

Peter Bowman Rutledge
University of Georgia School of Law
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EDUCATION

University of Chicago Law School, 1994-97

J.D. with High Honors

Order of the Coif; Tony Patiño Scholar; Executive Editor, *The University of Chicago Law Review*

University of Aberdeen (Scotland), 1993-94

M. Litt. in Applied Ethics

Rotary International Ambassadorial Scholar

Harvard University, 1988-1992

B.A. *magna cum laude* in Government

ACADEMIC APPOINTMENTS

University of Georgia School of Law

Dean, Jan. 2015-Present

Associate Dean for Faculty Development, 2013-14

Herman E. Talmadge Chair of Law, 2012-Present

Professor of Law, 2011-12

Associate Professor of Law, 2008-11

Courses:

International Litigation, Civil Procedure, International Arbitration, Appellate Litigation Clinic

Law School Service:

Chair, Clerkship Committee (2008-2010, 2011-2014)

Chair, Colloquium Committee (2013-2014)

Member, Faculty Recruitment Committee (2009-2010, 2013-14)

Member, International Programs Committee (2010-2011)

University Service:

Chair, College of Pharmacy Dean Search Committee (2017-18)

Member, University General Counsel Program Review Committee (2017-18)

Chair, University General Counsel Search Committee (2013-14)

Honors:

John C. O'Byrne Award for advancing Faculty/Student Relations (2009, 2015)

Faculty Marshal (2014)

University of Vienna Law School (Austria)

Fulbright Visiting Professor of Law, 2010-11

Catholic University of America

Associate Professor of Law, 2003-08

Courses:

International Litigation, International Arbitration, Criminal Law, Criminal Procedure

Law School Service:

Clerkship Committee (Chair) (2003-2008)

Honors:

Professor of the Year (2004-2007)

Faculty Marshal (2006)

OTHER PROFESSIONAL EXPERIENCE

Wilmer, Cutler & Pickering, 2001-2003

Associate: Drafted briefs, motions and pleadings in Supreme Court and lower court litigation

Freshfields Bruckhaus Deringer (Austria), 1999-2001

Associate: Drafted pleadings and advised clients in German and English in ICC and other arbitrations

Supreme Court of the United States, 1998-1999

Law clerk to Associate Justice Clarence Thomas

United States Court of Appeals for the Fourth Circuit, 1997-1998

Law clerk to Chief Judge J. Harvie Wilkinson III

SUPREME COURT AND APPELLATE LITIGATION EXPERIENCE

- Briefed and Argued as *Amicus Curiae* appointed by the Supreme Court in successful defense of the judgment below in *Irizarry v. United States*, 553 U.S. 708 (2008)
- Filed over thirty briefs, *amicus* briefs and petitions in the Supreme Court of the United States for corporations, industry associations and individuals in areas including international dispute resolution, arbitration and criminal law
- Filed over thirty-five briefs in federal appellate courts and state supreme courts on behalf of companies, industry associations and individuals in areas including international dispute resolution, arbitration, torts and criminal law

ARBITRATION EXPERIENCE

- **Sole arbitrator**, US\$ 5 million licensing dispute under the ICDR Rules
- **Sole arbitrator**, US\$ 16 million licensing dispute under the WIPO Rules
- **Listed Arbitrator**, ICDR, LCIA, VIAC, ICC, WIPO
- **Delegate**, AAA Delegation to the UNCITRAL Working Group on Arbitration (2008-2012)
- **Director**, Atlanta International Arbitration Society (2011- Present)
- **Member**, Institute of Transnational Arbitration, Academic Council (2009-2012)

