International Commercial Arbitration
Fall 2025

Thursdays from 5:30-7:30 pm

Professors:

Sashe Dimitroff, Baker Hostetler LLP
(713) 646-1320 (work)
SDimitroff@bakerlaw.com

William Russell, Reed Smith LLP
(713) 469-3634 (work)
wrussell@reedsmith.com

Assistant Professor:

Stephen R. Benz, Baker Hostetler LLP
(713) 276-1334 (work)
sbenz@bakerlaw.com

Course Materials:	No book for the course. The course packet will be emailed to the students before the first day of class Office Hours: Monday-Friday – 9:00 AM – 4:00 PM
Grading:	70% of grade will be based on a closed-book final exam that will be comprehensive and will cover the entire course material. The remaining 30% of the final grade will be tabulated based on class participation/involvement and a case-study
Attendance:	Attendance will be taken. Half a grade drop for every two unexcused absences. When attending via Zoom, students must keep cameras and audio on.
Meeting:	Please contact the professors at the above contact information to schedule a meeting if needed.

If you are experiencing any COVID-19 symptoms that are not clearly related to a pre-existing medical condition, do not come to class. Please see Student Protocols for what to do if you experience symptoms and Potential Exposure to Coronavirus for what to do if you have potentially been exposed to COVID-19.

COVID-19 Information
Students are encouraged to visit the University's COVID-19 website for important information including diagnosis and symptom protocols, on-campus testing, and vaccine information. Please check the website throughout the semester for updates.

Vaccinations

Data suggests that vaccination remains the best intervention for reliable protection against COVID-19. Students are asked to familiarize themselves with pertinent vaccine information and to consult with their health care provider. The University strongly encourages all students, faculty and staff to be vaccinated.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please contact the Justin Dart Jr. Student Accessibility Center (formerly the Justin Dart, Jr. Center for Students with Disabilities).

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Syllabus Changes

Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through (specify how students will be notified of changes).

Security Escorts and Cougar Ride

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. Our Security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called Cougar Ride that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at https://uh.edu/af-university-services/parking/cougar-ride/.

Course Syllabus

CLASS #	DATE	TOPIC	ASSIGNMENT
1	**AUG 28**	**Preliminary Considerations Bearing on the Selection of the International Arbitral Process**	**1. Coe, Chapter 1, Section 1.8** **2. Coe, Chapter 2**
2	**SEPT 4**	**The Five Stages of the International Arbitral Process**	**1. Coe, Chapter 3, Sections 3.1-3.8** 2. Ben H. Sheppard, Jr., "*Commercial Arbitration: An Overview of the Preliminary Stages of the Arbitral Process*," (hereinafter, "An Overview") **Tab 12 of Supplemental Materials Notebook, Section I**.
3	**SEPT 11**	**The Five Stages of the International Arbitral Process, continued**	**1. Coe, Chapter 6** 2. "An Overview", **Tab 12 of Supplemental Materials Notebook, Section III**
4	**SEPT 18**	**Stage I** The Making and Enforcement of the Arbitration Agreement	**1. Coe, Chapter 5, Sections 5.1-5.5** 2. The New York Convention, **Coe Appendix 42** 3. U.S. Federal Arbitration Act, **Coe Appendix 11** 4. Texas International Arbitration Act, Texas Civil Practice & Remedies Code § 172, Subchapters A &B, p1-4.
5	**SEPT 25**	**Stage I** The Making and Enforcement of the Arbitration Agreement, continued	1. "An Overview", **Tab 12 of Supplemental Materials Notebook, Sections II and IV.** 2. "The Moth, the Light and the United States Severability Doctrine", **Tab 13 of Supplemental Materials Notebook** 3. ***Schein v. Archer White Sales***, 139 S. Ct. 524 (2019); https://itainreview.org/articles/2022/vol4/issue1/determining-questions-of-arbitrability.html. 4. *Coinbase, Inc. v. Suski*, No. 23-3, 2024 U.S. LEXIS 2263 (2024).

