



International ADR practitioner admitted in Australia and New York with both common and civil law degrees and significant experience in domestic and international litigation, arbitration and mediation. Fellow of the Chartered Institute of Arbitrators, ACICA and Resolution Institute, IMI certified mediator and LIV Accredited Specialist in mediation.

Negotiator, advocate and adviser focusing on commercial and contract disputes, contract negotiation and drafting, including dispute resolution clauses, with a broad-based professional background in business and technology and multi-cultural experience.

Teacher and trainer for mediation, arbitration, ADR advocacy and negotiation.

Presently conducting mediations, arbitrations and teaching on-line.

Donna Ross, LL.M. FCI Arb FRI FACICA

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ADMISSIONS AND ACCREDITATIONS

Admitted as a lawyer in Australia and New York

Fellow of the Chartered Institute of Arbitrators (CI Arb)

Fellow of Resolution Institute

Fellow of ACICA

Accredited Specialist in Mediation by the Law Institute of Victoria

NMAS Accredited Mediator

IMI (International Mediation Institute) Certified Mediator

International Certified Mediator and Arbitrator, Asia Pacific Centre for Arbitration & Mediation (APCAM)

Resolution Institute (IAMA) Graded Arbitrator

Leading Mediator, *Doyle's Guide* 2018, 2019, 2020 and 2021

Australasian Law Awards, Most Influential Lawyers of the Year 2021

Australasian Law Awards Winner Arbitrator of the Year 2020

ADC Australian ADR Awards finalist for ADR Practitioner of the Year, 2019

Australasian Dispute Resolution Journal: Editorial Consultant (Arbitration, Negotiation, Mediation)

Faculty Positions

CI Arb Faculty for International Arbitration

Lecturer at La Trobe Law School for Negotiation and Mediation

CPD Provider Leo Cussen Centre for Law

CPD Provider Legalwise

Speaker and Coach, Monash Law, Mooting and Advocacy

Mediation Accreditation Trainer for the Australian Disputes Centre (ADC)

ADR Panels

Mediator and Arbitrator, Victorian Small Business Commission

VCAT Mediator Panel

Mediator, Magistrates Court of Victoria

Mediator, Australian Small Business and Family Enterprise Ombudsman (ABSFEO)

Mediator and Arbitrator, Australian Disputes Centre

Mediator and Arbitrator, Australasian Dispute Resolution Centre

International Certified Mediator and Arbitrator, Asia Pacific Centre for Arbitration & Mediation (APCAM)

Mediator and Arbitrator, Immediation (On-line Dispute Resolution)

Mediator and Arbitrator, Asian International Arbitration Centre (AIAC)

Mediator and Arbitrator, World Intellectual Property Organization

Mediator, Petroleum Regulations.

Advisor and Mediator, Instant Mediations (On-line Dispute Resolution)



Arbitrator, NBN Industry Disputes
Conciliator, Code of Conduct for Australian Winegrape Purchases

ACICA Arbitral Tribunal Secretaries Panel
Law Institute of Victoria Arbitrators Directory
Mediator, New York State Court, Commercial Division
Arbitrator, Mediator, Part 137 Attorney-Client Fee Dispute Program
Arbitrator, Better Business Bureau of New York (2004 – 2010)

PROFESSIONAL EXPERIENCE

DONNA ROSS DISPUTE RESOLUTION, Melbourne, VIC *Principal, 2015 to present*

International dispute resolution practitioner: mediator, arbitrator and advocate providing legal and business advice to individuals, companies and counsel from different countries and cultural backgrounds on governance, negotiation options and strategy and issues related to U.S., French and international law, with particular emphasis on dispute prevention and dispute resolution clauses. Negotiating and drafting domestic and international contracts. Advising on and drafting arbitration and mediation rules for private and statutory bodies.

THE ROSS LAW FIRM, N.Y. *Principal, 2003 to present*

U.S. and international commercial lawyer and outside general counsel to SMEs.

