHERI, RASHED & RIAD

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Prof. Dr. Tarek Fouad A. Riad DETAILED CURRICULUM VITAE

EDUCATION:

- 1980 LL.B., Faculty of Law, Cairo University.
- 1982 LL.M., Harvard University Law School, the Master Thesis was entitled "Legal Protection of Foreign Investments and related Arbitration Decisions".
- 1985 S.J.D., Harvard University Law School, the Doctoral Thesis which has taken the highest degree was entitled "The Applicable Law in Transnational Arbitration" which deals with the problems occurring as a result of the fact that the State and its departments are public authorities enjoying sovereign powers and in the same time acting as contracting party with a foreign company keen to secure its long term investments in the Host State, with special emphasis on petroleum agreements.
- (It might be worth noting that Dr. Tarek Riad is the only practicing Supreme Court Lawyer in Egypt - after the late Dr. Ibrahim Shehata who was the Senior Vice President of the World Bank in Washington D.C. -, who obtained his S.J.D. from Harvard University Law School).*

PROFESSIONAL ACTIVITIES:

- Member of the Egyptian Bar Association (1980 to present) and admitted to practice in front of the Court of Appeal, Court of Cassation and the Supreme Constitutional Court.

- Member of the Egyptian Council of State (1980 - 1983), where he worked in the Legal Department of the Ministries of Foreign Affairs, Justice and Interior affiliated with the Consultative Section of the Council of State.

- Lecturer in Private International Law Department, Cairo University Law School, Beni Suef Branch (1985 - 1988), where he taught Conflict of Laws, International Judicial competence and nationality for the students of the fourth year.

- Admitted to practice in front of the Courts of the State of New York including the Supreme Court of New York from 1985 to present and Member of the American Bar Association which allows him to plead in front of the Supreme Court in the State of New York and the Federal Courts.

- Member of the American Society of International Law 1982.

- Member of the American Arbitration Association 1982.

- Registered as Arbitrator at the Egyptian National Committee of the International Chamber of Commerce.

- Registered as Arbitrator at the Qatar Chamber of Commerce and Industry.

- Arbitrator at the Abu Dhabi Chamber of Commerce and Industry (Abu Dhabi Center for Conciliation and Arbitration) in commercial matters and drafting business contracts.

- Arbitrator at the Gulf Cooperation Council (GCC) Commercial Arbitration Center.
- **Managing Partner, Kosheri, Rashed & Riad, Legal Consultants and Attorneys at Law, since 1991.** He is charged with providing legal opinions and pleading in front of the Courts in business and commercial cases and arbitrations. Dr. Riad specializes in the fields of international trade law, investment, construction, banking, customs regulations, international loans, investments, mergers, acquisitions and capital market transactions.
- **Counsel for numerous multinational corporations such as Philip Morris, Caterpillar, Lockheed Martin, Four Seasons, Samsung, Colgate, AT&T...etc.**
- Special Legal Counsel to the Speaker of the Egyptian Parliament for review of International Treaties that include customs arrangement. In addition to providing legal advice on World Trade Organization Agreements, Egyptian Oil and Gas Agreements and Investment Agreements (1994 to 2000).
- Ministry of Economy, Member of the Egyptian Government Company's Law Legislative Committee presided by Dr. Youssef Botros Ghali (Current Minister of Finance) (1997 - 2000).
- Ministry of Economy, Member of the Egyptian Government Committee in charge of reforming the legal regime of the Capital Market Committee presided by Dr. Youssef Botros Ghali (Current Minister of Finance) (1998-2000).

- Registered as Arbitrator and Panelist in the special Roster of the Dispute Settlement Body of the World Trade Organization.
- Associate Member of the Chartered Institute of Arbitrators (London).
- Ministry of Justice, Member of the Legislative Committee responsible for amending the Investment Law (2003).
- Council of Ministers, Member of the Legislative Committee responsible for amending the Companies Law (2003).
- Chairman of two subcommittees at the Economic Committee of the Supreme Council responsible for drafting the Companies Law and the Economic Courts Law (2002-2005).
- Member of the Advisory Committee of the Arab Regional Forum of the International Bar Association (2007 to present)
- Member of the Scientific Council of the ICC World Business Law Institute (2005 to present).
- Professor of Private International Law and Deputy Director of the *Centre René-Jean Dupuy pour le Droit et le Développement, Alexandria, Egypt* (1999 to 2003).
- **Professor of Commercial and Business Law and Head of the Business Law Department at the German University in Cairo (2003 to present).**

