

Cedric Chao, Esq.



Cedric Chao has led big-law teams for years in high stakes and precedent setting cases in U.S. courts and international arbitration tribunals. He is an arbitrator, mediator and special master and advises clients on cross-border disputes.

Mr. Chao was a partner for 29 years at Morrison & Foerster, LLP, where in addition to his US courtroom practice, he established in the late 1990's and then led and co-led the firm's international litigation and arbitration practice. In 2013, he lateraled to DLA Piper LLP (US) where he served as the US head of the firm's international arbitration practice. Mr. Chao's experience as first chair advocate in five disputes where the

amount at issue exceeded \$1 billion and in multiple others where the amount was in the hundreds of millions of dollars, his comfort with complex commercial and technology disputes, his familiarity with many industries and fields of practice, and his work with clients and firms across continents, gives him a "big picture," multi-cultural advantage in resolving disputes.

Earlier in his career, Mr. Chao worked as a federal prosecutor in the U.S. Attorney's Office, Northern District of California (1978-81) where he prosecuted federal crimes ranging from drugs and gun offenses to business fraud, and where he first learned how to try cases to juries. Prior to that, he was a law clerk to U.S. District Judge William Orrick, Northern District of California (1977-78).

Mr. Chao has led teams in arbitration proceedings around the world under the rules of the ICC, ICDR, SIAC, LCIA, UNCITRAL, AAA and JAMS, and has sat under the arbitration rules of the ICC, ICDR, AAA, and SIAC, as presiding, sole, and wing arbitrator.

Mr. Chao has appeared in federal trial courts around the U.S., and in the state courts throughout California. He has argued 13 times before the U.S. Court of Appeals for the Ninth Circuit, including to an 11-member en banc panel, once before the Fifth Circuit, once before the U.S. Supreme Court, and five times before the California State Court of Appeal. He has second chaired four additional Ninth Circuit arguments, one Tenth Circuit argument, and one additional U.S. Supreme Court argument.

Mr. Chao is listed in Best Lawyers in America for arbitration, mediation, and commercial litigation, and was named by Best Lawyers as the "2018 San Francisco Arbitration Lawyer of the Year" and the "2020 San Francisco Mediation Lawyer of the Year." Best Lawyers recognizes a single lawyer in each practice and geographic region with a "Lawyer of the Year" award based on peer feedback in the legal community.

In September 2018, Mr. Chao was named by California's legal publication, The Daily Journal, as one of California's "Top 100 Lawyers." He also received the Daily Journal's prestigious "2019 California Lawyer Attorney of the Year" award for thought leadership and longstanding efforts



to bring international arbitration to California. He is included in Global Arbitration Review's "International Who's Who in Commercial Arbitration. He is the co-author, with the Honorable Daniel Weinstein, of the chapter on mediation in Thomson Reuters' leading treatise Business and Commercial Litigation in Federal Courts (4th ed. 2016).

Mr. Chao is a U.S. member of the ICC Arbitration Commission and previously served on the 6-member USCIB/ICC Arbitrator Nomination Committee for U.S. disputes. He served as one of 31 advisors to the American Law Institute project to draft the Restatement of the U.S. Law of International Commercial and Investment Treaty Arbitration.

Areas of Expertise:

- COMMERCIAL LITIGATION AND ARBITRATION
- CONTRACTS
- CORPORATE INVESTIGATIONS / WHITE COLLAR
- INTERNATIONAL ARBITRATION
- LICENSING (SOFTWARE & TECHNOLOGY)
- TRADE SECRET



Recognitions:

- “2020 San Francisco Mediation Lawyer of the Year,” Best Lawyers in America. Best Lawyers recognizes a single lawyer in each practice and metropolitan region with a “Lawyer of the Year” award based on peer feedback in the legal community.
- “2019 California Lawyer Attorney of the Year,” The Daily Journal. Named by California’s legal publication, The Daily Journal, as a 2019 recipient of its prestigious California Lawyer of the Year award, for thought leadership and longstanding efforts to introduce and gain acceptance of international arbitration by the California business and legal communities.
- “Top 100 California Lawyers 2018.” Named by the The Daily Journal to its “Top 100” list.
- “2018 San Francisco Arbitration Lawyer of the Year,” Best Lawyers in America.
- Recognized by Best Lawyers in America for three practice areas: arbitration, mediation, and commercial litigation.
- Acritas “Star Lawyer.” Named to Acritas’ list of “go to” legal advisors compiled from corporate law departments’ nominations.
- Listed in The International Who’s Who of Commercial Arbitration, by Global Arbitration Review.
- Recommended in prior editions of Chambers USA and Chambers Global for international arbitration, which described him as “a rigorous, creative, problem-solving thinker,” as well as “an incredibly energetic and intelligent person [who] is praised for his effective team leadership skills.”
- Listed in Euromoney’s Guide to the World’s Leading Experts in Commercial Arbitration.
- Listed in Euromoney’s Guide to the World’s Leading Litigation Lawyers.
- Listed in “Leading Law Firm Rainmakers 2008,” Minority Corporate Counsel Association.
- Named a “Northern California Super Lawyer” for business litigation by Super Lawyers Magazine (Thomson Reuters).

Publications (selected):

- “Six Trends Will Shape Future International Commercial Disputes,” Law 360, July 2018.
- “Should Technology Companies Arbitrate?” Corporate Counsel, January 2018.
- “Q & A with DLA Piper’s Cedric Chao,” Law 360, March 2016.
- “Mediation (treatise chapter),” Business and Commercial Litigation in Federal Courts, Thomson Reuters (4th ed. 2016) (co-authored with Hon. Daniel Weinstein, JAMS).
- “Litigation and Dispute Resolution (California chapter),” International Comparative Legal Guide, 2016.
- “International Arbitration (USA chapter),” Chambers Country Practice Guides, 2016.
- “Four Considerations for Corporate Counsel in Drafting Arbitration Clauses,” Inside Counsel, March 2015.

- “Eight Arbitration Surprises Awaiting the Uninitiated,” Inside Counsel, March 2015.
- “Be Careful What You Ask for in International Arbitration,” Inside Counsel, January 2015.
- “Cross-Border Litigation: Traps for the Unwary and Practical Tips for the California Litigator,” California Litigation Review, 2013.
- “Pre-Trial Motions,” California Litigation Review (annual review of California case law and legislative developments) (1995-2011)

Speaking Engagement (selected):

- “Adjusting One’s Advocacy to Meet the Contrasting Rules, Customs and Expectations in Jury Trial, Domestic Arbitration, and International Arbitration Settings,” Litigation Counsel of America 2018 Fellows Conference, Rhode Island, November 2018 (lecturer).
- “Arbitrating Technology and IP Disputes,” SCCA19, Saudi Center for Commercial Arbitration, Riyadh, October 2019 (speaker).
- “Commercial Dispute Resolution in China,” conference sponsored by Beijing Arbitration Commission, JAMS, SVAMC, San Francisco, June 2019 (delivered closing remarks).
- “Designing Global ADR Processes for the Future: 5G and the Internet of Things,” JAMS, San Francisco, September 2018 (speaker).
- “Developments in International Arbitration in the Asia Pacific Region,” California International Arbitration Summit, AAA/ICDR, Los Angeles, December 2016 (moderator).
- “Diversity Deficit in the ADR World: What Are We Going to Do About It?” NAPABA Annual Convention, November 2020 (speaker).
- “Doing Business in China: Why Arbitration Matters,” Hong Kong International Arbitration Centre and Hong Kong Economic & Trade Office, San Francisco, May 2019 (speaker).
- “Doing Business in China,” Silicon Valley Association of General Counsel, Santa Clara, California, November 2016 (speaker).
- “Due Process in International Arbitration: Sword or Shield – A Debate,” SCCA19, Saudi Center for Commercial Arbitration, Riyadh, October 2019 (debater).
- “Effective Business Models for the Provision of Legal Services in International Arbitration,” Chartered Institute of Arbitrators Centenary Celebration,” Hong Kong, June 2015 (speaker).
- “Effective Litigation of Complex Technology Disputes,” IBA Annual Litigation Forum, IBA Litigation Committee, San Francisco, April 2016 (moderator).
- “Global Mediation: Predicting and Preparing for the Future of International Commercial Mediation after the Singapore Convention,” AAA/ICDR webinar, November 2020 (speaker).
- “JAA International Mock Arbitration Seminar,” Japan Arbitrators Association and Japan Commercial Arbitration Association, Tokyo, Spring 2012 (all day mock arbitration) (co-moderator).
- “New Ways of Taking and Presenting Evidence, and Dealing with Big Data,” IBA Annual Litigation Forum, IBA Litigation Committee, Zurich, May 2017 (co-moderator).



