

## Professor Douglas Kenji Freeman, FCIArb

Attorney-At-Law (Admitted in Japan and New York)

Freeman & Partners

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### SUMMARY

One of the most experienced international arbitrators practicing in Japan, having the unique dual qualifications as a Japanese bengoshi (registered lawyer) and a New York lawyer. Served as arbitrator in over 20 cases, with total value exceeding US\$800 million, including in construction, renewable energy, and cross-border contractual and license disputes. Academic credentials include an LL.B. from the University of Tokyo and a J.D. from Columbia Law School (Editor, Columbia Law Review). Former Sullivan & Cromwell attorney, leading an independent Tokyo practice since 2007. Professor of International Commercial Arbitration at Keio University Law School and Chair of the Ciarb Japan Chapter. Frequent speaker at arbitration conferences.

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### PROFESSIONAL EXPERIENCE

<b>Freeman &amp; Partners</b>	2007 to date
International Arbitration, Litigation, Mediation and Corporate Practice	
Principal	
<ul style="list-style-type: none"> <li>• Arbitrator and counsel in international and Japanese arbitration cases</li> <li>• Advise corporate clients on legal issues and transactional matters</li> <li>• Provide expert legal opinions in arbitration and litigation cases (Japanese law/New York law)</li> </ul>	

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<b>Sullivan &amp; Cromwell LLP, New York / Tokyo</b>	2002–2007
Corporate Attorney, Corporate Finance and Financial Institutions Practice Groups	
<ul style="list-style-type: none"> <li>• Broad range of experience in securities transactions, opinion practice, banking mergers and acquisitions, regulatory work, general corporate matters, compliance and litigation</li> </ul>	

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<b>Hamada Law Office, Tokyo</b>	1997–1999
Corporate Attorney, Japanese corporate and litigation practice	
<ul style="list-style-type: none"> <li>• Counsel for Japanese and international financial institutions and corporations.</li> <li>• Experience includes drafting legal opinions, bank reorganization, litigation and non-recourse real estate investments</li> </ul>	

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<b>Mitsui, Yasuda, Wani &amp; Maeda, Tokyo</b>	1996–1997
Corporate Attorney, International finance and corporate practice	
<ul style="list-style-type: none"> <li>• Experience includes developing Japanese stock option plan, drafting joint-venture and license agreements, advising Japanese corporation on NASDAQ listing, and working with U.S. law firms in cross-border corporate transactions</li> </ul>	

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### REPRESENTATIVE ARBITRATION EXPERIENCE

- Served as presiding arbitrator of three-member tribunal in JCAA arbitration (construction dispute) between Japanese parties (2022–2023)
- Served as co-arbitrator of three-member tribunal in ICC Arbitration (construction dispute) between Japanese parties (2021–2023)
- Served as emergency arbitrator in ICC Emergency Arbitration (construction dispute) between Japanese parties (2022)
- Served as sole arbitrator in English language JCAA arbitration between Japanese and US parties with expedited proceedings (2022)

- Served as presiding arbitrator of three-member tribunal in JCAA arbitration between Japanese parties (2021–2022)
- Served as co-arbitrator in English language JCAA arbitration between Malaysia and Japanese parties (2020–2021)
- Served as presiding arbitrator of three-member tribunal in JCAA arbitration in construction dispute (largest JCAA arbitration that resulted in award) between Japanese parties (2018–2021)
- Served as sole arbitrator in JCAA arbitration between Japanese and Taiwanese parties (2019–2020)
- Served as co-arbitrator of three-member tribunal in SIAC arbitration between UAE and Japanese parties (2018–2019)
- Served as co-arbitrator of three-member tribunal in ICC arbitration between USA and Japanese parties (2018–2019)
- Served as co-arbitrator of three-member tribunal in JCAA arbitration between UK and Japanese parties (2017–2018)
- Served as co-arbitrator of three-member tribunal in ICC arbitration between Thailand and Japanese parties (2018)
- Served as mediator in JCAA mediation between Japanese and Hong Kong parties (2017)
- Served as sole arbitrator in JCAA arbitration between USA and Japanese parties (2015–2016)
- Served as co-arbitrator of three-member tribunal in ICC arbitration between USA and Japanese parties (2015–2016)
- Served as co-arbitrator for in JCAA arbitration between Japanese and British Virgin Islands parties resolved through mediation under JCAA Mediation Rules (2016)
- Served as co-arbitrator of three-member tribunal in JCAA arbitration between Japanese and Philippine parties (2014–2015)
- Served as presiding arbitrator of three-member tribunal in JCAA arbitration between Japanese and Taiwanese parties, incl. mediation proceedings under JCAA Mediation Rules (2014–2016)
- Served as sole arbitrator in JCAA arbitration between Indonesian and UAE parties (2014–2015)
- Served as sole arbitrator in ICC arbitration between Australian and Japanese parties (2013–2015)
- Served as sole arbitrator in ICC arbitration between British Virgin Islands and Japanese parties (2012–2013)
- Served as presiding arbitrator of three-member tribunal in JCAA arbitration between Japanese and Saudi Arabian parties (2013)
- Served as co-arbitrator for two ICC cases (2009–2012)
- Served as counsel on JCAA international arbitration between USA and Japanese parties (2013–2015)
- Served as party counsel on two international arbitration cases (ICC & JCAA) (2009–2012)

