

2004 Willem C. Vis International Commercial Arbitration Moot Report

In April 2004, a team from NYU School of Law participated for the first time ever in the Willem C. Vis International Commercial Arbitration Moot. The team consisted of Abhishek Mathur and Nina Giuliano (participants), David Feirstein and Meera Pradhan (researchers). Yulia Andreeva and Karsten Kristoffersen acted as coaches.

136 law schools from 42 countries and nearly 800 students participated in the Moot in 2004. The United States alone was represented by dozens of law schools, and amongst others, by Columbia Law School, Harvard, Duke, and Cornell. The Moot is perhaps the only competition in which such an unprecedented number of universities take part. The competition was judged by over 300 renowned practitioners and law professors from around the world.

Starting in September 2003, the members of the NYU team began preparation for the competition. Researching and writing the 50 page briefs for Claimant and Respondent was the easy part, comparatively; mastering the facts of the case and the nuances of arbitration required more perseverance. The style of arbitration differs from that of litigation; it is more subtle and casual and not as intuitive to American trained students.

The trip to Vienna in April 2004 was the culmination of a contest in which the students were required to act as counsel in a fictitious commercial dispute between parties from different countries. The NYU counsel, Abhi and Nina, pleaded in four consecutive rounds before distinguished panels of arbitrators from different jurisdictions. The students argued against very strong teams from the Universities of Zurich (Switzerland), Kiel (Germany), Monterrey (Mexico) and Pristina (Yugoslavia). Despite the enormous pressure, the team handled the task competently and masterfully. In the meantime, Yulia juggled coaching the team and serving as one of the competition's youngest arbitrators.

NYU made an impressive debut at the Moot. Although the team did not advance to amongst the 32 teams selected for the elimination rounds, Abhi and Nina defeated 3 of our 4 competitors and tied with the last, the much-feared Zurich team. The arbitrators complimented the students extensively on their team work. Importantly, the students greatly improved their skills and knowledge of arbitration and sales law and "fell in love" with the Moot. Undoubtedly, the Moot was a unique professional and cultural experience for the team.

The NYU team would like to thank the Hauser Global Law School Program, the Institute for International Law and Justice, Professors Clayton Gillette, Benedict Kingsbury and Andreas Lowenfeld for their continuous support and encouragement.