



Erika Williams FCIArb

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Overview

I am a leading international arbitration practitioner with over a decade of experience acting in some of Australia's largest disputes resolved through arbitration. I am experienced in commercial, construction and investment arbitration and have acted in arbitrations under various arbitral institutions including ACICA, LCIA, ICC, SIAC, CIETAC and JCAA

I have a broad range of general commercial litigation experience, particularly in relation to cross-border disputes, from commencing proceedings and interlocutory actions through to full trials and appeals, including all the way to the High Court of Australia.

I am on the arbitrator panels of leading arbitral institutions including the Chartered Institute of Arbitrators, the Australian Centre for International Commercial Arbitration, the Resolution Institute and the Queensland Law Society. I am currently accepting arbitrator and tribunal secretary appointments.

Professional Experience

January 2021 –
Current

Independent Arbitration Practitioner Williams Arbitration

I have recently established myself as an independent arbitration practitioner. In addition to accepting arbitrator and tribunal secretary appointments, I provide consultancy services to in-house counsel and firms involved in arbitration and cross-border litigation. My consultancy services include:

- providing in-house counsel and firms that may not have specialist arbitration capabilities with the expert arbitration knowledge required to advise clients in relation to arbitration and to take matters through arbitral proceedings; and
- assisting in-house counsel and firms involved in large scale arbitration or litigation proceedings when an extra set of experienced hands are needed.



Since establishing my independent practice, I have been engaged as:

- Arbitration Consultant to GRT Lawyers, acting as counsel defending a Mongolian State-Owned Entity in a jurisdictional challenge under the SIAC Rules (claimant counterclaim totalling USD 40 million)
- Tribunal Secretary to a panel of three referees in the unique Supreme Court of Queensland matter of [Santos Limited v Fluor Australia Pty Ltd & Anor](#), the questions in which the Court has referred out to the referees. The matter involves claims exceeding \$1.4 billion
- Counsel at Peter & Kim, a leading international arbitration firm based in Switzerland, South Korea, Australia and Singapore. As Counsel, Erika has advised a French entity in relation to a potential investor-state dispute with Singapore and assisted in successfully defeating an application for interim measures in a JCAA arbitration between and Japanese and Korean entities
- Counsel for the Australian Centre for International Arbitration administering cases under the ACICA Arbitration Rules

July 2016 –
November 2020

Senior Associate
McCullough Robertson Lawyers

I was a Senior Associate at McCullough Robertson, Brisbane. I practiced in international commercial arbitration, investor-state arbitration and general commercial litigation, often involving issues arising from cross-jurisdictional disputes.

In terms of financial performance, in FY2019, I managed over \$2 million in fees including managing the firm's highest billing client which was facing a potential ICC Singapore arbitration. I was the highest acting fee earner among the firm's 42 senior associates and billed approximately 110% of my budget requirements. In FY2017, I was the firm's second highest billing associate, after less than one year at the firm.

My key experience as counsel includes acting autonomously:

- as lead solicitor on a multi-million dollar construction arbitration involving over 1,000 separate claims and managing a large team of 12 lawyers and five barristers (total solicitors' fees circa. \$9M over nine years)
- as lead solicitor in Supreme Court litigation in \$60 million claim against a China and Hong Kong based fashion clothing retail group for unpaid consultancy and development fees (total solicitors' fees circa. \$1.2M over two years)
- in an investor-state claim under a bilateral investment treaty against a South American country for an Australian investor in a lithium mine
- for a coal trader in a misrepresentation dispute administered by SIAC



- in a dispute involving delay claims and standby claims in relation to an oil refinery project in Qatar under the JCAA Rules, including drafting detailed witness statements following which the parties were able to reach a settlement beneficial to our claimant client
- for Netherlands principal contractor against subcontractor in a dispute arising from termination of a construction contract under the Resolution Institute Rules
- in relation to international commercial arbitrations under various arbitral institutions including ACICA, LCIA, UNCITRAL, SIAC and JCAA, and
- in relation to complex issues arising in arbitration and litigation proceedings including obtaining cross-jurisdictional freezing orders and evidence in cross-border arbitration and litigation.

My key experience as Tribunal Secretary includes assisting Tribunals in the following matters:

- \$10 million claim against the defence force of a Pacific Island nation in relation to a catering services contract where the respondent did not participate substantively in the arbitration
- USD\$10 million repudiation claim involving iron ore mine and Chinese steel mill concerning an offtake agreement and involving a jurisdictional dispute
- arbitration under the Sugar Code involving the terms of a sugar contract between approximately 250 growers and the relevant sugar mill
- restraint of trade dispute involving the sale of a cleaning and facilities management business
- expedited arbitration to resolve a partnership dispute between unrepresented parties arising upon the dissolution of the partnership
- arbitration to resolve the finalisation of a 30-year lease of a caravan park in North Queensland, and
- expert determination regarding a warranty dispute following a multi-million dollar commercial real estate transaction.

