



ARBITRATION AND BOARD CONVENED IN
NEW YORK, NEW YORK

In the Matter of the Arbitration of _____ :

_____ ,

Petitioner,

UMPIRE QUESTIONNAIRE

-against-

_____ ,

Respondent.

You have been nominated to serve as an Umpire in the captioned arbitration. To assist the parties in evaluating the qualifications of persons nominated to serve as umpire in the arbitration between the parties listed above, and to identify any potential conflict of interest, please supply the following information and return the completed Questionnaire to counsel identified below:

Counsel Names/Address for Petitioner

Counsel Names/Address for Respondent

Arbitrator Appointed by Petitioner

Arbitrator Appointed by Respondent

In-house Party Representative(s)

In-house Party Representative(s)

1. Please supply the following information:

Name: _____

Company: _____

Address: _____

Telephone: _____

Fax: _____

Cell Phone: _____

Email address: _____

Home address: _____

Home Telephone: _____

2. EMPLOYMENT HISTORY

Please attach a current resume or CV containing your current and past employment, including the length of employment at each job and your primary responsibilities. In the event that you believe the ARIAS web page provides this same detail, please check here and use your discretion as to whether you want to also include your resume.

3. FEE SCHEDULE

Please advise:

Hourly rate: \$ _____

Travel or other requirements: _____

Do you require a non-refundable retainer? _____ If yes, what is the retainer fee?

Do you charge a cancellation fee? _____ If yes, please advise of the terms:

If you have any additional fee requirements and/or prefer to attach your fee schedule, please attach your fee schedule.

4. INSURANCE ARBITRATION EXPERIENCE

A. Have you previously participated as a party-appointed arbitrator in connection with an insurance dispute between an insurance company and an entity other than a reinsurer?

Yes No

If yes, please state the number of times that you have served as a party appointed arbitrator.

B. Have you previously participated as an umpire in connection with an insurance dispute between an insurance company and an entity other than a reinsurer?

Yes No

If yes, please state the number of times that you have served as an umpire.

- C. If yes to A or B, how many such matters concluded with a Final Award from the Panel?

- D. If you are not an ARIAS U.S. Certified Arbitrator OR you are an ARIAS U.S. Certified Arbitrator who has not updated your ARIAS website, please list how many of these arbitrations went to hearing or were resolved on the merits prior to hearing.

5. REINSURANCE ARBITRATION EXPERIENCE

- A. Have you previously participated as a party-appointed arbitrator in connection with an insurance dispute between an insurance company and a reinsurer?

Yes No

If yes, please state the number of times that you have served as a party appointed arbitrator.

- B. Have you previously participated as an umpire in connection with a reinsurance dispute between an insurance company and a reinsurer?

Yes No

If yes, please state the number of times that you have served as an umpire.

- C. If yes to A or B, how many such matters concluded with a Final Award from the Panel?

- D. If you are not an ARIAS U.S. Certified Arbitrator OR you are an ARIAS U.S. Certified Arbitrator who has not updated your ARIAS website, please list how many of these arbitrations went to hearing or were resolved on the merits prior to hearing.

6. SUBJECT MATTER OF THE ARBITRATION

This arbitration involves: **[insert a neutral description of the dispute between the parties that includes the (re)insurance contract name, the years of the (re)insurance contract(s) at issue, the parties to the contract and the claims involved].**

- A. Please disclose any articles that you have authored or co-authored that may be related to and/or address the issue(s) in this dispute.

-
- B. Have you previously provided expert testimony related to any of the issues described above?

Yes No

If yes, please explain.

-
- C. Might these facts or circumstances prevent you from rendering an unbiased decision in this arbitration?

Yes No

If yes, please explain.

7. EXPERIENCE WITH OTHER PANEL MEMBERS, THE PARTIES AND PARTIES' COUNSEL

Have you had any communications with the arbitrators, parties, or counsel identified above regarding this matter, including but not limited to your qualifications for and/or the possibility of your serving as an umpire herein?

Yes No

If yes, please explain.

8. POTENTIAL CONFLICTS

- A. Are you currently or were you ever an employee, officer, director, shareholder, agent or consultant of any of the below listed parties or of the parties' subsidiaries, affiliates (defined as an entity whose ultimate parent owns a majority of both the entity and the party to the arbitration and whose insurance and/or reinsurance disputes, as applicable, are managed by the same group of individuals that manage the party's insurance and/or reinsurance disputes) or parent companies, which are listed below or in the attached exhibit? [Please note: Counsel must list all of the parties' subsidiaries, affiliates or parent companies that they would like the umpire candidate to research and disclose. It is suggested that an exhibit be attached if the list is lengthy.]