REPRESENTATIVE EXPERT EXPERIENCE

- Consulting expert on enforceability of a forum selection clause to a commodities company
- Consulting expert on enforceability of an arbitration clause to a financial services company
- Consulting expert on international discovery to a major airport services corporation in an international bid dispute
- Consulting expert on choice of law in arbitration to a major international bank
- Consulting expert on sovereign immunity to investors in suit against foreign government
- Consulting expert on enforcement of arbitration award to several European corporations
- Consulting expert on enforceability of an arbitration clause to a foreign government
- Consulting expert on international service of process for a German telecommunications company
- Consulting expert on sovereign immunity and diplomatic immunity to international business consortium

PUBLICATIONS

Books

- Arbitration and the Constitution (Cambridge University Press) (2013)
- International Civil Litigation in United States Courts (4th, 5th & 6th eds.) (Aspen) (with Gary Born)

Book Chapters

- United States Arbitration Law, in *Practitioner's Handbook on International Arbitration* (2d & 3d eds.) (Oxford University Press) (with Rachael Kent and Christian Henel)
- An Empirical Assessment of Arbitration Clauses in Credit Card Agreements, in *Beyond Elite Law: Access to Civil Justice in America* (Cambridge University Press 2016)
- The Proportionality Principles and the (Amount in) Controversy, in *American Illness* (Yale University Press 2013)
- Forum Shopping in International Arbitration: *Forum Non Conveniens* and Lack of Personal Jurisdiction, in *Forum Shopping in the International Arbitration Context* (Seiler 2013)
- Guerilla Tactics at International Courts and Institutions, in *Guerilla Tactics in International Arbitration* (Kluwer 2013)
- Schiedsgerichte in Nordamerika, in *Hamburger Handbuch des Exportwirtschaftsrechts* (1st & 2d eds.) (with I. Hanefeld)
- Zugang zum Hoehstgericht aus Sicht der USA, in *Zugang zum OGH in Zivil- und Strafsachen* (Judicial Conference of the Supreme Court of Austria) (Manz 2012)
- Post-Hague Hangover: Three Predictions About the Future of the Law Governing the Enforcement of Foreign Judgments and Arbitral Awards, in *European Union Issues from a Portuguese Perspective* (2007)
- Looking Ahead: October Term 2006, in *Cato Supreme Court Review* (2006)

Articles in Academic Journals

- *The Testamentary Foundations of Commercial Arbitrations*, 30 Ohio St. J. Disp. Res. (2015)
- *Sticky Arbitration Clauses*, 67 Vanderbilt L. Rev. 955 (2014) (with Chris Drahozal)
- *Arbitration, the Law Market and the Law of Lawyering*, Int'l Rev. L. & Econ. (2013) (with Erin O'Hara) (peer reviewed)
- *Arbitration and Profit*, 2013 B.Y.U. L. Rev. 1 (with Chris Drahozal)
- *With Apologies to Paxton Blair*, 45 N.Y.U. J. Int'l L. & Pol. 1063 (2013) (invited)
- *Arbitration Clauses in Credit Card Agreements: An Empirical Study*, 9 J. Empirical Legal Studies 536 (2012) (peer-reviewed) (with Chris Drahozal)
- *Toward a Functional Approach to the Sovereign Equality of Nations*, 53 Va. J. Int'l L. 181 (2012) (invited)
- *TRIPS and BITS: An Essay on Compulsory Licenses, Expropriation and International Arbitration*, 13 N.C. J. L. & Tech. 149 (2012) (invited)
- *Convergence and Divergence in International Dispute Resolution*, 19 J. Dis. Res. 49 (2012) (invited)
- *Samantar and Executive Power*, 45 Vand. J. Transnat'l L. 885 (2011) (invited)

Articles in Academic Journals (cont'd)

