

GRACIOUS TIMOTHY DUNNA

Advocate | Accredited Mediator | LL.M. | +91 704 237 7468 | GraciousTimothy@Gmail.com

BAR ADMISSION & EMPANELMENT

India (MAH/5403/2015) | Indian Institute of Arbitration and Mediation (Mediator)

EDUCATION & CERTIFICATE COURSES

STRAUS INSTITUTE FOR DISPUTE RESOLUTION, PEPPERDINE UNIVERSITY, Malibu, USA Aug 2017 – May 2018
Master of Laws in International Commercial Arbitration

Honors: JAMS Scholar (full tuition merit-based scholarship); Awarded for excellent achievements in Investment Disputes and all three International Commercial Arbitration courses; High Pass in Capstone Mock Arbitration

Activities: Junior Staff Member, Dispute Resolution Law Journal; International Law Society; Christian Legal Society

V. M. SALGAOCAR COLLEGE OF LAW, GOA UNIVERSITY, Panaji, India Jun 2010 – Jun 2015
Bachelor of Laws (Hons)

Activities: President, International Law Society; ICC International Mediation Competition 2015, Paris (top 16); Stetson International Environmental Law Moot, India, 2012 (finalist) and 2014 (quarter finalist, awarded for overall excellence); Willem C. Vis (East) 2014, H.K.; Phillip C. Jessup International Law Moot 2013, India (awarded for overall excellence)

PRAGUE SUMMER MEDIATION ACADEMY, CHARLES UNIVERSITY, Prague, Czech Republic Jul 2016
Cross-Border Mediation Training Program

Honors: Charles IV Scholarship (full tuition and housing merit-based scholarship)

INDIAN SOCIETY OF INTERNATIONAL LAW, New Delhi, India Jun 2019
Summer Course on International Law

LECTURER POSITIONS, AREAS OF INTEREST, AND MEMBERSHIP

MANAV RACHNA UNIVERSITY SCHOOL OF LAW, Delhi NCR, India Aug 2019 – Present
Adjunct Lecturer: LL.M Course on “Principles of Arbitration of Law”

INTERNATIONAL TASK FORCE ON MIXED-MODE DISPUTE RESOLUTION Sep 2018 – Present
Member: Developing guidelines and best practices for arbitrators setting the stage for settlement

INDIAN LAW SOCIETY CENTRE FOR ARBITRATION AND MEDIATION (ILSCA) May 2019 – Present
Member: Institutional Arbitration and Mediation Rules Committee

EXPERIENCE

INDEPENDENT ADVOCATE | ARBITRATION LAWYER, New Delhi, India Jan 2019 – Present; Aug 2016 – Jul 2017
Representing in franchise, partnership, and construction arbitrations seated in India. Representing interveners in extradition proceedings before Supreme Court. Provided legal opinion and advising in foreign award enforcement proceedings before Delhi High Court. Advising in set-aside proceedings before Delhi High Court. Provided legal opinion on tax incidence in India on foreign awards in international commercial arbitration. Advised on foreign court action against Indian company and possible remedy in Indian courts. Advised on breach of Non-Disclosure Agreements and remedies in an arbitration action. Provided legal strategy and prepared arguments in construction arbitration.

A. K. LAW CHAMBERS (ANIRUDH KRISHNAN), New Delhi, India Jan 2019 – Present
Of Counsel: Representing construction firms in insolvency proceedings before National Company Law Tribunal and appellate tribunal. Advising construction firm in on-going construction project.

JUSTICE INDU MALHOTRA (SUPREME COURT OF INDIA) Aug 2018 – Nov 2018
Research and Writing Assistant: Assisted Justice Malhotra (Supreme Court of India) sub-editing the 4th Edition of O. P. Malhotra’s Law and Practice of Arbitration and Conciliation, including chapters on Investment Arbitration and Inter-State Arbitration and India.

PROFESSOR JACK J. COE | EDNA SUSSMAN May 2018 – Jul 2018
Research Assistant: Researched international due process, fork-in-the-road clauses, FET, admissibility of illegally obtained evidence in international arbitration, parallel proceedings, allocation and delegation under U.S. arbitration law, Singapore Convention on Mediation and amended Model Law on Mediation.

A. K. LAW CHAMBERS (ANIRUDH KRISHNAN), Chennai, India Jul 2015 – Jul 2016

Associate: Represented in numerous commercial arbitrations, domestic and international, including institutional arbitrations under SIAC and ICC Rules, relating to sectors such as infrastructure, engineering, power, international sales, employment, etc. Represented before Madras High Court in enforcement petitions, set-aside proceedings, and anti-arbitration injunction suits. Briefed Senior Advocates in high-stakes cases. First chair in mediation cases.

INDIAN INSTITUTE OF ARBITRATION & MEDIATION, Cochin, India May 2015

Intern: Proposed amendments to IIAM arbitration rules using UNCITRAL Rules. Researched emergency arbitrator and arb-med-arb provisions. Audited arbitration and mediation proceedings. Co-mediated cross-border dispute.

INTERNATIONAL LEGAL, AUROBINDO PHARMA LTD., Hyderabad, India May – Jun 2014

Intern: Reviewed pharma industry cross-border commercial contracts and non-disclosure agreements. Analysed arbitration agreements and recommended clauses for renegotiation. Performed various contract management tasks.

ADVANI & CO. BARRISTERS-AT-LAW, Mumbai, India Jun – Jul 2013

Intern: Researched scope of liquidated damages, essence of time in mercantile and construction cases, international public policy, and exemption clauses. Drafted notices and arguments for arbitration hearings.

INDIAN SOCIETY OF INTERNATIONAL LAW, New Delhi, India Nov 2012

Intern: Drafted report on climate change refugees under international refugee law. Research various themes like state responsibility and expropriation. Participated in several international law seminars by eminent international law scholars.