November 2011 – **Associate**
June 2016 **Baker McKenzie**

I was an associate in the Dispute Resolution and Litigation team at Baker McKenzie, Sydney. I practiced in international commercial arbitration and general commercial litigation.

Representative legal matters include:

- Acting in relation to a number of international arbitration proceedings involving parties in several countries.
- Successfully obtaining a stay of arbitration from an Australian court.
- Advising on complex issues arising in international disputes including jurisdictional issues, obtaining and using evidence in foreign seated proceedings and enforcing foreign judgments and arbitral awards.



- Acting in relation to a multi-million dollar breach of contract litigation.
- Acted in relation to an application to remove a liquidator in a high-profile matter.
- Acted in appellate proceedings involving a question of professional negligence.
- Acted in relation to special leave and High Court proceedings on the correct interpretation of a section of the Corporations Act.

June 2011 - **Paralegal/Solicitor**
November 2011 **John Holland**

Secondment-type position assisting general counsel at John Holland. Tasks included reviewing commercial leases, assisting with matter proceeding to expert determination, handling tenancy disputes and drafting contracts and deeds.

November 2010 – **Information Specialist**
June 2011 **Baker & McKenzie**

Part time position whilst completing graduate diploma of legal practice. Required responding to information requests from solicitors from across the firm and allocating and supervising research tasks undertaken by research clerks.

February 2010 – **Research Clerk**
November 2010 **Baker & McKenzie**

Part time position whilst completing final year of law degree. Responsible for undertaking research tasks from solicitors in all practice groups within the firm. Responses to research tasks often formed the basis of advices to clients.

November 2009 – **Summer Clerk**
January 2010 **Baker & McKenzie, Sydney**

Completed two rotations of approximately one month each in the Energy & Resources practice group and the Dispute Resolution practice group. Received graduate position offer following successful completion of clerkship program.

August 2006 – **Paralegal - Legal Technology Support Team**
November 2009 **Clayton Utz, Brisbane (2006), Sydney (from 2007)**

Providing support to and liaising with numerous legal practice groups in order to effectively collect and catalogue documents from clients in preparation for discovery, conduct objective and subjective coding of documents, prepare tender bundles for court and provide urgent and demanding behind the scenes support by creating documents during trial for use in an e-court and electronic-hardcopy hybrid trial proceedings.



Education

January 2018	Award Writing Module (Fellowship Accreditation) Chartered Institute of Arbitrators
November 2015	Oil & Gas and Construction Arbitration Training Baker & McKenzie, Jakarta
November 2013	Diploma in International Commercial Arbitration Chartered Institute of Arbitrators
August 2011	Admitted as a Lawyer Supreme Court of New South Wales High Court of Australia
November 2010 – June 2011	Graduate Diploma of Legal Practice College of Law, Sydney
March 2007 - November 2010	Bachelor of Laws (Honours Class II) University of Sydney
2008	Bachelor of Arts - Japanese Studies University of Sydney

Language Skills

English
Native

Japanese
Business professional

Awards and Nominations

November 2020	Arbitration Practitioner of the Year Nominee Australian ADR Awards
November 2019	Senior Associate of the Year Finalist Lawyers Weekly Women in Law Awards
July 2019	Senior Associate of the Year Finalist Lawyers Weekly Australian Law Awards



July 2019	Arbitration Practitioner of the Year Finalist Australian ADR Awards
July 2017	Senior Associate of the Year Finalist Lawyers Weekly Women in Law Awards
November 2015	2015 Australian Young Lawyer Award Law Council of Australia
November 2015	NSW Young Lawyer of the Year Nominee Law Society of New South Wales
October 2012	Best Oralist International Arbitration Moot Chartered Institute of Arbitrators/NSW Young Lawyers

Professional Associations and Memberships

- Chartered Institute of Arbitrators - Fellow
- Australian Center for International Commercial Arbitration – Fellow
- Resolution Institute – Graded Arbitrator
- ArbitralWomen - Director
- Alternative Dispute Resolution Committee - Queensland Law Society
- Chartered Institute of Arbitrators (Australia) – Queensland Chapter Committee
- ACICA Queensland State Committee

Referees

Contact details for the following referees are available upon request.

Russell Thirgood

Former Supervising Partner
McCullough Robertson
(Now Independent International Arbitrator)

Chris Wicks

General Manager NQXT (North Queensland
Export Terminal, a related entity to Adani
Abbot Point Terminal) and client

Peter Stokes

Former Supervising Partner
McCullough Robertson

Oliver Gayner

Senior Investment Manager
Omni Bridgeway (litigation funder for client)