**KCL-GWU LAW SYMPOSIUM - DEBARMENT AND EXCLUSION**

**MARCH 18, 2019**

**PANELIST BIOGRAPHIES**

**Introductions (10-10:15)**

Professor Andrea Biondi & Michael Bowsher QC, King’s College London

[**Andrea Biondi**](https://kclpure.kcl.ac.uk/portal/en/persons/andrea-biondi(3b91423d-837b-455f-8dc1-322815f156f8)/biography.html) is a Professor of European Union Law and the Director of the Centre for European Law at King’s College London. He is a visiting professor at University of Rome La Sapienza. He was previously a visiting professor at the University Bocconi Milan, the College of Europe in Warsaw, Georgetown University and Universidade Católica Portuguesa of Lisbon. He is a member of the Bar of Florence as well as being an Academic Associate at 39 Essex Chambers in London. Professor Biondi is on the International Advisory Board of European Public Law, European State Aid Law Quarterly and the European Public Private Partnership Law Review. He is general Editor of the European Monographs Series for Kluwer Int. From 2015, until January 2017, he was Legal Advisor on EU law matters for the Italian Prime Minister's Office.

[**Michael Bowsher QC**](https://www.monckton.com/barrister/michael-bowsher-qc/) has a busy practice in public procurement, competition and commercial law, particularly in disputes concerning major public and public-private projects. He is particularly known for his unique practice in regulated procurement in the United Kingdom, Ireland, elsewhere in the EU and beyond. Michael Bowsher QC has appeared as counsel in many of the major procurement cases over more than a decade. He is also heavily involved in providing advice on procurement law and practice in non-contentious situations. He has recently become increasingly involved in matters involving application and interpretation of investment treaties and trade agreements as well as a range of matters involving the space sector. Michael is active in a range of dispute resolution arrangements. He has often been appointed as arbitrator, mediator and expert by CEDR, LCIA, Chartered Institute of Arbitrators and the Technology and Construction Solicitors’ Association. Most of his appointments involve disputes concerning investments or long term contracts involving the public sector or utilities. He has recently been involved in a number procedures involving disputes in the operation of the NHS. Michael is a Visiting Professor at King’s College London where he teaches EU Public Procurement on the LLM degree course and is Director of the Distance Learning Diploma and Masters in Public Procurement law. Each of these courses includes substantial components concerning procurement by international organisations beyond the EU. Michael is a member of the Bar Library in Belfast and in Dublin, and practises actively in Northern Ireland and the Republic of Ireland as well as in England and Wales.

**Panel I: Establishing and Running an Exclusion System (10:15-11:15)**

Moderator: Lisa Miller, Integrity Compliance Officer, World Bank Group

Duc Nguyen, Suspension & Debarment Official, U.S. Environmental Protection Agency (EPA)

Olivier Waelbroeck, European Debarment & Exclusion System (EDES)

Kai Hooghoff, Bundeskartellamt (Federal Cartel Office), Germany

Dominique Casimir, Arnold & Porter

**Lisa Miller** is the World Bank Group Integrity Compliance Officer and heads the Integrity Compliance Unit in the World Bank Group's Integrity Vice Presidency. She previously was a Senior Counsel in the World Bank's Legal Vice Presidency focusing on sanctions and legal procurement matters. Prior to joining the World Bank, she was in private legal practice in Boston and Washington, D.C. Her practice focused on integrity compliance, sanctions, public procurement, and corporate matters. Lisa received an LL.M. in International and Comparative Law, with distinction, from Georgetown University Law Center. She received her J.D. from George Washington University Law School where she was a member of The George Washington Journal of International Law and Economics, and a Dean’s Fellow. She graduated from Georgetown University’s School of Foreign Service with a B.S. in International Politics and Certificate in German Studies.

