



INTERNATIONAL COURT OF ARBITRATION® | INTERNATIONAL CENTRE FOR ADR | LEADING DISPUTE RESOLUTION WORLDWIDE

CASE N° 20910/ASM

## 2012 RULES ICC ARBITRATOR STATEMENT ACCEPTANCE, AVAILABILITY, IMPARTIALITY AND INDEPENDENCE

Family Name(s): Von Wobeser Hoepfner

Given Name(s): Claus Werner

Please tick all relevant boxes.

### 1. ACCEPTANCE

#### Acceptance

I agree to serve as arbitrator under and in accordance with the 2012 ICC Rules of Arbitration ("Rules"). I confirm that I am familiar with the Rules. I accept that my fees and expenses will be fixed exclusively by the ICC Court (Article 2(4) of Appendix III to the Rules).

#### Non-Acceptance

I decline to serve as arbitrator in this case. (If you tick here, simply date and sign the form without completing any other sections.)

### 2. AVAILABILITY

I confirm, on the basis of the information presently available to me, that I can devote the time necessary to conduct this arbitration diligently, efficiently and in accordance with the time limits in the Rules, subject to any extensions granted by the Court pursuant to Articles 23(2) and 30 of the Rules. I understand that it is important to complete the arbitration as promptly as reasonably practicable and that the ICC Court will consider the duration and conduct of the proceedings when fixing my fees (Article 2(2) of Appendix III to the Rules). My current professional engagements are as below for the information of the ICC Court and the parties.

#### Principal professional activity

(e.g. lawyer, arbitrator, academic): Lawyer, Arbitrator

Number of currently pending cases in which I am involved (i.e. arbitrations and activities pending now, not previous experience; additional details you wish to make known to the ICC Court and to the parties in relation to these matters can be provided on a separate sheet):

	As tribunal chair / sole arbitrator	As co-arbitrator	As counsel
Arbitrations	1	8	6
Court litigation	Not applicable	Not applicable	

Furthermore, I am aware of commitments which might preclude me from devoting time to this arbitration during the following periods (*please provide details regarding such periods below or on a separate sheet*):

I have hearings in the following months. However, it does not prevent me from devoting all my efforts and time to this case.

The hearings that I have scheduled in the following months will take place on:

May 24-31

June 7-10

July 26-31

### 3. INDEPENDENCE and IMPARTIALITY

(*Tick one box and provide details below and/or, if necessary, on a separate sheet*)

In deciding which box to tick, you should take into account, having regard to Article 11(2) of the Rules, whether there exists any past or present relationship, direct or indirect, between you and any of the parties, their related entities or their lawyers or other representatives, whether financial, professional or of any other kind. Any doubt must be resolved in favour of disclosure. Any disclosure should be complete and specific, identifying *inter alia* relevant dates (both start and end dates), financial arrangements, details of companies and individuals, and all other relevant information.

- Nothing to disclose:** I am impartial and independent and intend to remain so. To the best of my knowledge, and having made due enquiry, there are no facts or circumstances, past or present, that I should disclose because they might be of such a nature as to call into question my independence in the eyes of any of the parties and no circumstances that could give rise to reasonable doubts as to my impartiality.
- Acceptance with disclosure:** I am impartial and independent and intend to remain so. However, mindful of my obligation to disclose any facts or circumstances which might be of such a nature as to call into question my independence in the eyes of any of the parties or that could give rise to reasonable doubts as to my impartiality, I draw attention to the matters below and/or on the attached sheet.

**Use one of the following options to sign the document:**

- 1) Copy your signature from a Word document and paste it in this form.
- 2) Draw your ink signature ([click here for further assistance](#)).
- 3) Add your electronic signature.
- 4) Print the form, sign it and scan it.

Date: 7 May 2015

Signature: \_\_\_\_\_



Disclaimer: The information requested in this form will be considered by the ICC for its Dispute Resolution Services, and will be stored in case management database systems. Pursuant to the French Law on "Informatique et Libertés" of 6 January 1978, particularly Articles 32 and 40, you may access this information and ask for rectification by writing to the Court's Secretariat.

**Annex to the Declaration**

**ICC Case no. 20910/ASM AUTORIDAD DEL CANAL DE PANAMA (Panama) vs/ GRUPOS UNIDOS  
POR EL CANAL, S.A.**

I confirm that there are no circumstances which could lead to any of the parties in this arbitration to question my independence or impartiality of judgement in this case. In addition to the previous, I have not had any professional relationship with the parties to this arbitration other than my appointment to act as arbitrator by GRUPOS UNIDOS POR EL CANAL, S.A. in the ICC case No. 20911.

Notwithstanding the previous, solely for matters of transparency, I wish to inform the parties and the ICC International Court of arbitration of the following:

Both, Claimant's and Respondent's counsel in this arbitration are important law firms active in international arbitration and therefore I have had and have professional relationship with both law firms.

As well I was appointed by Panama in an ICSDI arbitration which has already concluded.

These specific circumstances do not in any way affect my impartiality of judgement in the present arbitration.

In the light of the previous, I confirm my availability to act as Co-Arbitrator to the present arbitral proceeding.

Signature:  \_\_\_\_\_

Date: May 7, 2015

Claus von Wobeser