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#### **PROFESSIONAL EVENTS**

- Panelist at ICC Round-table: Practical Issues Related to Selection of Arbitrators (2016 ICC Japan Arbitration Summit)
- Panelist at Round-table: Arbitration Practice and Education (2018 Keio University Law School Symposium)
- Panelist at Round-table: Current Issues for US and Japanese Businesses, with a Focus on Jurisdiction (NYSBA-IS Global Conference 2019 Tokyo)
- Panelist in 1<sup>st</sup> ICC Tokyo Arbitration Day: ICC Arbitration and ADR Toward Another Centenary (April 2023)
- Guest Panelist at Global Construction Conference of Major UK Global Firm (Nov 2023)
- Moderator of JCAA Tokyo Arbitration Days Panel (Nov 2024)

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#### **TEACHING EXPERIENCE**

- Professor, Keio University Law School, International Commercial Arbitration I (CIArb RCP Membership Certification Course)
- Course Instructor for CIArb “Introduction to Mediation” course held in Tokyo (2018)
- Assessor at CIArb “Accelerated Route to Membership” courses held in Hsinchu, Taiwan (2018) and Tokyo (2017 & 2019)
- Course Instructor for CIArb “Introduction to Arbitration” course held in Tokyo (2014, 2022-2024)
- Expert Speaker for ICC Advanced Arbitration Academy Workshop in Tokyo (2024)

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#### **PROFESSIONAL QUALIFICATIONS**

Admitted to the New York State Bar, 2002  
 Admitted to the Japanese Bar, 1996  
 Qualified as CIArb Fellow, 2013  
 Qualified as SIMC Specialist Mediator (Japan), 2018

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**CURRENT PROFESSIONAL ACTIVITIES**

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Chair, CI Arb Japan Chapter (2013–)  
Professor of International Arbitration, Keio University Law School (2019–)  
Member, JCAA Procedural Advisory Committee (2014–)  
Member, JCAA Rulemaking Committee (2018–)  
Statutory Auditor (*Kansayaku*), TDK Corporation (2019–)

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**EDUCATION**

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**Columbia Law School, J.D.** 1999–2002

- Notes Editor, *Columbia Law Review*
  - James Kent Scholar & Harlan Fiske Stone Scholar
  - Shapiro Fellow in Japanese Law
  - John Hazard Fellowship, American Foreign Law Association
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**Legal Training and Research Institute, Supreme Court of Japan** 1994–1996

- Clerked for Presiding Judge Harada, Tokyo District Court (17th Civil Division) and Presiding Judge Tanaka, Tokyo District Court (11th Criminal Division)
  - Interned at Tokyo Public Prosecutor's Office and Japanese law firm.
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**University of Tokyo, Faculty of Law, LL.B.** 1986–1990

- Member of Professor Shinsaku Iwahara Commercial Law Seminar
  - Member of Professor Yoshimitsu Aoyama Civil Procedural Law Seminar
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**PUBLICATIONS**

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- Challenges of the Legal Elite (Shoji Homu, 2002)—comparative account of US and Japanese legal education systems
  - Use of ISDS Clauses to Protect International Investments (Business Homu, 2014)
  - "Effect of Arbitral Awards," Jurist Zokan (2015)
  - Thomson Reuters, Practical Law—Governing Law and Jurisdiction Clauses (Japan) (2018)
  - Thomson Reuters, Practical Law—Mediation (Japan) (2018)
  - CI Arb eSolver (monthly bulletin), Japan's New Bid Toward a Regional Dispute Resolution Hub (Sept 2018)
  - International Mediation—A New Wave in Dispute Resolution (NBL No. 1132, 2018.10.15)
  - Round-table Discussion on Revised Commercial Mediation Rules (JCA Journal, Vol. 67 No. 9, Sept. 2020)
  - The New JCAA Arbitration Rules—Japan's Attempt in Innovative Dispute Resolution (Japan Commercial Arbitration Journal, Vol. 1, 2020)
  - The New JCAA Mediation Rules and Japan's Future in International Mediation (Japan Commercial Arbitration Journal, Vol. 2, 2021)
  - Case Management in International Arbitration (Japan Commercial Arbitration Journal, Vol. 69 No. 4, April 2022)
  - Roundtable Discussion on "The Present and Future of International Arbitration and Mediation", The Rule of Law, the Japan Association of Legal Professionals (2024)
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**NATIONALITY/LANGUAGES**

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United States citizen. Native languages English & Japanese (native speaker/writer in both languages)

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