**Duc Nguyen** is the Senior Debarring Official at the U.S. Environmental Protection Agency and Vice Chair of the Interagency Suspension and Debarment Committee (ISDC). His prior positions include Procurement Fraud Remedies Coordinator (Western Region) for the National Aeronautics and Space Administration (NASA), Procurement Fraud and Irregularities Coordinator for the U.S.Army Materiel Command’s (AMC) Acquisition IntegrityProgram, and lead attorney for contingency contracting at AMC. Prior to joining the federal civil service, Duc served on active duty in the Army’s Judge Advocate General’s Corps (JAG). His JAG assignments included Associate Counsel (Contracts and Business Law) at AMC, Senior Defense Counsel at Fort Carson, CO, Chief of Military Justice for the 19th Theater Area Support Command (19th TAACOM), Republic of Korea, and Chief of Client Services for the 19th TAACOM. Prior to becoming a JAG, Duc was an Army logistics officer serving as platoon leader, company executive officer, and battalion staff officer with the 2nd Infantry Division and the 101st Airborne Division (Air Assault). Duc received his Bachelor of Arts degree from Cornell University, his JD from the University of Washington School of Law, and his LLM from the U.S. Army Judge Advocate General’s Legal Center and School. He also expects to receive an LLM in Government Procurement Law from the George Washington University Law School in 2017. Duc is a member of the Washington Bar.

**Olivier Waelbroeck** holds a Master in International Business Law (LLM) from the London School of Economics (Foreign and Commonwealth Scholarship) and is a law graduate from the Université Libre de Bruxelles. After spending several years at the Court of Justice of the EU (Cabinet of a judge and later of the President), he joined the European Commission in 2005, first as part of the Secretariat General and later of the Directorate-General for Budget, where he was appointed assistant to Director General (2009), Head of Unit "Financial Regulations" (2011) and Director of the Central Financial Service (2015).

**Kai Hooghoff,** Bundeskartellamt (Federal Cartel Office), Germany, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**Dominique Casimir** is a partner in Arnold & Porter’s Washington DC offices. Dominique concentrates her practice in government contracts litigation and counseling. She represents government contractors hailing from a wide variety of industries, including defense, healthcare, information technology, and professional services. Ms. Casimir regularly litigates pre-award and post-award bid protests before the US Government Accountability Office (GAO), the US Court of Federal Claims, and the Federal Aviation Administration Office of Dispute Resolution for Acquisition. Ms. Casimir also has extensive experience litigating complex contract claims before the Armed Services Board of Contract Appeals, and has litigated teaming disputes in arbitration proceedings.

**Panel II: Sanctions and Exclusion at the Multilateral Development Banks (11:30-12:30)**

Moderator: Prof. Christopher Yukins, George Washington University

Paul Kearney, Chief Counsel & Enforcement Commissioner, EBRD

Collin Swan, World Bank Suspension & Debarment Office

Lisa Miller, Integrity Compliance Officer, World Bank Group

**Christopher Yukins** serves as co-director of the government procurement law program at George Washington University Law School. He has testified on issues of procurement reform and trade before committees of the U.S. Congress and the European Parliament. He has lectured at institutions around the world, he has worked on a wide array of international projects on capacity-building in procurement, and he was an advisor to the U.S. delegation to the working group on reform of the United Nations Commission on International Trade Law (UNCITRAL) Model Procurement Law. In private practice, Professor Yukins has been an associate, partner and counsel at leading national firms; he is currently counsel to the firm of Arnold & Porter.

**Paul Kearney** has been the Enforcement Commissioner at the European Bank for Reconstruction and Development since 2015, having joined EBRD in 1998. At EBRD, Mr. Kearney has dealt with a wide range of matters, including:- financing and restructuring of EBRD projects; development of EBRD’s carbon credit product line; a range of contentious, enforcement and criminal cases; as well as institutional and HR matters. Prior to joining EBRD, Mr. Kearney was in private legal practice with Salans Hertzfeld & Heilbronn, in London, and with McCann Fitzgerald, in Dublin and in London, and acted as Assistant Company Secretary, while on secondment with the GPA Group. Mr. Kearney holds a B.A. (Mod. Leg. Sci.) and an M.A. from Trinity College, Dublin. He was admitted as a solicitor in Ireland in 1988 and has been admitted as a solicitor in England and Wales since 1996.

