

David L. Kreider, Esq.
Independent International Arbitrator

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Nationality: American, New Zealander

Born: 1956, Ohio, USA

Appointments to Arbitral Panels: AAA/ICDR (New York); CIETAC (Beijing); BJAC (Beijing); SHIAC (Shanghai); SCIA (Shenzhen); CAA (Taipei); HKIAC (Hong Kong); SIAC (Singapore); ACICA (Sydney); AMINZ (Auckland); DIAC (Dubai); KCAB (Seoul); KLRCA (Kuala Lumpur); BCICAC (British Columbia); WIPO (Geneva)

Arbitration Experience: Presiding or co-arbitrator in numerous cross-border arbitration references, including ICC, HKIAC, SIAC and ICDR administered and *ad hoc* proceedings:

Arbitration highlights:

- Appointed in related proceedings as sole arbitrator and as chairman, respectively, in a complex IP licensing dispute between Singaporean and P.R. China parties, under an agreement requiring that the arbitrator be "*bilingual in both Chinese and English*".
- Chaired an SIAC reference and drafted the award in a dispute between Australian and Malaysian parties to a software distribution and licensing agreement requiring that the arbitrator "*must have recognised expertise in information technology*".
- Appointed co-arbitrator and rendered award in a substantial *ad hoc* arbitration in Hong Kong under the UNCITRAL Arbitration Rules (1976).
- Appointed co-arbitrator by the ICDR in a dispute seated in New York between Singaporean and Canadian parties under a technology distribution and licensing agreement.
- Appointed co-arbitrator in a substantial ICC M&A arbitration in Hong Kong, arising under an agreement by a European party to acquire a Chinese telecommunications value added services ("VAS") provider.

- Appointed sole arbitrator by the SIAC in a dispute arising under an agreement between a Singaporean Internet services provider ("ISP") and a Singaporean hotel management company for the installation of a voice over Internet protocol ("VoIP") communications network.
- Rendered more than 20 decisions as sole or presiding panelist in Internet domain name disputes, both in English as well as in Chinese.

Education:

- Chartered Institute of Arbitrators' Diploma in International Commercial Arbitration (2007)
- Juris Doctor, University of Miami School of Law (1981)
- Bachelor of Arts, East Asian Studies, Muhlenberg College (1978)
- Oberlin-in-Taiwan Intensive Program in Chinese Studies (1975-76)

Bar Admissions: England and Wales (2000); Hong Kong (1999); California (1992); District of Columbia (1987); New Jersey (1986); New York (1985); Florida (1981)

Present Position: Full-time Independent International Arbitrator (Chartered)

Professional Experience:

- Legal Director, Vodafone New Zealand (2005-2013)
- General Counsel, China Mobile (1999-2004)
- Counsel, Sidley Austin Brown & Wood (1997-1998)
- Director of Corporate Finance, Hong Kong Securities & Futures Commission (1995-1997)
- Branch Chief, Enforcement Division, United States Securities and Exchange Commission (1992-1994)
- Associate, Pillsbury Winthrop Shaw & Pittman LLP (1984-1992)
- Associate, Kaplan, Jaffe & Gates (1981-1984)

Areas of Specialization: Telecommunications; Information Technology; Securities; Finance & Banking; Intellectual and Industrial Property

Professional Associations:

- Appointed to the New Zealand Markets Disciplinary Tribunal, which hears and determines matters relating to the conduct of parties regulated by the NZX Participant Rules, the NZX Listing Rules, the NZX Derivatives Market Rules and the Clearing and Settlement Rules of New Zealand Clearing Limited (2013-present)
- Chartered Arbitrator / Fellow / Panel Arbitrator, The Chartered Institute of Arbitrators (2006 - present)
- Director / Arbitrator, American Arbitration Association (2010-present)
- Director / Arbitrator, Australian Centre for International Commercial Arbitration (2011-present)
- International Council for Commercial Arbitration
- Association Suisse de l' Arbitrage
- London Court of International Arbitration, Asia Pacific Users' Council
- Fellow, Hong Kong Institute of Arbitrators
- Fellow (Arbitration), Arbitrators' and Mediators' Institute of New Zealand

Publications:

- *Managing Offshore Arbitration Proceedings -- Selecting the Arbitrator*, paper presented at Asia Pacific Regional Arbitration Group Conference, 27-29 June 2013, Beijing.
- *The Right Clauses for Your Client's Next Big Deal -- How to Draft an International Disputes Clause*, paper presented at Arbitrators' and Mediators' Institute of New Zealand Annual Conference, 2-4 August 2012, Wellington.
- *A Corporate General Counsel's Perspective on Arbitration*, paper presented at Arbitrators' and Mediators' Institute of New Zealand Annual Conference, 4-6 August 2011, Auckland;
- *Dispute Resolution Practices in the Chinese Telecommunications Industry*, Asian Dispute Review, October 2007.
- *New Zealand's Telecommunications Industry Volunteers a Dispute Resolution Scheme for Consumers*, Asian Dispute Review, January 2007.

Languages:

- English (native)
- Mandarin Chinese (fluent) - attained a score of Intermediate Level, Grade B in the official Hanyu Shuiping Kaoshi standardised Chinese language qualification examination, requiring a knowledge of 2,194 individual Chinese characters and 5,257 Chinese words
- Japanese (working knowledge)