- *Contract and Procedure*, 94 Marquette L. Rev. 1103 (2011) (with Chris Drahozal)
- Samantar, *Official Immunity and Federal Common Law*, 14 Lewis & Clark L. Rev. 589 (2011) (invited)
- Arbitration and *Kompetenz*, 3 Yearbook of Arbitration and Mediation 217 (2011) (invited and peer-reviewed)
- *Decisional Sequencing*, 62 Alabama L. Rev. 1 (2010)
- Medellin, *Delegation and Conflicts (of Law)*, 17 George Mason L. Rev. 191 (2009)
- *Introduction: The Constitutional Law of International Commercial Arbitration*, 38 Ga. J. Comp. & Int'l L. 1 (2009)
- *Common Ground in the Arbitration Debate*, 1 Yearbook of Arbitration and Mediation 1 (2009) (peer-reviewed)
- *Arbitration Reform: What We Know, What We Need to Know*, 10 Cardozo J. Conflict Res. 579 (2009) (invited)
- *Who Can be Against Fairness: The Case Against the Arbitration Fairness Act*, 9 Cardozo J. Conflict Res. 1201 (2008) (invited)
- *Whither Arbitration?*, 6 Georgetown J. L & Pub. Pol'y 549 (2008)
- *Arbitration and Article III*, 60 Vanderbilt L. Rev. 1189 (2008)
- *Clerks*, 74 U. Chi. L. Rev. 369 (2007)
- *Market Solutions to Market Problems: Re-examining Arbitral Immunity as a Solution to Unfairness in Securities Arbitration*, 26 Pace L. Rev. 113 (2005) (invited)
- *Miranda and Reasonableness*, 32 Am. Crim. L. Rev. 1011 (2005)
- Apprendi, Blakely and *Federalism*, 50 S.D. L. Rev. 427 (2005) (Gunderson Lecture)
- *Toward a Contractual Approach to Arbitral Immunity*, 39 Ga. L. Rev. 151 (2004)
- *An End of Term Exam: OT 2003 at the United States Supreme Court*, 54 Cath. U. L. Rev. 151 (2004) (with N. Angarella)
- *The Standard of Review for the Voluntariness of a Confession on Direct Appeal in Federal Court*, 63 U. Chi. L. Rev. 1311 (1996) (student note)

SELECTED WORKSHOPS AND SPEECHES

2015-Present

- Opening Remarks to Women's Leadership Conference – University of Georgia Law School
- A Conversation with Justice Clarence Thomas – 11th Circuit Judicial Conference
- Arbitration and Access to Justice – New York University Law School (moderator)
- The Backlash Against TPP and TTIP – ATLAS Annual Meeting
- The FAA, Preemption and Privatization of Law – National Association of Attorneys General

2009-14

- Sticky Arbitration Terms – Columbia University Law School
- Whither Leviathan – Max Planck Institute (Heidelberg)
- Delay in Civil Proceedings – Supreme Court of Hungary
- General Jurisdiction after *Bauman* – Pepperdine Law School
- Arbitration and the Constitution – American Enterprise Institute (event featuring my book)
- Award Enforcement and the Law Market – New York University Law School
- Sticky Arbitration Terms – University of Florida Law School
- With Apologies to Paxton Blair – New York University Law School

Workshops and speeches (cont'd)

2009-14 (cont'd)

- Arbitration, the Law Market and the Law of Lawyering – George Mason University Law School
- From Custom to Cooperative Federalism – Wayne Law School
- Toward a Functional Approach to the Sovereign Equality of Nations – University of Virginia Law School
- Contract and Choice – Vanderbilt University Law School
- Judicial Assistance in International Arbitration – Vanderbilt University Law School
- Arbitration and Consumer Credit – University of North Carolina Law School
- Arbitration and Consumer Credit – University of California Davis Law School
- International Civil Litigation – University of California Davis Law School
- TRIPS and BITS – University of North Carolina Law School
- Arbitration and Consumer Credit – St. Thomas University Law School
- International Litigation: The Last Five Years – New York University Law School
- Foreign Wars – Wayne Law School
- Arbitration and the Constitution – Kansas University Law School
- Convergence in International Dispute Resolution – University of Missouri Law School
- Arbitration and the Constitution – University of Oslo Law School (Norway)
- International Arbitration – University of Ravenna (Italy)
- Judicial Assistance in Int'l Arbitration – University of Stockholm (Sweden)
- The Proportionality Principle and the (Amount in) Controversy – Oxford University Law School
- Arbitration and the Constitution – Lauterpacht Centre for International Law, Cambridge University
- Arbitration and the Constitution – London School of Economics
- *Samantar* and Executive Power – Vanderbilt University Law School
- Comparative Civil Procedure – University of Malta Law School
- Int'l Dispute Resolution – Mediterranean Academy of Diplomatic Studies (Malta)
- Reinvigorating the Proportionality Principle – George Mason University Law School
- Zugang zum OGH aus Sicht der USA – Austrian Supreme Court
- The Vanishing American Lawsuit – United States District Court for the Southern District of Georgia