- “Planning for and Effective Handling of Cross-Border Disputes,” Silicon Valley Association of General Counsel, San Jose, California, June 2018 (lecturer).
- “Remedies, Specific Performance, and Interim Relief in International Arbitration,” 8th Annual GAR Live Hong Kong! Hong Kong, November 2018 (speaker).
- “Surveying the Landscape of Arbitration in the Pacific Rim,” ICC West Coast Conference, San Francisco, April 2019 (moderator).
- “The Arbitrator’s Authority: Scope and Limits,” ICC Institute for Advanced Training, San Francisco, May 2017 (faculty).
- “The Future of Global Disputes: How the ‘Globalizing’ Economy Will Impact Big Law, Litigation Practice, and the ADR Industry,” JAMS’s 15th Annual Owners’ Meeting, Torrey Pines, California, May 2013 (keynote speaker).
- “The Future of U.S.-China Commercial Dispute Resolution,” U.S.C.-JAMS Institute webinar, July 2020 (moderator).
- “The State of Play in International Arbitration in the Americas,” Singapore International Arbitration Centre webinar, December 2020 (speaker).
- “What Every Lawyer Needs to Know About Arbitration: A Conversation with Experts,” Litigation Counsel of America/Construction Lawyers Society of America webinar, March 2021 (moderator).
- “What Keeps Corporate Counsel Awake When Their Clients Go Abroad,” DLA Piper Global Technology Summit, Menlo Park, California, September 2016 (moderator).
- “Your Next Arbitration: 25 Practical Tips,” ABA Section of Litigation Annual Meeting, San Diego, May 2018 (speaker).

Organizations:

- American Bar Association: Standing Committee on the Federal Judiciary. Mr. Chao was formerly the Ninth Circuit member on the 15-member Standing Committee, which evaluates all presidential nominees to the federal judiciary and provides its reports to the Judiciary Committee of the United States Senate.
- American Bar Association: Former Co-Chair of the International Litigation Committee of the Section of Litigation.
- American Law Institute: One of 31 Advisors to the ALI project to draft the Restatement of the U.S. Law of International Commercial and Investment Treaty Arbitration; Life Member of the Institute.
- Asian American Bar Association of the Greater Bay Area: Former President.
- Bar Association of San Francisco: former Director.
- Chartered Institute of Arbitrators (London): Fellow of the Institute.
- Hong Kong Association of Northern California: Honorary Director; former elected Director and Board Secretary.



- ICC Arbitration Commission: U.S. Member of the ICC Arbitration Commission. One of six members of the USCIB/ICC Arbitrator Nominating Committee for U.S. based arbitrations (2017-18). Vice Chair, USCIB Northwest Subcommittee.
- Inter-Pacific Bar Association: Former Officer (Committee Coordinator); former Chair, Dispute Resolution and Arbitration Committee.
- Lex Mundi: Former Member, Board of Directors; Former Chair, Litigation, Arbitration and Dispute Resolution Practice Committee.
- Litigation Counsel of America: Fellow. Invitation-only trial lawyer honorary society.
- Magistrate Judge Screening Committee of the U.S. District Court, Northern District of California: Former Chair.
- National Asian Pacific American Bar Association: Former Co-Chair, International Law Committee.
- State Bar of California: Former Chair, Litigation Section of the State Bar of California.

Education:

Mr. Chao received his Bachelor of Arts degree from Stanford University, concentrating in Economics and graduating with Distinction and Departmental Honors. He received his Juris Doctorate degree from Harvard Law School (1977).