- Member of the Board of Trustees and the Executive Committee of the Dubai International Arbitration Centre (DIAC) (2008 to present)

EXPERIENCE:

- Training course for six months in Crocker National Bank in London in 1976 to study the technical methods for new financial transactions in the International Financial Markets.
- Training course for six months in Wells Fargo Bank in 1977 at San Francisco focused on creating leaders in the field of finance and banking and evaluation of projects in need of economic and technical support in addition to practical training in the technicalities of Banking Operations.
- Associate in one of the famous International Law Firms in New York City "Paul Weiss, Rifkind, Wharton & Garrison" during 1983 and 1984, during which he was charged to work on corporate finance agreements, capital market transactions, investment agreements and establishment of new companies.
- Lecturer, organizer and coordinator of the scientific conferences and training programs financed by the German Arab Chamber of Commerce and Industry since 1989, and some of them in cooperation with the International Chamber of Commerce in Paris. Participants in the training programs are judges, Council of State members, State counsels, legal advisors and counselors of Public and Private Companies concerning the following subjects:

1. *Arbitration in commercial agency contracts* - 1989.
 2. *The role of the national legislation in encouraging foreign investments and Arbitration* - 1990.
 3. *Arbitration concerning agreements established for joint ventures between nationals and foreign parties* - 1991.
 4. *Negotiating and contracting in the field of the transfer of technology* - 1991.
 5. *Legal aspects of privatization in the Egyptian public sector companies* - 1992.
 6. *Conflict resolution in connection with take-over of companies* - 1992.
 7. *Negotiating and contracting in the field of industrial licenses and trademarks* - 1993.
 8. *Arbitration in the field of disputes concerns contracts of importation, exportation and transportation of goods* - 1993.
 9. *Arbitration in the field of the transfer of technology contracts* -1994.
 10. *Negotiating and contracting in the construction field* - 1994.
 11. *Arbitration in the field of industrial licenses and commercial agencies* - 1995.
 12. *Negotiating and contracting in BOT contracts* - 1995.
 13. *Arbitration in the field of oil and gas contracts* - 1996.
- Lecturer in the training courses held by the International Development Law Institute (IDLI) established in Rome under an international convention - in which Egypt is adhered - during 1995-1996 concerning investments, transfer of technology and international contracts.

- Lecturer in the training program organized by the International Development Law Institute (IDLI) in cooperation with the Yemeni Government in Sanaa to train governmental officials within the framework of the activities of the Ministry of Planning during May 1997 in the fields of investment and international transactions.
- Member of the IDLI and the U.S. Government delegation to the Sultanate of Oman within the framework of the American assistance program for Legal Reform during the months of January and April 1999.
- Speaker on "the Practical and Broader issues facing arbitrators in electricity and petroleum agreements" at the third international conference on "International Energy (Electricity and Petroleum) Agreements and Settlement of Related Disputes" organized by the Cairo Regional Centre for International Commercial Arbitration, the Egyptian Ministry of Petroleum, the World Bank and its International Centre for Settlement of Investment Disputes in Alexandria-Egypt on the 14th and 15th of June 1999.
- Lecturer and technical advisor in the training program organized by IDLI in cooperation with the Counsel of State of the Sultanate of Oman in Muscat to train governmental officials including judges in the Sultanate during the month of October 1999 in the fields of legislation, investments, international trade law and negotiations.
- Expert participant in the Seminars held by the United Nations Conference for Trade and Development in Geneva in 2000 and 2001 concerning the methods to resolve conflicts under the World Trade Organization

Agreements.

- Lecturer on World Trade Organization Agreements and Dispute Resolutions System at the Conference on Electronic Trade held in Cairo by the Association of Egyptian Bankers and Bank Misr on the 14th of June, 2000.
- Lecturer at the training program held at the National Center for Judicial Studies (Egyptian Ministry of Justice) on the 25th of June, 2000 on World Trade Organization Agreements and Dispute Resolutions System.
- Lecturer and National Coordinator in a three weeks training program organized by IDLI in Cairo in cooperation with Egyptian Ministry of Justice and Centre René-Jean Dupuy for Law & Development, Université internationale de langue française au service du Développement africain, Alexandrie d'Egypte, (SENGHOR UNIVERSITY) to train Arab and African legal advisors during June 2000 in the field of World Trade Organization Agreements and Dispute Resolutions System.
- Member of the IDLI and the U.S. Government delegation to the Sultanate of Oman within the framework of the American assistance program for Legal Reform during the month of September 2000.
- Lecturer and technical advisor in the training program organized by IDLI in cooperation with the Ministry of Commerce and Industry of the Counsel of State of the Sultanate of Oman in Muscat to train governmental officials including judges in the Sultanate during the month of March 2001 in the fields of International Conventions and World Trade

Organization Agreements.

