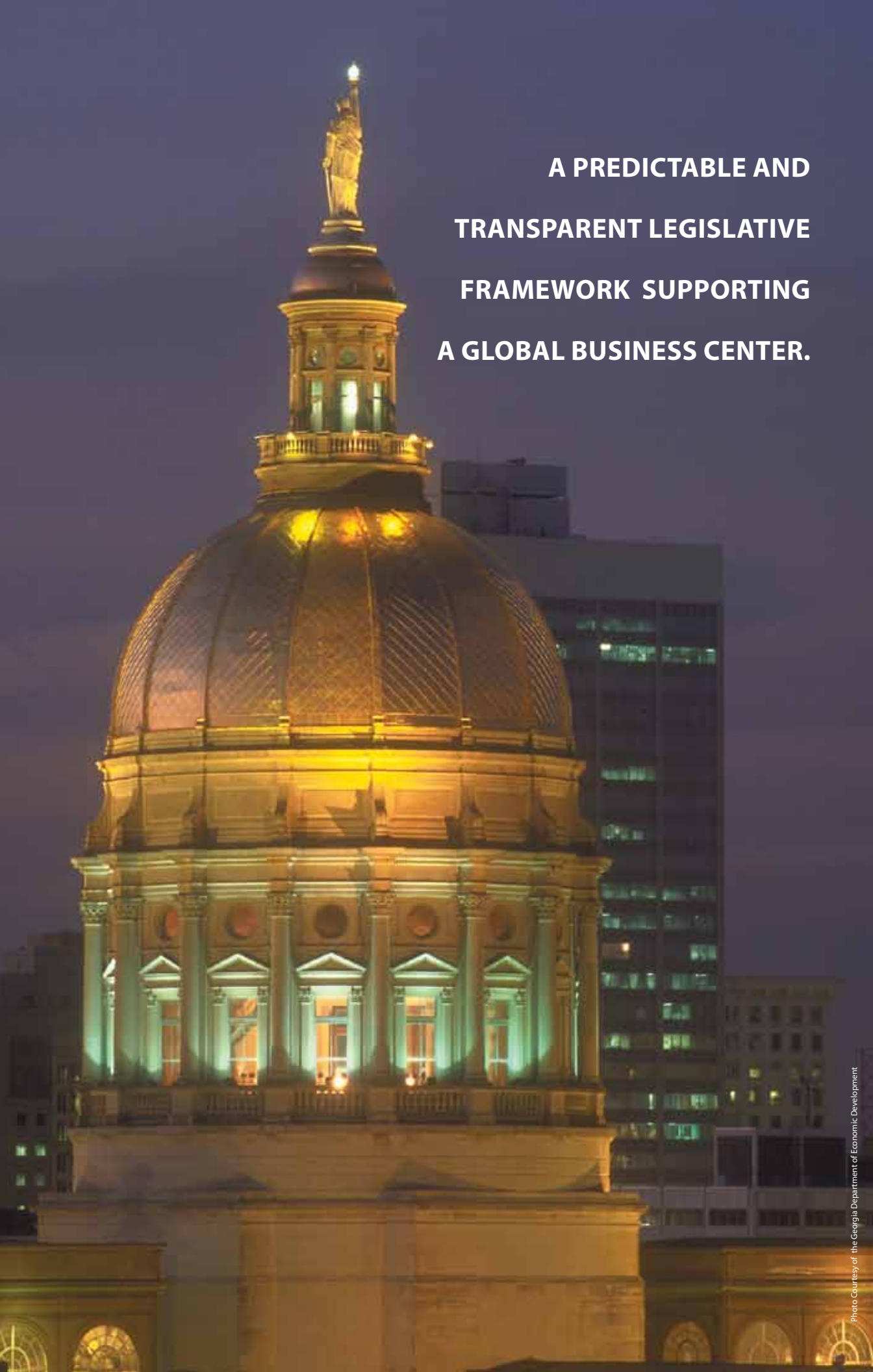


ATLANTA: A Global Business Dispute Resolution Center





**A PREDICTABLE AND
TRANSPARENT LEGISLATIVE
FRAMEWORK SUPPORTING
A GLOBAL BUSINESS CENTER.**

WHY INTERNATIONAL ARBITRATION?

International arbitration is the leading method for resolving cross-border commercial disputes, in part because companies naturally fear litigating in a foreign court. Arbitration allows the parties to resolve their dispute in a neutral forum. An international treaty -- the U.N. Convention on the Recognition and Enforcement of Foreign Arbitral Awards (also known as the "New York Convention") -- also makes it easier to enforce an arbitration award across national borders than a court judgment.

WHY ARBITRATE IN ATLANTA?