Mediator and Arbitrator. Advocate in domestic and international litigation and ADR in state and federal courts and administrative tribunals (tax and employment) in New York and New Jersey with parties from Australasia, Europe, Latin America and the U.S., primarily involving breach of contract, wrongful termination, shareholder disputes, and employment issues. Specialised in settlement negotiations before and during litigation and negotiating import and distribution, marketing, consulting and shareholder agreements.

B-LEGAL, Paris, Munich *Consultant, 2001 to present*

Legal advice and opinions on U.S. and Australian law including litigation, contracts, M&O and international employment issues. Associate to managing partner in arbitrations, mediations and French, German and international litigation and arbitration, including before the *Cour de Cassation* and the European Court of Human Rights.

Representative areas of expertise

Property, retail and commercial leases	Construction
Partnership and shareholder agreements	Franchise law
Wine and alcohol industry	Distribution and import agreements
Information technology	Professional negligence

Past business and law-related work

Managing partner of DIALOG INTERNATIONAL, a legal language consultancy firm based in Paris. Assisted and advised attorneys at ICC arbitrations and in international law, worked with ministers, executives, legislators and officials from multinational corporations, the European Union, the International Olympic Committee, UNICEF, UNESCO and many other international organizations, government agencies and multi-nationals.

ACADEMIC QUALIFICATIONS

Diploma in International Arbitration, Chartered Institute of Arbitrators (CIArb)
LIV Specialist Accreditation in Mediation
L.L.M. in Corporate Law and Dispute Resolution, Benjamin N. Cardozo School of Law, New York
Maîtrise (LL.B.) in Business Law, with Honors, *Panthéon-Sorbonne*, Paris
License (B.A.) in Applied Foreign Languages, Conference Interpreting, *Sorbonne Nouvelle*, Paris
B.A. in French and Political Science, Stony Brook University, New York

Professional Education and Development

CIArb Tribunal Secretaries' Course
CIArb Award Writing course



CIArb Accelerated Route to Fellowship

The Negotiation & Leadership Conference at Harvard University

NYSBA Commercial Mediation and Advanced Commercial Mediation Training

Part 137 Fee Dispute Program Training in Arbitration and Mediation

ICC International ADR Training

ADR in the Entertainment Industry

Harvard PONS based negotiation course at Cardozo School of Law,

Negotiation course at the *Université de Paris I – Panthéon Sorbonne*

PUBLICATIONS AND SPEAKING ENGAGEMENTS

Provider of CPD Training on Negotiation and Mediation Advocacy to Law Firms and Chambers of Commerce, including including Corrs, HFW, Cornwall Stodart, ICCI, FACCI, etc.

Lecturer at Leo Cussen Centre for Law:

The Mediation Mantra: Prere, Prepare, Prepare!

Drafting Dispute Resolution Clauses - Which is the Best Option?

Mediation – How to Prepare When Your Client Has Not.

How to Deal with Difficult Clients and get the Best Outcome.

Lecturer at Bali International Arbitration and Mediation Center (BIAMC):

Module 1, Introduction to ADR *Why ADR?*

BIAMC Arbitration, Module 2a, The organization of an arbitration III.

Legalwise: Retail and Commercial Leasing:

Practice and Procedure - Interactive Case Study Landlord vs. Tenant: Working through the Issues.

Achieving Better Outcomes in Retail Lease Disputes with Mediation

Presentation to VCAT Members: The Mediation Mantra: Prepare, Prepare, Prepare!

AIAC: Connecting Asia with Africa through The Belt and Road Initiative: Opportunities for investment and opportunities for dispute resolution through ADR mechanisms.

Resolution Institute:

Regional Arbitral Institutes Forum (RAIF) 2016: Organizing Committee, Conference Chair.

The Arbitration Agreement and the Jurisdiction of the Arbitrator.

Managing Parties and Party Representatives in Mediation: Tools for Lawyer and Non-Lawyer Mediators.

The Business of Mediation: How to start and grow a practice

Med-Arb or Arb-Med: Ethical and practical considerations for single neutrals, in Sydney and Melbourne.

Resolving disputes post COVID-19 for small businesses and commercial leasing.