- Speaker on "drafting of gas agreements" at the fourth international conference on "International Energy (Oil and Gas) Agreements and Settlement of Related Disputes" organized by the Cairo Regional Centre for International Commercial Arbitration, the Egyptian Ministry of Petroleum, the World Bank and its International Centre for Settlement of Investment Disputes in Sharm El Sheikh-Egypt on the 9th and 10th of March 2002.
- Speaker at the fourth ministerial training workshop on "The Rules-Based System of the World Trade Organization" organized by the International Development Law Institute (IDLI) and the Moroccan Ministry of Justice in Marrakech from the 2nd until the 13th of September 2002.
- Lecturer at the training programs held at the National Center for Judicial Studies (Egyptian Ministry of Justice) in 2002, 2003 and 2004 on "Arbitration and Dispute Settlement".
- Visiting Professor at Ain Shams Law School Arbitration Center in 2004, 2005, 2006, 2007 and 2008 on "Arbitration Agreements", "Egyptian Contract Law" and "Oil and Gas Arbitrations".

EXPERT TESTIMONY:

Dr. Riad has been appointed as expert on Egyptian Law in arbitrations and in front of foreign Courts in the United Kingdom as well as giving expert testimony in front of US Courts including United States District Court - Southern District of

New York - (Cases no. 98 Civ. 4260 (LAK), 99 Civ. 12405, 00 Civ. 5098 and 1:06-cv-03927(SAS) ECF CASE) and United States District Court Western District of Washington at Seattle (Case no. C07-1816 JLR).

ARBITRATION IN WHICH DR. RIAD PARTICIPATED:

Dr. Riad has participated in numerous arbitrations as Counsel, Co-Arbitrator, Sole Arbitrator or Chairman either in front of the International Chamber of Commerce or other organizations or Adhoc as indicated herein-after

(A) ICC Arbitrations:

- Arbitration Case No. 8751.

- Arbitration Case No. 8808.

- Arbitration Case No. 7954.

- Arbitration Case No. 8095.

- Arbitration Case No. 12089/ms.

- Arbitration Case No. 12907/MS.

- Arbitration Case No. 13942/EC.

- Arbitration Case No. 8900/HV/AMW/BWD.

- Arbitration Case No. 15391/FM.
- Arbitration Case No. 16643/EC/ND.

(B) Ad Hoc Arbitration Cases, Arbitrations in front of the Cairo Regional Arbitration Center , the Dubai International Arbitration Centre and Abu Dhabi Arbitration Center:

- Case No. 25 in front of Cairo Center (NEEASAE v. PHILIPS).
- Case concerning the Arbitration between Domina Vacanze S.P.A V. North Of Marsa Alam of Tourism Co. (Normaco) S.A.E.
- Case concerning the arbitration of the Army Force of the National Service Organization v. General Export (Yugoslavia) - Private Arbitration Organization held in Zurich (Switzerland).
- Case concerning the arbitration of the Engineering Consulting Office of Hamza & Partners v. Golden Pyramids Plaza Company in front of Cairo Center.
- Case concerning the arbitration of El-Yossre Milling & Food Industries v. Mashine –und Muhlenban Wittenberg GMBH (MMW) in front of Cairo Center.
- Case concerning the arbitration of Skanska Cementation International Limited and Sony Broadcast and Professional Europe in a consortium known as the Fourth Consortium v. Egyptian Media Production City Company S.A.E. in front of Cairo Center.
- Case concerning the arbitration of El-Rehab Saudi – Egyptian Company S.A.E. vs. Crown Iron Works Company in front of Cairo Center.
- Case concerning the arbitration of Al-Imad For Investments L.L.C. & Al

Asimah for Hospitality & Tourism Services L.L.C. vs. Sol Melia S.A. in front of Cairo Center.