2004-2008

- The Arbitration Fairness Act – ABA Section on Dispute Resolution
- The Future of Arbitration in the United States – Jagellonian University (Poland)
- The Arbitration Fairness Act – Cardozo Law School
- The Future of Arbitration – US Chamber Institute for Legal Reform Annual Summit
- Trends in International Dispute Resolution – National Foreign Trade Council
- Delegation and Conflicts (of Law) – DePaul University Law School
- Delegation and Conflicts (of Law) – Pepperdine University Law School
- Delegation and Conflicts (of Law) – University of Georgia Law School
- Arbitration and Article III – Washington University Law School
- Arbitration and Article III – University of Georgia Law School
- Arbitration and Article III – Willamette Law School
- Arbitration and Article III – George Washington University Law School
- Arbitration and Article III – University of Nebraska Law School
- The Role of Clerks at the United States Supreme Court – Law and Society Conference
- *Miranda* after *Dickerson*, Judicial Conference of the Court of Appeals of the Armed Forces
- Market Solutions to Market Problems – Pace Law School
- *Apprendi*, *Blakely* and Federalism – South Dakota Law School

PEER-REVIEW WORK

- Oxford University Press
- Aspen Publishers
- Stanford Law Review
- Modern Law Review
- Peer Reviewed Scholarship Marketplace (PRISM)
- Melbourne Journal of International Law
- Searle Civil Justice Institute
- Social Science and Humanities Research Council of Canada (SSHRC)
- Studies in Law, Politics & Society (Amherst College)

CONGRESSIONAL TESTIMONY

- Senate Judiciary Committee (Dec. 2013)
- Senate Judiciary Committee, Subcomm. on the Constitution: Arbitration Fairness Act (Dec. 2007)
- House Judiciary Committee, Subcomm. on Commercial and Administrative Law: Arbitration Fairness Act (Oct. 2007)

MEDIA APPEARANCES

- Regular appearances in national and local broadcast and print media on topics including the Supreme Court, international dispute resolution and arbitration

PROFESSIONAL MEMBERSHIPS

- American Law Institute (2010-present)
- Joseph Henry Lumpkin Inn of Court (2009-Present)
- Thurgood Marshall American Inn of Court (2004-2008)
- U.S. Court of Appeals for Veterans Claims, Rules Advisory Committee (2009-2013)
- U.S. Court of Appeals for the Armed Forces, Rules Advisory Committee (2005-2008)
- Maryland Bar (1999-Present)
- District of Columbia Bar (2002-Present)
- Supreme Court Bar (2002-Present)
- United States Courts of Appeals for the Second, Fourth, Seventh, Ninth and Eleventh Circuits

VOLUNTEER WORK

- **Coach**, Athens United Soccer Association (2012-14, 2017-18)
- **Chair**, Annual Fund, St. Joseph's Catholic School (2009-2010)
- **Member**, McCain for President Judicial Advisory Committee (2008)
- **Member**, Alexandria Community Criminal Justice Board, 2004-2006 (Chairman 2005-2006)
- **Treasurer**, Valley Drive Preschool (2005-2007)
- **Volunteer**, Alexandrians Living Ecumenically (2003-2008)