**Collin Swan** is Counsel (Sanctions) in OSD at the World Bank, where he assists the Suspension and Debarment Officer in reviewing sanctions cases and determining whether to suspend the contracting eligibility of respondent firms and individuals. Prior to joining the World Bank, Mr. Swan worked as a government contracts associate at Wiley Rein LLP and served as a judicial law clerk for the Honorable Jimmie V. Reyna on the U.S. Court of Appeals for the Federal Circuit. He is also an Associate Editor for the Public Contract Law Journal and has been a Professorial Lecturer in Law at the George Washington University Law School since 2014, where he teaches courses on government contracts and scholarly writing. A native of Pennsylvania, Mr. Swan received his B.A., summa cum laude, from the George Washington University, and his J.D., highest honors, from the George Washington University Law School. During law school, he won both the National Contract Management Association’s writing award and the Public Contract Law Journal writing competition. His publications include works in the Journal of National Security Law and Policy, the Public Contract Law Journal, the George Washington Law Review and the Journal of Contract Management.

**Lisa Miller** is the World Bank Group Integrity Compliance Officer and heads the Integrity Compliance Unit in the World Bank Group's Integrity Vice Presidency. She previously was a Senior Counsel in the World Bank's Legal Vice Presidency focusing on sanctions and legal procurement matters. Prior to joining the World Bank, she was in private legal practice in Boston and Washington, D.C. Her practice focused on integrity compliance, sanctions, public procurement, and corporate matters. Lisa received an LL.M. in International and Comparative Law, with distinction, from Georgetown University Law Center. She received her J.D. from George Washington University Law School where she was a member of The George Washington Journal of International Law and Economics, and a Dean’s Fellow. She graduated from Georgetown University’s School of Foreign Service with a B.S. in International Politics and Certificate in German Studies.

**Lunch (12:30-13:30)**

**Panel III: View from the Private Bar (13:30-14:30)**

Moderator: Michael Bowsher QC

Pascal Friton, Blomstein, Berlin

Vera Eiro, Linklaters, Lisbon

John Pachter, Smith Pachter McWhorter PLC, Tysons Corner, Virginia

Paul Khoury, Wiley Rein LLP, Washington, D.C.

[**Michael Bowsher QC**](https://www.monckton.com/barrister/michael-bowsher-qc/) has a busy practice in public procurement, competition and commercial law, particularly in disputes concerning major public and public-private projects. He is particularly known for his unique practice in regulated procurement in the United Kingdom, Ireland, elsewhere in the EU and beyond. Michael Bowsher QC has appeared as counsel in many of the major procurement cases over more than a decade. He is also heavily involved in providing advice on procurement law and practice in non-contentious situations. He has recently become increasingly involved in matters involving application and interpretation of investment treaties and trade agreements as well as a range of matters involving the space sector. Michael is active in a range of dispute resolution arrangements. He has often been appointed as arbitrator, mediator and expert by CEDR, LCIA, Chartered Institute of Arbitrators and the Technology and Construction Solicitors’ Association. Most of his appointments involve disputes concerning investments or long term contracts involving the public sector or utilities. He has recently been involved in a number procedures involving disputes in the operation of the NHS. Michael is a Visiting Professor at King’s College London where he teaches EU Public Procurement on the LLM degree course and is Director of the Distance Learning Diploma and Masters in Public Procurement law. Each of these courses includes substantial components concerning procurement by international organisations beyond the EU. Michael is a member of the Bar Library in Belfast and in Dublin, and practises actively in Northern Ireland and the Republic of Ireland as well as in England and Wales.

**Pascal Friton**, a partner at the BLOMSTEIN firm, Berlin, specialises in public procurement law and trade law. His public procurement law practice covers advice to both contracting authorities and bidders, in particular in the area of services and IT as well as defence procurement. In addition he has longstanding experience with compliance-related issues, advising multinational companies on legal consequences of misconduct in public procurement procedures and on self-cleaning measures. This includes advising on sanctions imposed by the World Bank or other multilateral development banks. In the area of trade law he regularly advises the export industry and financial institutes on economic sanctions of the EU, for example against Iran and Russia. Pascal’s trade law practice also includes EU and German Blocking/Anti-Boycott Law as well as German foreign investment control. He is recognized as a leading public procurement lawyer by Who’s Who Legal 2016 and 2017 (Government Contracts). The Legal Media Group’s Expert Guides list him as one of the leading lawyers for “International Trade”.