- Case concerning the arbitration of Morrison Knudsen International, Inc./Contrack International, Inc. JV v. NOPWASD.
- Case no. 300/2002 concerning the arbitration of Telemedia Egypt vs. Egyptian Telecommunication Company.
- Case no. 411/2004 concerning the Organization for Industrial and Mining Projects v. Joy mining Machinery Limited.
- Case concerning the Arbitration of Petroleum Gas Company (Petrogas) v. MTH FULLTEECHNI GESELLSCHAFT M.B.H.
- Case no. 494/2006 ad hoc concerning the arbitration of TRADEX Corporation LLC v. International Chemicals Company.
- Case No. 507/2006 concerning the arbitration between Roots Company for Trade (Mr. Mohamed Kamel Abdelrahman El-Maraghy) v. the National Bank of Egypt.
- Case No. 529/2007 concerning the arbitration between Inventors Anteriors International v. SIEMENS Limited Co. – Egypt, Industrial Solutions and Services.
- Case No. 481/2006 In front of Cairo Regional Center, The Universal Company for Cellulose Products "Egycel" (Egypt) VS. Joseph Meissner GmbH & Co. KG (Germany)
- Case No. 553/2007 concerning the arbitration between Mazhar Company for Trade and Supply v. the National Authority for Space

Sciences.

- Case no. 507/2006 concerning Rotes Company vs. the National Bank of Egypt and others.
- Case No. ARB 41/2007 concerning the arbitration between Base Concept AML Ltd v. Aujun Establishment (Dubai).
- Case No.5/2007 the National Investor PJSC against Tamweel PJSC (Abu Dhabi).
- Case No. 52/2008 concerning the arbitration between ARTEC Architectural of Engineering Consultants and Bonyan International Investment Group LLC.
- Arbitration case No. 662/2010 Transocean Mediterranean & Red Sea Drilling LTD vs. Petzed Investment Project Management LTD

LANGUAGES: Arabic, English & French

BOOKS AND PUBLICATIONS:

BOOKS:

- *"The Applicable Law in Transnational Arbitrations"* (Harvard 1985).
- *"Introduction to Egyptian Law"* (German University Press 2004).
- *"Egyptian Companies Law"* (German University Press 2005).

PUBLICATIONS:

- "Protection of Foreign Investment" *Egyptian Journal of International Law* - 1983.
- "The changing role in the arbitration process" *Foreign Investment Law Journal - ICSID Review*, Volume 1 - 1986 (Co-author with Dr. Ahmed S. El-Kosheri).
- "The Law governing a New Generation of Petroleum Agreements:

- Changes in the Arbitration Process" *Foreign Investment Law Journal - ICSID Review*, Volume 3 - 1988 (Co-author with Dr. Ahmed S. El-Kosheri).
- "Doing Business in Egypt" *Yearbook of Islamic and Middle Eastern Law*, Volume 5 - 1998-1999.
 - "Arbitration & Legal Business Environment in Egypt" *Journal of International Arbitration (France)*, Vol. 17 No. 5 – October 2000.
 - "Arbitration in Civil and Commercial Matters in Egypt" *Yearbook of Islamic and Middle Eastern Law (Kluwer Law International)*, Volume 6 - 1999-2000.
 - "World Trade Organization Dispute Settlement System" *Senghor University* - 2000.
 - "Commercial Arbitration in Egypt" *International Arbitration Law Review*, vol. 3 – December 2000.
 - "Physician Responsibility in medical practice in Egypt" *Egyptian Medical Magazine* – November/December 2000.
 - "The Investment Legal Environment in Egypt in the new Millennium" *Arab Law Quarterly (Kluwer Law International)* - May 2001.
 - "The Settlement of International Investment Disputes" *Handbook on Dispute Settlement* (United Nations Conference on Trade and Development.) – 2002.
 - "The Investment and Business Laws of Egypt" *Yearbook of Islamic and Middle Eastern Law (Kluwer Law International)*, Volume 9, 2004.
 - "Egyptian Business and Commercial Laws" *Yearbook of Islamic and Middle Eastern Law (Brill Academic Publishers) (Leiden/Boston)*, Volume 12, 2006.

- "The Issue of Interest in Middle East Laws and Islamic Law" (*ICC world Business Law Institute Annual Meeting November 2007*).
- "Contracts in the Middle East and Islamic Law" (*German University press 2008*).

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