The State of Georgia offers a supportive legal framework for international arbitration, including not only arbitration-friendly courts and legislation, but also the most welcoming environment for foreign lawyers in the United States. Georgia's capital, Atlanta, is a global business gateway that is home to many of the world's largest corporations and the world's busiest airport, with direct flights available to most international business centers. Yet despite its sophistication, Atlanta is one of the world's least expensive major cities. A city known worldwide for its hospitality and multicultural embrace, Atlanta is an ideal venue for international arbitrations.



"I understand the critical role of arbitration in cross-border trade and investment and introduced international arbitration legislation in Georgia while a state senator in 1988. Georgia provides a stable, predictable and transparent legislative framework that is supportive of global business. The same supportive business culture and commitment to a level playing field make Georgia an excellent venue for the resolution of cross-border business disputes. As a bonus, parties arbitrating a dispute in this State will find themselves treated to a healthy dose of Southern hospitality."

Hon. Nathan Deal
Governor of the State of Georgia



"As Chief Justice of the Supreme Court of Georgia, I can assure you that our courts are supportive of arbitration, which is especially important in the international context in which parties may be reluctant to litigate in an unfamiliar forum. I am confident you will find that Atlanta -- a sophisticated hub of international business, which boasts the country's third largest number of Fortune 500 company headquarters and the world's largest airport -- offers an experienced judiciary that embraces a system of international arbitration as vital to global commerce."

Hon. Carol W. Hunstein
Chief Justice of the Supreme Court of Georgia



"We welcome you to Atlanta. Having practiced in a multinational law firm, I recognize that international arbitration is one of the cornerstones of international business. Parties choosing Atlanta for their arbitration will find world-class practitioners and a judiciary that is supportive of arbitration. They will also find a vibrant and diverse city that is rich in entertainment and dining options and unrivaled in its business travel infrastructure."

Hon. Kasim Reed
Mayor of Atlanta

**COURTS IN GEORGIA RIGOROUSLY ENFORCE
ARBITRATION AGREEMENTS AND AWARDS.**



SUPPORTIVE LEGAL FRAMEWORK

“Arbitration’s allure is dependent upon the arbitrator being the last decision maker in all but the most unusual cases ... when litigants pursue baseless contests of arbitration awards, the promise of arbitration is broken.”

World Business Paradise, Inc. v. Suntrust Bank, 403 Fed.Appx. 468 (11th Cir. 2010)

“[A] reviewing court is prohibited from weighing the evidence submitted before the arbitrator, regardless of whether the court believes there to be sufficient evidence, or even any evidence, to support the award.”

Greene v. Hundley, 266 Ga. 592 (1996)

“By incorporating the AAA Rules ... into their agreement, the parties clearly and unmistakably agreed that the arbitrator should decide whether the arbitration clause is valid.”

Terminix Int’l Co. LP v. Palmer Ranch Ltd., 432 F.3d 1327 (11th Cir. 2005)

Georgia’s official state motto -- “**wisdom, justice and moderation**” – befits a state having a sophisticated and predictable legal regime supporting a major international business center. A number of the world’s largest corporations govern their agreements and affairs according to Georgia law, and the local bar is experienced in handling some of the world’s most complex transactions and disputes. Georgia’s courts enjoy a well-deserved reputation for independence, honesty and transparency.

Courts in Georgia rigorously enforce arbitration agreements and awards. Indeed, the 11th Circuit U.S. Court of Appeals, which is based in Atlanta, is arguably *the* most international arbitration-friendly court in the United States and among the most arbitration-friendly courts in the world. The 11th Circuit is one of only a few U.S. federal circuits to exclude “manifest disregard for the law” as a viable ground for vacating arbitral awards, the only federal circuit to eliminate domestic arbitration law as a basis for vacating international arbitral awards and among the most vigilant in upholding sanctions against parties engaging in baseless challenges of arbitral awards. As stated in an 11th Circuit decision, it is the courts’ duty to “ensure arbitration is an alternative to litigation, not an additional layer in a protracted contest.”

Most matters relating to international arbitration are handled in the federal courts, but in the event an action is initiated in state court and not removed to federal court, the state courts (which are among the best funded in the country, with judicial pay in the top quintile of states) also have a consistent track record of pro-arbitration rulings.

In 1988, Georgia became one of the first jurisdictions in the world to enact substantial portions of the 1985 United Nations Commission on International Trade Law (UNCITRAL) Model Law on International Commercial Arbitration. In 2012, Georgia also adopted most of the 2006 amendments to the UNCITRAL Model Law (excluding certain controversial provisions in those amendments authorizing arbitrators to issue *ex parte* interim relief). The 2012 legislation also incorporates a number of non-UNCITRAL Model Law provisions representing international best practice, including, for instance, a provision allowing non-Georgia parties to opt out of certain grounds for judicial review of an award.