**Vera Eiro** is a Counsel in Linklaters’ Finance department and leads the Public Law and regulatory practice in the firm’s Lisbon office. Her practice has focused on public procurement, administrative law, environmental law, energy law and planning law. She has over 15 years of experience in providing legal advice in regulatory and public law issues relevant to project finance projects, litigation and M&A transactions in highly regulated sectors such as the energy and health sectors, having advised on several cross-border transactions involving Lusophone Africa, working furthermore in areas such as water management, infrastructure and transport. Vera has a PhD in Public Law, and, alongside her work at Linklaters, she is a visiting professor at renowned Portuguese universities, and frequently lectures in national and international conferences. She has published several articles and books, including her PhD thesis.

**John Pachter** is a name partner at Smith Pachter McWhorter, in Tysons Corner, Virginia. A practitioner of government contract law for more than 50 years, Mr. Pachter has engaged in substantial litigation before the Boards of Contract Appeals, the United States Court of Federal Claims, Federal District Courts, and the United States Court of Appeals for the Federal Circuit. He has prosecuted bid protests before the Government Accountability Office, the General Services Board of Contract Appeals, the United States Court of Federal Claims and Federal District Courts. Mr. Pachter has represented a number of clients in the debarment area. He has also represented and counseled clients on fraud and compliance investigations, audits, corporate governance and ethics, and defense of qui tam actions. In 2012 Mr. Pachter was the first recipient of the Allan J. Joseph Excellence in Leadership Award, conferred by the ABA's Section of Public Contract Law. In October 2007, the Department of the Army appointed Mr. Pachter to serve as Independent Monitor to supervise ITT Corporation's performance under an Administrative Compliance Agreement. Since then Mr. Pachter has served as monitor in four additional matters.

**Paul Khoury**, a partner at Wiley Rein in Washington, D.C., counsels and represents government contractors in solicitation review, multiple award schedule contracting, state and local procurements, subcontracting, teaming agreements, corporate transactions, bid protests, terminations, contract disputes litigation, compliance reviews, mandatory disclosures, inspector general investigations, and False Claims Act actions. Paul is regularly rated as one of the country’s “Leading Lawyers” in his field by Chambers USA, which commends him as “a fantastic bid protest attorney”. Paul was also chair of the firm’s Pro Bono Committee from 1998 to 2014.

**Panel IV: Interactions between Public Procurement and Criminal and Civil Claims for Breach of Competition Law and Corruption (14:30-15:30)**

Moderator: Professor Renato Nazzini, King’s College London

Professor Alison Jones, King’s College London

Commentator: Eva Anderson, Transparency International

Anna Caroline Müller, World Trade Organization

**Renato Nazzini** joined King's College London as Professor of Law in 2012. Previously, he was Professor of Competition Law and Arbitration at the University of Southampton, which he joined from the Office of Fair Trading, then the UK competition authority (now the Competition and Markets Authority), where he was Deputy Director of the Legal and Policy Department and led or advised on major areas of enforcement and policy. Professor Nazzini is currently a non-governmental adviser to the International Competition Network (ICN), where he has been particularly active on the Unilateral Conduct Working Group and on the Merger Working Group. Professor Nazzini is also an expert in international arbitration, ADR and civil procedure and is the Director of Research of the Centre of Construction Law and Dispute Resolution. Professor Nazzini holds doctorates from the Universities of Milan and London and has been Visiting Professor at the University of Turin and Honorary Fellow at the British Institute of International and Comparative Law. He is a Solicitor of the Senior Courts of England and Wales, an Italian advocate, and a Member of the Chartered Institute of Arbitrators. He has acted as arbitrator and expert witness and has advised and represented clients around the world in competition matters and in complex competition and commercial disputes in arbitration, both ad hoc and institutional, and court proceedings.