PROFESSIONAL ASSOCIATIONS

THE PEACEKEEPING AND CONFLICT RESOLUTION TEAM (PACT), Panjim, India Jul 2016 – Present

Co-founder: Organized international advocacy programs. Organized international ADR competitions. Trained law and business students across India in the effective use of negotiation and mediation in international and domestic disputes. Drafted and implemented ADR Boards for law schools.

YOUNG MEDIATORS' INITIATIVE (YMI), The Hague, The Netherlands Jun 2015 – Present

YMI Ambassador: Supported young mediators in finding mediation experience. Connected young mediators with professionals and organizations. Represented YMI in events for the promotion of consensual dispute resolution.

CDRC VIENNA: THE IBA-VIAC MEDIATION & NEGOTIATION COMPETITION, Austria Oct 2015 – Jul 2018

Chair, Global Ambassador Programme: Coordinated with student teams, international arbitration and mediation experts, and supporting organisations. Participated in revision of competition rules and guidelines. Organised the competition.

PUBLICATIONS

Book

MEDIATION AND CONCILIATION IN INDIA: PRINCIPLES AND PROCEDURE (Gracious Timothy Dunna ed., Wolters Kluwer) (Forthcoming)

Chapters

Assisted: *Aditya Singh, Investment Treaty Arbitration and India* (Forthcoming)

Commercial Mediation: An Evolving Frontier of Alternative Dispute Resolution in India, in ALTERNATIVE DISPUTE RESOLUTION: THE INDIAN PERSPECTIVE (Shashank Garg ed., Oxford University Press 2018).

Articles

Can and Should Parties Waive the Right to Set-Aside an Arbitral Award: An Indian Perspective? (Forthcoming)

To Enforce or Not to Enforce: Laying A Standard of Enforcement of Annulled Awards in India (Forthcoming)

Standard of Review in Set-Aside and Enforcement Proceedings Relating to Arbitral Awards in India, NATIONAL LAW SCHOOL JOURNAL (2019)

Revisiting the UNCITRAL Model Law on International Commercial Arbitration: More Than a Decade After Its 2006 Amendments, AMERICAN REVIEW OF INTERNATIONAL ARBITRATION (Forthcoming)

Assisted: *Edna Sussman, The Singapore Convention: Promoting the Enforcement and Recognition of International Mediated Settlement Agreements*, 3 ICC DISPUTE RESOLUTION BULLETIN 42 (2018)

Supreme Court in Centrotrade 2016: Too Quick to Nod at the Validity of the Two-Tier Arbitration Clause, 14 ASIAN INTERNATIONAL ARBITRATION JOURNAL 1 (2018)

Introducing “Public Policy” to Enforcement of Foreign Judgments: Lessons from the Law of Arbitration, 2 TRANSNATIONAL DISPUTE MANAGEMENT JOURNAL (2018)

Recognition and Enforcement of Interim Measures Under the Indian Arbitration Amendment Act of 2015, 2 SALGAOCAR LAW REVIEW 24 (2017)

Prospective Applicability of Section 34 under the Arbitration Amendment Act, 2015, 2 NATIONAL LAW SCHOOL BUSINESS LAW REVIEW 30 (2016)

The Conundrum Underlying Section 26 of the Arbitration Amendment Act, 2015: Prospective or Retrospective?, 5(1) INDIAN JOURNAL OF ARBITRATION LAW 205 (2016)

The Final Chapter to the Public Policy Saga: The Arbitration Amendment Act of 2015?, 19(2) INTERNATIONAL ARBITRATION LAW REVIEW 56 (2016)

The Workability of Emergency Arbitrators in India: A Flawed Emergence, 19 YOUNG ARBITRATION REVIEW 55 (2015)

Blogs

Existential Crisis of Section 11(6A) of the Indian Arbitration Act? ([Kluwer Arbitration Part-1](#) and [Part-II](#))

Dealing with Bad Connections, Inside-Out and Outside-In ([Mediate.com](#))

Are We Missing the Point? A Young Mediator’s Perspective About Mediation in India ([Kluwer Mediation](#))

UNCITRAL Convention on Enforceability of Settlement Agreements ([Mediate.com](#))

Downside of Arb-Med-Arb Procedures ([Mediate.com](#))

Investor-State Mediation in India ([Mediate.com](#))

SPEAKING ENGAGEMENTS

Indian Law Society’s Centre for Arbitration and Mediation (ILSCA) Arbitration Week, Pune (India), Feb 15-18, 2019, on *Med-Arb: Vision v. Reality in India: Comparative Prospects with other Jurisdictions*

The PACT & SCMA-London Mediation Advocacy Accreditation Programme, New Delhi (India), Sep 13-15, 2019, *The Framework of ADR in India and Implementing the Singapore Convention* (Upcoming)

SCL & CIArb International Conference on Construction Law and Arbitration, New Delhi (India), Dec 6-8, 2019, *Mediation, Singapore Convention, and Mixed-Mode in the Context of Construction Disputes* (Upcoming)

Expert Assessor or Arbitrator

Trilegal International Arbitration Moot, 2017 (Bangalore, India); Lex Infinitum: International Mediation Competition, 2017 and 2016 (Goa, India); INADR International Mediation Tournament, 2016 (Bhopal, India); Negotiation, Mediation and Client Counselling Competition, 2016 (Bangalore, India); ICC-NLUD Willem C. Vis Indian Pre-Moot, 2015 (New Delhi, India)

ADDITIONAL INFORMATION

Languages: English, Hindi, Telegu

Interests: Cover pop songs into acoustic versions. Learning foreign languages and cultures. Reading philosophical and theological literature.