The American Review of International Arbitration is devoted to the study of laws relating to international arbitration and litigation throughout the world. To that end, it promotes and sponsors the publication of books, commentaries, articles, periodicals and conferences on these subjects. The publisher of the Review also publishes the eight-volume Smit Guides to International Arbitration and Smit & Pechota, World Arbitration Reporter.

The Editor-in-Chief of the Review is Hans Smit, Stanley H. Fuld Professor of Law, Columbia University. He can be reached at:

Hans Smit  
Stanley H. Fuld Professor of Law  
Columbia Law School  
435 West 116th Street  
New York, New York 10027  
Tel: (212) 854-2693; Fax (212) 222-4256  
E-mail: hsmit@law.columbia.edu

MANUSCRIPTS

The American Review of International Arbitration invites the submission of unsolicited manuscripts. They should be double-spaced with footnotes that conform to the latest edition of A Uniform System of Citation. Manuscripts may be submitted as an e-mail attachment in IBM-compatible Word, or on diskette. The Review regrets that manuscripts cannot be returned unless they are accompanied by a self-addressed, stamped envelope. Send all correspondence to:

Elizabeth H. Cooper, Managing Editor  
The American Review of International Arbitration  
Columbia Law School  
435 West 116th Street  
New York, New York 10027  
Tel: (212) 854-3971; Fax (212) 222-4256  
E-mail: ecooper@law.columbia.edu

订阅

The Review is published quarterly. The subscription rate is U.S. and Canada $302. All other foreign Subscriptions $370 and are renewed automatically unless notice of termination is given. Address changes should be sent at least 45 days before the date of the issue with which they are to take effect. The post office will not forward copies unless you provide extra postage; there is a charge for duplicate copies. Subscription queries and address changes should be directed to:

Juris Publishing, Inc.  
71 New Street  
Huntington, NY 11743  
Tel (631) 673-3330; (631) 350-0200; Fax (631) 673-9117  
For calls outside the U.S. and Canada: (631) 673-3330

ISSN 1050-4109  
Copyright © 2006 by Hans Smit and Juris Publishing, Inc.
ARTICLES

THE FEDERAL ARBITRATION ACT: RISKS AND INCONGRUITIES RELATING TO THE ISSUANCE OF INTERIM AND PARTIAL AWARDS IN DOMESTIC AND INTERNATIONAL ARBITRATIONS

James M. Gaitis

PLANNING FOR COMMERCIAL DISPUTE RESOLUTION IN MAINLAND CHINA

Joseph T. McLaughlin
Kathleen M. Scanlon
Catherine X. Pan

“ARBITRAL FORUM SHOPPING”: OBSERVATIONS ON RECENT DEVELOPMENTS IN INTERNATIONAL COMMERCIAL AND INVESTMENT ARBITRATION

Richard H. Kreindler

THE EFFECT OF AN ARBITRAL AWARD AND THIRD PARTIES IN INTERNATIONAL ARBITRATION: RES JUDICATA REVISITED

Stavros Brekoulakis

NOTES & COMMENTS

THE TIME IS RIPE FOR THE U.S. SUPREME COURT TO BURY THE MISCONCEIVED DOCTRINE OF MANIFEST DISREGARD OF THE LAW

Hans Smit

* A cumulative table of contents for Volume 16 will appear at the back of the final issue of this year.
THE AMERICAN REVIEW
OF
INTERNATIONAL ARBITRATION

EDITOR-IN-CHIEF
HANS SMIT

MANAGING EDITOR
ELIZABETH H. COOPER

SENIOR STUDENT EDITORS
JOSEPH BRUBAKER, JERRY DEL AMO, STEVE EDWARDS, JASON KRAUSE, GUSTAVO LABORDE, MARIA LUINA, JEANETTE MANAUSA, JORGE PRUNEDA, CLYDE TINNEN

STUDENT EDITORS
OWEN FOSTER, BRIAN GATTA, MINJI KIM, TAEHUN KIM, ERIC MIN, BENJAMIN MCANANEY, EVAN NEWMAN, LATEEF NURMOHAMED, MICHAEL PINEIRO, VINICIUS PRADO, ERIC REQUENEZ, BENJAMIN WHETSELL, KYLE ZIPES, QIANWEI ZHOU

BOARD OF ADVISORS

GIORGIO BERNINI
HORACIO A. GRIGERA NAÓN
BERNARD HANOTIAU
J. MARTIN H. HUNTER
NEIL KAPLAN
SERGEI N. LEBEDEV
PIERRE MAYER
WERNER MELIS
MICHAEL CHARLES PRYLES
CLAUDE REYMOND
OTTO SANDROCK
TOSHIRO SAWADA
VINCENZO VIGORITI

President, International Council for Commercial Arbitration
International Arbitrator and Legal Consultant
Partner, Hanotiau & van den Berg, Brussels
Barrister, London and Professor, Nottingham Law School
Chair, Hong Kong Int’l Arbitration Centre
President, Maritime Arbitration Commission, Moscow
Professor, Université de Paris I — Sorbonne, Paris
Chairman, Arbitral Centre of the Federal Economic Chamber, Vienna
President, Australian Centre for Int’l Commercial Arbitration
Professor, University of Geneva
Professor, University of Muenster
Vice-Chair, ICC Int’l Court of Arbitration
Professor, University of Florence