**Alison Jones** is Professor of Law at King’s and a solicitor at Freshfields Bruckhaus Deringer LLP. Prior to joining King's in 1992, Alison read law at Girton College, Cambridge, worked at Slaughter & May and completed a BCL at Christ Church, Oxford. Since joining King’s she has taught Competition Law (EU, UK and US), Trusts, Property, and EU law. Alison is co-author of Jones and Sufrin on EU Competition Law, a Regional Editor for The Restitution Law Review and writes two of the Centre of European Law’s modules for the Diploma in EU competition law. She is also Director of the LLB Law with European Legal Studies programme.

**Eva Anderson**, of Transparency International - UK,is a specialist financial crimes lawyer and investigator. She joined TI’s Defence & Security Programme in 2014 to manage the Government Defence Anti-Corruption Index. From 2012-2014 she worked for TI’s Rep. of Georgia chapter where she was responsible for NATO Defence Reforms, public procurement and government investment funds. Eva served as a member of the Rule of Law Subcommittee at the American Chamber of Commerce in Tbilisi, advising on state asset misappropriation and monitoring court proceedings. Previously Eva worked for Goldman Sachs and UBS, advising on AML controls, for the UK Financial Conduct Authority’s market abuse and litigation division and for PwC’s Forensic Investigations. A scholar of Middle Temple, she is a qualified Barrister and worked as a lead researcher for ‘Insider Dealing: Law and Practice’, published by Blackstones, Oxford University Press in 2013.

**Anna Caroline Müller**, of the World Trade Organization Secretariat, is a Legal Affairs Officer in the government procurement team of the WTO’s Intellectual Property Division. She is a fully qualified lawyer admitted to the bar in Germany (Rechtsanwältin) and to the roll of solicitors in England and Wales. Prior to joining the WTO in June 2011, she practised law in the Commercial Litigation & Arbitration section of Clifford Chance's Frankfurt office (2010-2011). She holds a Law Degree (Baden-Württemberg, Germany, 2004) and an LL.M. in Intellectual Property Law (Universität Düsseldorf, 2005) as well as a D.E.A. (Diplome d’Etudes Approfondies) in international relations from the Graduate Institute of International Studies, Geneva (2007). Her research is focused on international economic law with recent publications in the field of government procurement. She speaks German, English, French and Spanish.

**Tea (15:30-16:00)**

**Panel V: Judges Panel -- on Competition, Corruption and Procurement (16:00-17:00)**

Moderator: Michael Bowsher QC

Professor Carl Baudenbacher, former President of the EFTA Court, Monckton Chambers

Judge Katja Hoegh, Chair, Østre Landsret (High Court of Eastern Denmark), Copenhagen

Judge Helena Rosen Andersson, Swedish Supreme Administrative Court

Judge Marc Steiner, Swiss Federal Administrative Court

Judge Christopher Vajda, Court of Justice for the European Union

[**Michael Bowsher QC**](https://www.monckton.com/barrister/michael-bowsher-qc/) has a busy practice in public procurement, competition and commercial law, particularly in disputes concerning major public and public-private projects. He is particularly known for his unique practice in regulated procurement in the United Kingdom, Ireland, elsewhere in the EU and beyond. Michael Bowsher QC has appeared as counsel in many of the major procurement cases over more than a decade. He is also heavily involved in providing advice on procurement law and practice in non-contentious situations. He has recently become increasingly involved in matters involving application and interpretation of investment treaties and trade agreements as well as a range of matters involving the space sector. Michael is active in a range of dispute resolution arrangements. He has often been appointed as arbitrator, mediator and expert by CEDR, LCIA, Chartered Institute of Arbitrators and the Technology and Construction Solicitors’ Association. Most of his appointments involve disputes concerning investments or long term contracts involving the public sector or utilities. He has recently been involved in a number procedures involving disputes in the operation of the NHS. Michael is a Visiting Professor at King’s College London where he teaches EU Public Procurement on the LLM degree course and is Director of the Distance Learning Diploma and Masters in Public Procurement law. Each of these courses includes substantial components concerning procurement by international organisations beyond the EU. Michael is a member of the Bar Library in Belfast and in Dublin, and practises actively in Northern Ireland and the Republic of Ireland as well as in England and Wales.