**NO OTHER JURISDICTION
IN THE UNITED STATES IS MORE
OPEN TO FOREIGN LAWYERS.**

STATE BAR OF GEORGIA

A WELCOMING ENVIRONMENT FOR ADVOCATES AND NEUTRALS OF ALL JURISDICTIONS

"[T]he importance of international comity and ensuring predictability and orderliness in international commerce warrant the enforcement of international agreements to arbitrate, even in contexts where a similar agreement would be unenforceable in the domestic context."

Goshawk Dedicated Ltd. v. Portsmouth Settlement Co. I, Inc., 466 F. Supp. 2d 1293, 1310-11 (N.D. Ga. 2006)



"[T]he fact that certain litigation devices may not be available in an arbitration is part and parcel of arbitration's ability to offer simplicity, informality, and expedition."

Caley v. Gulfstream Aerospace Corp., 428 F.3d 1359, 1378 (11th Cir. 2005)

Parties contemplating an international arbitration in Georgia have literally the entire world to choose from in selecting counsel or neutrals. No other U.S. jurisdiction is more open to non-U.S. licensed lawyers. Indeed, Georgia has been touted by the American Bar Association (ABA) Task Force on International Trade in Legal Services as a singular model for other states in addressing issues arising from globalization, cross-border legal practice and lawyer mobility. As in other leading arbitral centers, foreign lawyers may appear as arbitrators or counsel in international arbitration proceedings, but Georgia goes one step further in also authorizing foreign lawyers to represent their clients on a *pro hac vice* basis in the state's superior courts (for instance, in judicial proceedings ancillary to arbitration).

COST-EFFICIENT DISPUTE RESOLUTION

Atlanta has hosted a remarkable range of events, conferences and gatherings over the years and has an exceptional travel infrastructure, including nearly 94,000 hotel rooms and an unrivaled selection of amenities for business travelers. According to the 2010 Hotel Price Index, the average hotel rate in Atlanta was only 47% of the average rate in New York City. Atlanta also offers greater value than any major non-U.S. arbitral center, with corresponding figures of 41% for Geneva, 51% for Paris, 52% for London, 58% for Singapore, 63% for Dubai, and 74% for Hong Kong.

Parties will also find a range of affordable options for their arbitration hearing. The AAA/ICDR, JAMS, Henning and local law firms offer hearing rooms with the latest videoconferencing technology, and local hotels and state-of-the-art conference facilities provide endless other possibilities at competitive rates.

Atlanta is home to many practitioners and arbitrators who are seasoned in multiple jurisdictions and legal traditions, including the civil law, and who are committed to the principle that arbitration should provide a simpler, less expensive and more expeditious form of dispute resolution than resort to national courts. Agreements to restrict discovery in arbitration are upheld by arbitrators and the courts.

An aerial photograph of an airport terminal and tarmac during the golden hour of sunset. The terminal building is a large, multi-story structure with a prominent red and white facade. Several aircraft are parked at gates, with ground service equipment and baggage carts visible around them. The sky is a mix of orange, yellow, and blue, casting a warm glow over the entire scene. The text is centered in the middle of the image.

**DIRECT FLIGHTS FROM ATLANTA TO MORE THAN
80 INTERNATIONAL DESTINATIONS IN 52 COUNTRIES.**

“In pursuing effective, unified arbitration standards, the [New York] Convention’s framers understood that the benefits of the treaty would be undermined if domestic courts were to inject their ‘parochial’ values” into the regime for the enforcement of international arbitration awards.

Bautista v. Star Cruises, 396 F.3d 1289, 1300 (11th Cir. 2005)

GLOBAL BUSINESS GATEWAY

Atlanta is the economic capital of the southeast U.S., a region that, as a separate country, would have the seventh highest GDP in the world. Many of the world’s foremost companies, respected brands and charitable organizations call Atlanta home. Indeed, **Atlanta now hosts the third-largest concentration of Fortune 500 company headquarters in the United States.** Atlanta’s vibrant international community includes 65 consulates and government-sponsored trade organizations, over 40 bi-national chambers of commerce and approximately 750,000 foreign-born residents.

THE WORLD’S MOST ACCESSIBLE CITY

More passengers pass through Hartsfield-Jackson Atlanta International Airport than any other airport in the world. **Over 2,700 flights arrive and depart from Atlanta each day**, and there are direct flights from Atlanta to more than 80 international destinations in 52 countries, plus more than 150 U.S. destinations. Most destinations are served daily, nearly a dozen are served twice daily, and markets in France, England, Canada and Mexico may see up to four departures daily. 80% of the entire U.S. population lives within a direct two-hour flight from Atlanta.



