

John D. Branson

Partner

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About John

John Branson acts in complex, high-value matters with a focus on commercial and investment arbitrations. He represents clients in cross-border disputes across a range of industries, including infrastructure projects, M&A transactions, construction projects, mining, telecommunications and intellectual property rights.

John's international dispute resolution experience includes advising clients and appearing as counsel in arbitrations under most of the leading institutions (e.g., ICSID, ICC, SIAC, Swiss Rules, SCC, LCIA, AAA-ICDR, & PCA), as well as *ad hoc* arbitrations under UNCITRAL Arbitration Rules. He also represents clients in domestic arbitrations, as well as in federal and state courts, especially where the matter intersects with issues of international law.

Prior to beginning his legal career, John served as an infantry officer in the US Marine Corps and attained the rank of Captain before leaving the Corps. He was deployed to Iraq and Afghanistan and, for his service in Afghanistan, he was awarded the Bronze Star Medal with Valor distinction.

Experience

Investment Arbitration

- Lead counsel in investment arbitration on behalf of the Lao People's Democratic Republic against an alleged US\$600 million claim under multiple investment treaties, each consolidated for administration under the International Centre for Settlement of Investment Disputes (ICSID).
- Represented the government of Turkmenistan in an ICSID arbitration arising out of a dispute over telecommunication rights. The claims for expropriation and violation of the FET Standard – valued at more than US\$2 billion – were dismissed and Turkmenistan was awarded its costs.
- Represented respondent State in disputes arising under the Organization of Islamic Cooperation Investment Agreement (OIC Agreement).
- Represented respondent State against multiple claims arising out of five investments in the host state. All claims, alleged to be valued at US\$1 billion, for expropriation, denial of justice and breach of the fair and equitable treatment standard, were dismissed and costs were awarded to the government. The *ad hoc* arbitration followed the UNCITRAL Arbitration Rules.

International Commercial Arbitration

- Prosecuted a breach of contract case and defended against counterclaims valued by Respondents at US\$468 million. The client was made whole, recovering more than US\$40 million in damages and costs, while every counterclaim was dismissed. The case fell under the auspices of the Singapore International Arbitration Centre (SIAC).
- Co-lead counsel, representing a mining concern in prosecuting breach of contract claims for US\$1.5 billion arising out of the development and construction of an underground mine and mineral processing facility. The arbitration is seated in Stockholm and administered by the Stockholm Chamber of Commerce (SCC).
- Represented a respondent in an intellectual property and contractual dispute seated in Zurich pursuant to Swiss Rules.
- Advised client in a dispute with a joint venture partner over intellectual property rights, where the arbitration agreement provided for arbitration seated in London, under the London Court of International Arbitration (LCIA) rules.

Credentials

Education

- King's College London, LL.M.,
- University of South Carolina School of Law, J.D., *cum laude*, *Order of the Coif*,
- University of Maryland, B.S.,

Admissions

- New York

Memberships & Affiliations

- Board of Editors, American Arbitration Association, Dispute Resolution Journal (2024-present).
- Board of Directors, New York International Arbitration Center (2023-2024).
- International Law Committee, New York City Bar Association (2020-2023).

Expertise

Services

- International Dispute Resolution

Industries

- Construction & Engineering

Publications and Speaking Engagements

Publications

- Co-Author, Chapter on "International Arbitration in the USA," Global Legal Insights, 10th Edition, — 2024.
- Author, "The Abuse of Process Doctrine Extended: A Tool for Right Thinking People in International Arbitration," *Journal of International Arbitration*, Vol. 38, No. 2, 2021.

- Author, "Why Tribunals Should Not Ignore 'Red flags' of Corruption," *Global Arbitration Review*, August 12, 2020.
- Author, "Damages in Investment Arbitration – a Revolutionary Remedy or Reward for Rich Corporations at the Expense of the World's Poor? A Fundamental Examination of Chorzow's Children," *The Journal of Damages in International Arbitration*, Vol. 3, No. 2, 2016.

Speaking Engagements

- Panelist, "Arbitration: Achmea and the Future of Intra-EU Investment Arbitration," Leitner Center for International Law and Justice, New York, April 2024.
- Adjunct Faculty, "International Arbitration Procedure", International Commercial Arbitration and Mediation Course, International Law Institute, January 2023.
- Panelist, "NYIAC: 2023 Series: The Importance of Valuation, Quantum, and Teamwork", New York International Arbitration Center, New York, January 2023.
- Moderator, "International Arbitration in Times of Economic Nationalism", book launch and panel discussion hosted by Squire Patton Boggs, Washington, DC, December 2022.
- Speaker, "Should 'Double-Hatting' Be Permitted in Investor-State Dispute Settlement", 33rd Annual Institute for Transnational Arbitration Workshop and Annual Meeting, June 2021.
- Guest Lecturer, "Security for Costs in Investment Arbitration: A Serious Reform or the Illusion of Reform", Tsinghua University School of Law, Beijing, China, May 2021.
- Speaker, "Illegality and Bad Faith, A New Standard in Investment Arbitration," Houston International Arbitration Club, September 2019.
- Speaker, "The Magic Words: Language Translation in Litigation and Arbitration," American Bar Association webinar, July 2019.
- Panel chair, "Cultural Issues in Commercial Arbitration: Asia and Australia," 7th Annual ATLAS Conference, November 2018.
- Panel chair, "Pending Reforms in Investment Arbitration," 10th Biennial Arbitration Symposium, Salzburg, Austria, June 2018.
- Speaker, "Threshold Issues in Investment Arbitration," Union Internationale des Avocats Congress, Toronto, Canada, 2017.
- Author and speaker, Tenth Annual Juris Conference on Investment Treaty Arbitration, May 2016.
- Arbitrator, Willem C. Vis International Commercial Arbitration Moot, Hong Kong, March 2016.
- Guest Speaker, "Recent Developments in International Arbitration," Wake Forest University School of Law, International Law Society, November 2015.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.