HKIAC: Cooperating with the Facilitator While Protecting Client Rights

CIArb Australia/ ACICA symposium: "The International Arbitration Landscape in the United States: Implications for Australian Practitioners".

Fordham Annual Conference on International Arbitration and Mediation (in London): Med-Arb/Arb-Med: A More Efficient ADR Process or an Invitation to a Potential Ethical Disaster?

Hong Kong Department of Justice: Mediate First – Unlocking Potential: Can Mediators be Deal Makers?

Melbourne Lean-In Chapter: Negotiation Techniques for Women.

Clarence Chambers: Best Mediation Practices Top Tips for Advocates.

Centre For International Alternative Dispute Resolution: CISG in International Arbitration.

NAALA: Asia-Pacific Arbitration and Mediation Hubs.

ICCI : Managing Commercial Disputes Effectively: An Australian and International Perspective

Publications

Up In Smoke: Will Clive Palmer's Singapore Company Be Denied Standing In Its ISDS Arbitration Against Australia, Australian Alternative Dispute Resolution Bulletin, Lexis Nexis (Arb).



Strike While the Iron is Hot or Strike Out: Would Palmer’s Singapore Entity Succeed Against Australia, INVESTMENT & COMMERCIAL ARBITRATION REVIEW (ICAR).

Resolution Institute Journal, the arbitrator & mediator.

Resolving disputes post COVID-19 for small business and commercial leasing

The Singapore Convention: From A Blizzard, A Convention Blooms.

Book review: “NEGOTIATION Things Corporate Counsel Need to Know but Were Not Taught” by Michael Leathes.

Case notes:

Functus officio: A matter of law not consent, State of Western Australia v Mineralogy Pty Ltd [2020] WASC 58.

Unilateral Arbitration Clauses: When a One-sided Consensus is Actually a Consensus, Wilson Taylor Asia Pacific Pte Ltd v Dyna-Jet Pte Ltd [2017] 2 SLR 362.

Beware the Champagne Clause: When the Effervescence Fades, It May Just Be Pathological, ADC Bulletin.

Med-Arb/Arb-Med: A More Efficient ADR Process or an Invitation to a Potential Ethical Disaster, Contemporary Issues in International Arbitration and Mediation, The Fordham Papers 2012 Edited by Arthur W. Rovine.

PROFESSIONAL AFFILIATIONS

Resolution Institute: Victorian Arbitration and Chapter Committees, former Chair; National Arbitration Working Group, National Determinative, Arbitration and Diversity and Inclusion Committees, Member

Arbitral Women, Board Member

Lighthouse Club Australia

Society of Mediation Professionals (Singapore)

ICC Australia Mediation Committee, former member ICC Mediation Moot Steering Committee

AFIA Asia-Pacific Forum for International Arbitration

AIIA (Australian Institute for International Affairs), Victoria

FACCI (French-Australian Chamber of Commerce)

FALS (French Australian Lawyers Society)

ICCI (Italian Chamber of Commerce and Industry)

AIIA (Australian Italian Lawyers Association)

NAALA (North American Australian Lawyers Alliance)

Charitable affiliations

St Kilda Gatehouse (Support for vulnerable marginalized women and girls)

HRAFF (Human Rights Arts & Film Festival)

Advisory and Board Positions

Current

ArbitralWomen: Board Member, Membership and Newsletter Committees

Instant Mediations: Advisory Board Member

Australian Italian Lawyers Association: Board Member

French-Australian Lawyers Society: Board Member

Australasian Dispute Resolution Journal: Editorial Consultant (Arbitration, Negotiation, Mediation)

Past

Immediation (Advisory Board)

Former Chair of the Board of ITSOC (in the Spirit of the Children) a non-profit for foster child support, dealing with governance and regulatory matters.

LANGUAGES

Bilingual in French, native fluency in Spanish, fluent in Italian. Ability to conduct arbitrations and mediations and represent clients in these languages.

Basic ability in German, ability to read Portuguese, notions of Hebrew and Arabic.