Yes No

If yes, please explain: _____

- B. Please identify the number of pending and past appointments as a party-appointed arbitrator, umpire, expert witness, consultant, mock/shadow panelist, and/or external counsel that also involved one or more of the parties (including affiliates as defined in 8A, subsidiaries, and parent companies), counsel, and other arbitrators in the current arbitration:

Participants in the Current Arbitration	# and Ways in which You Participated in Other Pending and Past Proceeding(s) Involving any Participant(s) in the Current Arbitration							
	As a Party Arbitrator		As the umpire or a neutral		As an expert witness, consultant or mock/shadow panelist for any party		As External Counsel	
	# Pending	# Past	# Pending	# Past	# Pending	# Past	# Pending	# Past
<i>(Petitioner)</i>								
<i>(Respondent)</i>								
<i>(Pet.'s Counsel)</i>								
<i>(Pet.'s Law Firm)</i>								
<i>(Resp.'s Counsel)</i>								
<i>(Resp.'s Law Firm)</i>								
<i>(Pet.'s Arb.)</i>								
<i>(Resp.'s Arb.)</i>								
<i>Party representative(s)</i>								
<i>Key Witness(es)</i>								

C. For each past appointment within the past 10 years identified in the chart above, please (a) list the year of the appointment, (b) indicate if the arbitration was resolved by a dispositive award, and (c) if the arbitration was not resolved by a dispositive award, whether it was resolved before or after an organizational meeting.

D. Were you ever involved in an insurance or reinsurance transaction or dispute involving any of the specific claims, policies, and/or reinsurance contracts at issue in this matter as described in Question 6 above?

Yes No

If yes, please explain: _____

E. Do you know if any companies with which you are presently affiliated have an ongoing business relationship with any of the parties and/or affiliates listed above?

Yes No

If yes, please explain:

F. Do you or any immediate family members have any financial interest in the result of this arbitration?

Yes No

If yes, please explain: _____

G. Have you, or has an entity with which you are or were affiliated (or were affiliated during the past five years and only with respect to the period of your affiliation) ever retained the party arbitrators, counsel or their respective law firms, as an attorney, arbitrator, umpire, expert witness, or consultant?

Yes No

If yes, describe the retention and disclose type of service and approximate date so engaged. _____

H. Have you ever been retained as an attorney, arbitrator, umpire, expert witness, or consultant by either of the party arbitrators or, to your knowledge, by an entity that then employed either of the party arbitrators?

Yes No

If yes, please describe the retention and disclose type of service and approximate date so engaged. _____

I. Apart from participating in industry conferences and other industry functions, within the past 5 years do you have any **business, professional, or social relationships** with any of the arbitrators, employees, directors, officers or representatives of the parties, parties' counsel and/or their respective law firms not otherwise disclosed in response to questions above?

Yes No

These relationships are defined as follows:

Professional Relationship: a relationship in which one person, individually or acting on behalf of a corporate entity, requests and is granted professional assistance from a qualified source including relationships that exist with attorneys, vendors, actuaries, consultants and claim adjusters.

Business Relationship: a relationship procured for the purpose of economically or professionally benefiting one or both parties, whether individually or acting on behalf of a corporate entity or any entity within which you are affiliated, and which extends beyond three months.

Social Relationship: a recurring interaction, apart from a professional or business relationship, procured by the parties for the purposes of camaraderie and/or a shared interest in sports, arts, culture, religion, government, or philanthropy.

If yes, please explain the nature and extent of the relationship.

9. OTHER CONSIDERATIONS

A. Additional Questions: (Parties may add any additional questions here that)

B. At this time, do you believe that you will have time for a (one week/two week/three week – choose one) hearing between (complete date by counsel – “9-15 months from now”) hearing: Yes No

If no, please explain: _____

C. Are you aware of any other facts or circumstances that might create an appearance of partiality on your part or impair your ability to serve in the above-captioned arbitration (please see the ARIAS Code of Conduct).

Yes No If yes, please explain:

D. If you are selected and take the umpire role:

a) Do you agree to act consistently with the ARIAS Code of Conduct?

Yes No

b) Do you agree to refuse to accept appointments as an expert or party-appointed arbitrator on behalf of either of the parties listed above as well as the parties’ affiliates as defined in 8A above, prior to the final disposition of the above-captioned arbitration?

Yes No

ATTESTATION

The foregoing statements are true, accurate, and complete to the best of my knowledge and belief.

Signature: _____

Date: _____

Exhibit – List subsidiaries, affiliates or parent companies if needed