Photo Courtesy of Creative Commons Attribution 2.0 Generic

**HOME OF THE 1996 SUMMER OLYMPIC GAMES,
ATLANTA IS A CITY THAT LOVES TO PLAY HOST.**



A TRADITION OF HOSPITALITY



Photo Courtesy of the Georgia Department of Economic Development



Photo Courtesy of the Georgia Department of Economic Development



In Atlanta, home of the 1996 Summer Olympic Games, hospitality is more than a catchphrase. **Described by *National Geographic Explorer* as one of the top 50 cities to visit in a lifetime**, Atlanta is a city that loves to play host, sparing no effort to make every visitor feel welcome. Experience a professional sporting event or sample the vibrant culture of this diverse New South metropolis with a visit to such world-class institutions as the Woodruff Arts Center, the High Museum, the Atlanta Symphony Orchestra, the Alliance Theatre and the Atlanta Ballet. Tour the Carter Presidential Center, the Martin Luther King Jr. National Historic Site, the Georgia Aquarium, Civil War battlefields, The Fox Theater, The Margaret Mitchell House, and CNN Center. Treat yourself to some upscale shopping in Buckhead or browse the bohemian shops of Little Five Points. Or simply absorb the beauty of some of the city’s lovingly landscaped neighborhoods. Known as a “city in a forest,” with more tree cover than any other major city in the U.S., Atlanta is lush with dogwoods, magnolias, and magnificent oaks.

At the end of the day, enjoy some of Atlanta’s award-winning dining – described by the *New York Times* as a “new kind of sophisticated Southern sensibility centered on the farm but experienced in the city.” And if you’re still not ready to turn in for the evening, take in some famed “Hotlanta” nightlife and the city’s spirited music scene.

DIVERSE AND GLOBAL IN OUTLOOK

Long known as the “city too busy to hate,” Atlanta is a thriving model of diversity at work. A magnet for in-migration, most Atlantans were born elsewhere. The King Center for Non-Violent Social Change and The Carter Center (each bearing the name of native Georgians who became Nobel Peace Prize Laureates) provide a beacon of hope and support for those struggling for equal rights and democracy all over the world. The worldwide reach of CARE, CNN, Habitat for Humanity, The Centers for Disease Control (CDC) and Georgia’s world-class academic institutions (including Emory University, the University of Georgia, the Georgia Institute of Technology, Georgia State University, and the Atlanta University Center Consortium) manifest the city’s global outlook.



**ATLANTA'S VIBRANT INTERNATIONAL COMMUNITY
INCLUDES 65 CONSULATES, GOVERNMENT-
SPONSORED TRADE ORGANIZATIONS AND
BI-NATIONAL CHAMBERS OF COMMERCE.**

THE ATLANTA ADVANTAGE:

- A transparent and predictable legal framework supporting one of the world's major international business centers
- Pro-arbitration courts, including the 11th Circuit U.S. Court of Appeals, the only circuit holding that the exclusive grounds for setting aside New York Convention awards are those set forth in the Convention itself
- The most progressive regime for foreign lawyer practice in the U.S.
- The world's most accessible city
- The least expensive major city in the U.S.
- A city known worldwide for its hospitality and multicultural embrace



"Atlanta is Arbitration Central. The home of Coca Cola, Martin Luther King Jr. and President Jimmy Carter has a century of experience in conflict resolution of every type. Coming to Atlanta, the world can not only discuss issues but experience the result of diverse groups and opinions living and thriving beyond conflict."

Andrew Young

Co-Chair GoodWorks International, former U.S. Ambassador to the United Nations, Congressman from Georgia's 5th District and Mayor of Atlanta



"Over the last twenty years, Georgia and the Southeast have been a magnet for German business. Atlanta is ripe with international trade, academic, social and cultural opportunities, including a significant German cultural network. The Atlanta Consular Corps and the countries we represent are well-served by Georgia's welcoming environment for international business."

Dr. Lutz Görgens

Consul General of the Federal Republic of Germany and Dean of the Consular Corps in Atlanta



"Atlanta offers a premier location for an international arbitration center. Metro Atlanta is a dynamic global business hub with the second-largest concentration of "Global 500" headquarters in the U.S., more than 2,400 international companies, 65 countries represented by consulates, trade offices and bi-national chambers of commerce, and an airport with an unrivaled capacity for linking people and products to the global marketplace."

Sam A. Williams

President, Metro Atlanta Chamber of Commerce

For further information about arbitration in Atlanta,
please visit www.arbitrationatlanta.org.



www.arbitrateatlanta.org