CLASS #	DATE	TOPIC	ASSIGNMENT
6	**OCT 2**	Application of the Arbitration Agreement to Non-Signatories	1. **Strategic Options When Catastrophe Strikes the International Energy Project**, Section C on pp. 61-63. 2. "Motion for Stay Pending Arbitration, Marathon Oil Co. et al v. Ruhrgas AG", **Tab 5, of Supplemental Materials Notebook**
7	**OCT 9**	**Stage II** The Selection and Appointment of the Arbitral Tribunal	1. **Coe, Chapter 4, Section 4.13** 2. "An Overview", **Tab 12 of Supplemental Materials Notebook, Section V.** 3. London Court of International Arbitration (LCIA), Arbitration Rules effective 2020**.** Articles 5-13.
8	**OCT 16**	**Stage II** The Selection and Appointment of the Arbitral Tribunal, continued	1. Code of Ethics for Arbitrators in Commercial Disputes – 2004 Revision, promulgated by the American Bar Association and American Arbitration Association**,** https://www.adr.org/sites/default/files/document_repository/Commercial_Code_of_Ethics_for_Arbitrators_2010_10_14.pdf 2. IBA Guidelines on Conflicts of Interest in International Arbitration (2024), https://www.ibanet.org/document?id=Guidelines-on-Conflicts-of-Interest-in-International-Arbitration-2024#:~:text=will%20be%20necessary.-,(2)%20Conflicts%20of%20Interest,to%20be%20impartial%20or%20independent. 3. Ben H. Sheppard, Jr., "A New Era of Arbitrator Ethics for the United States: The 2004 Revision to the AAA/ABA Code of Ethics for Arbitrators in Commercial Disputes," ARBITRATION INTERNATIONAL, Vol 21, No. 1 (2005), **Tab 10 of Supplemental Materials Notebook.** 4. Sample Motions to Strike Arbitrator **(to be provided by Prof. Dimitroff)**

CLASS #	DATE	TOPIC	ASSIGNMENT
9	**OCT 23**	**Stage III** Preliminary Proceedings, Including Procedural Orders and Interim Relief	1. **Coe, Chapter 4,** Section 4.12 2. **Coe, Chapter 9**, Sections 9.1 – 9.9 3. UNCITRAL Notes on Organizing Arbitral Proceedings, https://uncitral.un.org/en/texts/arbitration/explanatorytexts/organizing_arbitral_proceedings 4. ICC Note to Parties and Arbitral Tribunals on the Conduct of the Arbitration https://iccwbo.org/news-publications/arbitration-adr-rules-and-tools/note-parties-arbitral-tribunals-conduct-arbitration/
10	**OCT 30**	**Stage III** Preliminary Proceedings, Including Procedural Orders and Interim Relief, continued	1. Samples of Procedural Order and Terms of Reference 2. IBA Rules on the Taking of Evidence in International Commercial Arbitration, International Bar Association 2020 https://www.ibanet.org/MediaHandler?id=def0807b-9fec-43ef-b624-f2cb2af7cf7b 3. **Strategic Options When Catastrophe Strikes the International Energy Project**, pp. 14-16. 4. Federal Rules of Civil Procedure 64 and 65.

CLASS #	DATE	TOPIC	ASSIGNMENT
11	**NOV 6**	**Stage IV** The Evidentiary Hearing on the Merits	1. IBA Rules on the Taking of Evidence in International Commercial Arbitration, International Bar Association, 2020, Supra. 2. UNCITRAL Notes on Organizing Arbitral Proceedings, *Supra*. 3. **LCIA Arbitration Rules**, 2020 Articles 15-25; https://www.lcia.org/Dispute_Resolution_Services/lcia-arbitration-rules-2020.aspx. 4. Rules on the Efficient Conduct of Proceedings in International Arbitration **(Prague Rules)** https://praguerules.com/upload/medialibrary/9dc/9dc31ba7799e26473d92961d926948c9.pdf
12	**NOV 13**	**Stage V** The Making and Enforcement of the Arbitral Award A. The Making of the Arbitral Award B. Recognition and Enforcement of the Award	1. Coe, Chapter 12. 2. The New York Convention, Articles III through VI 3. U.S. Federal Arbitration Act, Sections 9 through 16 4. William W. Russell, Rebeca E. Mosquera, Enforcement of International Arbitral Awards in the United States; https://www.linkedin.com/feed/update/urn:li:activity:7201598227693850624/ 5. *Corporación Mexicana De Mantenimiento Integral, S. De R.L. De C.V. v. Pemex-Exploración Y Producción*, 832 F.3d 92, 100 (2d Cir. 2016).
13	**NOV 20**	**Stage V** The Making and Enforcement of the Arbitral Award, continued	1. Class Project
	NOV 27	**Thanksgiving holiday**	
		Reading Days	
		FINAL EXAM	