

# BRUCE GAILEY



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## CONTACT

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## OVERVIEW

Bruce has been involved as counsel, user or arbitrator in dozens of arbitrations under the administration or rules of ICC, LCIA, SIAC, SCC, Swiss Rules, UNCITRAL, KCAB (Korea), BCICAC (Canada) and ad-hoc international arbitrations, as well as domestic arbitrations and litigation in numerous countries around the world.

Areas of experience and practice include construction, engineering, energy, oil and gas, infrastructure, insurance, IT, intellectual property, marine, banking and recognition and enforcement of domestic and international arbitrations in various jurisdictions around the world.

Unique or distinguishing qualities include extensive experience as a user of international arbitration, considerable experience in construction, energy and infrastructure.

Canadian trained, English qualified solicitor, based in Europe (Switzerland). Nationality Canada and UK.

Member of the ICC Commission on Arbitration and ADR (for Canada)

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## PROFILE

Bruce Gailey is the principal of GAILEY Law, a firm in Zürich specialising in international arbitration and dispute resolution.

Until June 2013 Bruce was the Vice-President, Litigation for Alstom's Thermal Power and Renewable Power Sectors. The Alstom group is a world leader in transport infrastructure, power generation and transmission. Bruce oversaw litigation and arbitration matters around the world, including disputes in local courts, domestic arbitration and international arbitration. Prior to this, Bruce was the lead lawyer responsible for negotiating settlements relating to Alstom's GT24 / GT26 gas turbine projects. He has extensive experience in dealing with disputes relating to construction, operation and maintenance of large infrastructure projects, insurance issues and IT outsourcing contracts. He also has considerable experience in multi-jurisdictional disputes and enforcement of arbitral awards, and appeared as advocate for Alstom in selected international arbitration hearings.

Bruce obtained his Bachelor of Arts (political science) degree from the University of British Columbia (Canada) in 1989, and his LL.B. from the University of Alberta in 1992. He became a barrister and solicitor in British Columbia in 1993, where he practiced as a trial lawyer. In 1998

Bruce moved to London, England to practice as a solicitor specialising in dispute resolution with a focus on construction and civil engineering projects. Bruce has been a solicitor in England and Wales since 2000.

Bruce speaks regularly at legal conferences worldwide on a wide range of international arbitration issues. In this respect he brings his unique perspective of having been user, counsel and arbitrator.

Bruce speaks, reads and writes English and French.

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#### PROFESSIONAL EXPERIENCE

##### **2013-Present Principal, GAILEY Law GmbH**

- Acting as counsel to companies in disputes, in arbitration and pre-arbitration.
- Acting as arbitrator in international arbitrations

##### **2005-2013 ALSTOM (Switzerland) AG - Baden, Switzerland Vice-President, Litigation, Power Sectors**

- Responsible for overseeing the Sectors' litigation and arbitration matters outside USA, with a total value in dispute exceeding 2.5 Bn EUR. Roles include management of in-house and external counsel, providing strategic direction for administration of cases, advising internally, and undertaking selected arbitrations in-house.
- Draft arbitration pleadings and briefs, and develop arbitration strategy. Support counsel at litigation and arbitration hearings and act as counsel at selected arbitration hearings.
- Experience includes negotiation and resolution of disputes before and after the commencement of proceedings; mediation; attendance at and familiarity with court and arbitration proceedings in numerous jurisdictions.
- Review and drafting of dispute resolution clauses

##### **2002-2005 ALSTOM (Switzerland) AG - Baden, Switzerland Senior Legal Counsel**

- Responsible for preparing dispute-resolution strategies in relation to projects utilising the company's GT24 and GT 26 gas turbines worldwide; advising internally; lead lawyer in negotiating team for resolution of disputes related to said projects; drafting settlement agreements.

##### **1998-2002 Masons Solicitors (now Pinsent Masons) - London, England**

- Dispute resolution lawyer focused mainly on construction, civil engineering and large infrastructure projects, acting primarily for contractors
- Activities included pre-litigation advice, English High Court litigation and international arbitration

##### **1993-1998 Ladner Downs Barristers and Solicitors (now Borden Ladner Gervais) - Vancouver, Canada**

- Dispute resolution and trial lawyer acting for a wide variety of clients including banks, insurers and forest companies
- Activities included pre-litigation advice, British Columbia Supreme Court and Court of Appeal litigation (both as primary counsel and as co-counsel), and domestic and international arbitration

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#### EDUCATION, QUALIFICATIONS AND AFFILIATIONS

<b>Solicitor</b> , Law Society of England and Wales	Since 2000
<b>Barrister and Solicitor</b> , British Columbia Law Society	Since 1993 <sup>1</sup>
<b>Bachelor of Laws (LL.B.)</b> , University of Alberta, Edmonton, Canada	1992
<b>Bachelor of Arts (B.A.)</b> , University of British Columbia, Vancouver, Canada	1989
<b>Member of the ICC Commission on Arbitration and ADR (for Canada)</b>	

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<sup>1</sup> Status switched to "non-practising" upon moving to Europe in 1998, and maintained as such since

## SELECTED CONFERENCE ADDRESSES

- Oct. 2014** Sidestep a Misstep: Dealing with Pathological Clauses (HKIAC, Hong Kong)  
**Apr. 2013** GAR Live Brazil – User’s Perspective (GAR, São Paulo)  
**Mar. 2013** Managing Third Party and Counterparty Relationship Risks (C5, London)  
**Oct. 2012** Priorities, Preferences & Positioning of In House Counsel in Arbitration (ICC Canada, Toronto)  
**Feb. 2012** Developments in International Arbitration from the In-House Perspective (CPR Y-ADR, Paris)  
**Sep. 2011** Arbitral Institutions Under Scrutiny (ASA, Zürich)  
**Feb. 2011** International Arbitration – In-House Counsels’ Perspective (PLI, New York)