**Carl Baudenbacher**, former President of the EFTA Court and now at Monckton Chambers, has enjoyed a distinguished career as a judge, university professor, arbitrator, author of legal and political publications, consultant, political advisor and speaker, in recent years with a particular emphasis on the legal implications of Brexit. A Swiss national, Professor Baudenbacher was the Liechtenstein Judge of the EFTA Court from 1995 and served as the Court’s President from 15 January 2003 to 31 December 2017. He presided over 234 cases and was the Judge Rapporteur in many of the EFTA Court’s landmark decisions. He has advised members of HM Government and HM Shadow Government, members of both Houses of Parliament, the First Ministers of Wales and Scotland, members of the Irish Government and of the Government of Northern Ireland. He has furthermore given evidence to the House of Lords EU Justice Sub-Committee and to the House of Commons‘ Exiting the European Union Committee. From 1987 to 2013, Carl held the Chair of Private, Commercial and Economic Law at the University of St. Gallen (Switzerland). Between 1993 and 2005 Carl taught European and International Law as a Permanent Visiting Professor at the University of Texas School of Law. From 1994 to 1995 he served as a member of the Supreme Court of the Principality of Liechtenstein. In 2007 he was a member of the Independent Commission of Inquiry for the Investigation of the Events Surrounding the Hypo Group Alpe-Adria established by the Government of the Republic of Austria (‘Griss Commission’). Carl holds an honorary doctorate in economics from Leuphana University in Germany. In 2015, 2016 and 2017 Basler Zeitung named him as one of Switzerland’s most influential thinkers. Professor Baudenbacher resigned from the EFTA Court bench on 09 April 2018 and has selected Monckton Chambers as the ideal set from which to develop a UK practice. He will focus on both the Continent and United Kingdom across the full spectrum of EEA/EU law, Swiss economic law and certain aspects of German economic law and will involve consulting, litigation strategy, arbitration and speaking engagements.

**Katja Hoegh,** Chair, Østre Landsret (High Court of Eastern Denmark), Copenhagen, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**Helena Rosen Andersson**, Swedish Supreme Administrative Court, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Marc Steiner**, a judge on the Swiss Federal Administrative Court, holds a Master of Law from the University of Basel and is admitted to the bar. He has special expertise on Green Public Procurement. Marc Steiner was appointed as a judge to the Swiss Federal Admini­strative Court in 2007 (2nd Division, primarily in charge of economic matters including public procurement and competition). His comparative perspectives on law were formed, in important part, during two internships at the ECJ (1996 and 2008). He is one of four co-authors of the standard reference work on the practice of public procurement in Switzerland ("Praxis des öffentlichen Beschaffungsrechts", 3rd edition 2013). Furthermore, Marc Steiner was invited to act as an expert during the public hearing of the Internal Market and Consumer Protection Committee of the European Parliament on "Modernisation of Public Procurement" (May 2011). He also contributed to the revised UNEP-Guidelines on the Implementation of Sustainable Public Procurement (2012). Marc Steiner is a member of the Advisory Board of Tran­parency International (Swiss Chapter) focusing on integrity in the government procurement process, and a member of the Scientific Advisory Board of swisscleantech, the Swiss association for stakeholders in the green economy, dealing with sustainable (public) procurement issues.

**Christopher Vajda,** law degree from Cambridge University; licence spéciale en droit européen at the Université libre de Bruxelles (grande distinction); called to the Bar of England and Wales by Gray's Inn (1979); Barrister (1979-2012); called to the Bar of Northern Ireland (1996); Queen's Counsel (1997); Bencher of Gray's Inn (2003); Recorder of the Crown Court (2003-12); Treasurer of the United Kingdom Association for European Law (2001-12); contributor to 3rd to 6th eds of European Community Law of Competition (Bellamy and Child); Judge at the Court of Justice since 8 October 2012.