

Kluwer Arbitration Blog

Interviews with our Editors: In Conversation with Giorgio Sassine, Co-Lead of the 2023 California International Arbitration Week (CIAW) Joint Planning Committee

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Giorgio Sassine is an Associate in the Los Angeles office of Musick, Peeler & Garrett, where he is a member of the International Arbitration and Litigation and Construction Practice Groups. He has extensive experience in complex, high-value international and domestic disputes. He is also an active member of the California arbitration community, serving as a member of California Arbitration (“CalArb”)’s Executive Committee, Co-Chair of Young CalArb, Co-Chair of CalArb’s Programming Committee, on the ICDR Y&I Board, Coach of the University of California – Los Angeles’ Willem C. Vis team, and Co-Lead of the 2023 California International Arbitration Week (CIAW) Joint Planning Committee.

On top of all of that, he also served until recently as an Assistant Editor of Kluwer Arbitration Blog, and we are very glad to welcome him back for this interview.

Giorgio, it is an absolute pleasure to have you here with us today!

1. *What has the response to CIAW been like, both from the arbitration community in California and the arbitration community outside of California?*

The international arbitration community, both in California and beyond, have responded with incredible enthusiasm to CIAW! While many of the 1,500 attendees of the 2d Annual CIAW attended virtually, we had hundreds of in-person registrants. The in-person events were in Los Angeles, and included events at White & Case, King & Spalding, Squire Patton Boggs, Norton Rose Fulbright, JAMS, LimNexus, and the University of Southern California. Those who attended in-person came from all corners of the globe, including Singapore, Armenia, Brazil, Mexico, South Korea, Hong Kong, Mainland China, Japan, and not to mention from many states across the United States.

As a Co-Lead of the 2d Annual CIAW Joint Planning Committee, one of our goals this year was to showcase to the rest of the world that California's businesses and attorneys have a firm understanding of and a wide-range of experience in both international commercial and investment arbitration. To that end, we wanted the panel discussions to be on the same caliber as what one would typically see in New York, Miami, Singapore, Hong Kong, or Paris. The overwhelming feedback from those who attended was that we achieved our goal and more! I truly believe that everyone who attended (in-person or virtually) went back to their home jurisdictions and said "Wow, California is really doing it!"

While I am grateful and honored by the praise we received, I know that the Planning Committee is already working to make the 3d Annual CIAW even more successful. For those who are eager to attend, save the date: March 11th to the 15th, 2024. More information can be found [here](#).

2. There is a perception in some parts of the arbitration community that California is not an arbitration-friendly jurisdiction. What do you think of that perception, and what would you like those outside California to know about arbitrating disputes in California?

To be blunt, this "perception" has no basis for international arbitration. In 2022, I co-authored a *Kluwer Arbitration Blog* [post](#) with Gary Benton on this very subject. International commercial arbitration is not consumer or employment arbitration, and California's legislature, state courts, and U.S. federal courts seated in California (the Ninth Circuit) understand this. To this point, California's state courts and federal courts in the Ninth Circuit consistently recognize the United States' strong public policy stance in favor of international arbitration. For example, in 2022, the Ninth Circuit stated in *Day v. Orrick*:

The New York Convention has been adopted by nearly 200 nations worldwide because of the expanding role arbitration plays in resolving international commercial disputes. The purpose of the Convention is twofold: (1) to ensure that countries recognize and enforce arbitration agreements, and (2) to ensure that countries recognize and enforce foreign arbitral awards. *See Scherk v. Alberto Culver Co.*, 417 U.S. 506, 520 n.15 (1974). By signing on to the Convention and adopting Chapter Two of the FAA, "the United States sought 'to encourage the recognition and enforcement of commercial arbitration agreements in international contracts and to unify the standards by which agreements to arbitrate are observed and arbitral awards are enforced in the signatory countries.'" *Castro v. Tri Marine Fish Co.*, 921 F.3d 766, 773 (9th Cir. 2019) (quoting *Scherk*, 417 U.S. at 520 n.15). Recognizing and enforcing arbitration agreements includes facilitating the arbitration process and

providing arbitrators—in both domestic and international arbitrations—with access to the ancillary actions and proceedings necessary to arrive at an arbitration award. This includes arbitral subpoenas and their enforcement.

Highlighting California’s government’s push to advance the importance of international arbitration, for years now California has permitted foreign attorneys to participate in international arbitrations seated in California. I also wrote on this topic in a 2018 Kluwer Arbitration Blog [post](#).

3. *How would you describe the “arbitration bar” in California? What can arbitration users expect from that community?*

Having seen first-hand the level of understanding of international arbitration throughout the world and the number of attorneys and law firms who specialize in it, I appreciate that California is not on par with the likes of Paris, London, Stockholm, or New York. However, being deeply involved with the California arbitration community, I know that California is continuing to build a strong infrastructure for arbitrating disputes in California. Both San Francisco and Los Angeles, through (for example) the AAA-ICDR and JAMS, have first-class hearing centers and many large law firms in California have attorneys who specialize in both investment and commercial arbitration (e.g., White & Case, Norton Rose Fulbright, King & Spalding, Jones Day, Gibson Dunn, and Arnold & Porter). And, of course, Musick, Peeler & Garrett (where I work) has an incredible international arbitration team!

In addition to this, California’s first-class law schools, such as the University of Southern California, the University of California – Los Angeles, the University of California – Berkeley, the UC Law SF (formerly UC Hastings), and Stanford University have thought-leading professors who teach international arbitration and spearhead efforts to teach the next generation of California’s attorneys on the practice of international arbitration. Moreover, Pepperdine University’s Straus Institute “has led the nation in law-school-based conflict resolution and for over a decade, it has been ranked among the nation’s best programs by U.S. News and World Report.” My alma matter, the University of San Diego School of Law, also hosts one of the leading Willem C. Vis Pre-Moots in the United States.

All of this is to say that if you are thinking of seating an international arbitration in California or need local counsel in California for an international arbitration, rest assured that California has the legal infrastructure to resolve any apparent risk you may have in coming to California.

4. *California is a huge legal market that is uniquely positioned both geographically and in terms of the concentration of companies and potential users of arbitration who are based there. How do you see the future of international arbitration in California?*

Given California’s connections with the Pacific Rim and Latin American markets and its multicultural cities and people, I only see the expansion of international arbitration in California.

Location is not all that matters. As you mentioned, California has a huge legal market, and I truly believe that California is the center of the world. As the soon to be fourth largest economy in the

world in terms of its gross domestic product (ahead of both the United Kingdom and France), California is a world-leader in entertainment, technology, life sciences, and agriculture. Nearly everything that we do today comes from our innovative prowess, whether it be Tesla, Airbnb, Meta, Alphabet, Uber, Netflix, or Apple. California is also the home to the likes of Walt Disney, Chevron, and AECOM, all leaders in their respective businesses. And, we are taking steps further, with the advancement of self-driving cars (which one regularly sees in San Francisco), Web 3.0, and space exploration.

Thank you very much for your time, Giorgio. We appreciate your valuable insights and wish you continued success! We're already looking forward to the 3d Annual CIAW next spring!

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