

MARIEKE WITKAMP

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PROFILE

I am a highly qualified lawyer with over 20 years of legal experience and a unique professional background. I am originally trained as a commercial judge in the Netherlands and became an international commercial and arbitration lawyer after moving abroad to the United States and the Middle East. I have an LLM in Dutch and US law and a Texas Bar license.

I am a hands-on arbitrator who takes her responsibility to start off a procedure in the best way possible and will take the necessary decisions to keep a procedure on track. I am known for well-managed, efficient, and fair proceedings and for writing well-reasoned awards. *My core competencies include:*

Decision-Making | Dispute Resolution | Settlement Facilitation | Case Management

Contract Law | Maritime & Transport Law | Energy Law | Construction Law | Insurance Law | Post M&A Disputes

Legal Writing | Diversity & Inclusion | Languages: Dutch (native), English (fluent), French and German (working knowledge)

PROFESSIONAL EXPERIENCE

ARBDB CHAMBERS | Remote / London, United Kingdom

Arbitrator

04/2024 – Present

My arbitrator practice is managed and administered by ArbDB Chambers. ArbDB Chambers is a leading international Chambers of third party neutrals from common law and civil law jurisdictions with presences in London, Dubai, Singapore and the United States.

I have served as sole arbitrator, chair, party-appointed arbitrator, and emergency proceedings arbitrator in domestic and international commercial disputes. I handled cases relating to: post M&A disputes, a joint venture agreement, construction law, real estate law and an offshore construction project.

MARIEKE WITKAMP LLC | The Woodlands, Texas, USA

Arbitrator, Consultant and Counsel

04/2024 – Present

I have my own law firm and provide services as arbitrator and other dispute resolution services as consultant and counsel. I act as co-counsel for boutique litigation firm Lucci Bain Law PLLC in Houston.

NETHERLANDS COMMERCIAL COURT/COURT OF ROTTERDAM | Amsterdam/Rotterdam, The Netherlands

Substitute Judge

02/2010 – 09/2019, 01/2024 – Present

Selected as one of few judges at the Netherlands Commercial Court, which exclusively handles international commercial disputes in English. Serve as substitute judge at Rotterdam District Court.

Civil and Commercial Judge

10/2019 – 12/2023

Handled 250+ commercial disputes:

- Presided over ~ 200 solo cases, chaired 3-judge panel in 20 cases, and participated in ~ 40 3-judge panel cases.
- Handled 75 international disputes.
- Conducted 50 witness statements, facilitated settlements in approx. 75 cases through court-led mediation, rendered judgments in ~ 185 cases.
- Was one of the few specialized maritime judges in the Netherlands
- Chaired Diversity and Inclusion committee. Organized and spoke at events and wrote articles to create more awareness within the Dutch judiciary for Diversity, Inclusion & Equity.

I handled cases relating to: shipping/transport and trade (international and domestic sale of goods, shipbuilding and ship repair agreements, cargo disputes, charter parties, bills of lading, bunker oil disputes, CMR transport), insurance law (a variety of maritime insurances, Directors & Officers insurance, fraud insurance, general liability insurance, cyber security insurance, machinery (liability) insurance, CAR insurance and property insurance), construction law (residential and commercial construction projects), property and condemnation law, energy law (electricity, gas and renewables), torts law and general commercial contracts (franchising, hospitality, IT contracts, (pharmacy) distribution agreements, managements services agreements and sale and purchase agreements).

K&L GATES | Doha, Qatar

Attorney

11/2017 – 08/2019

Client representation in ICC arbitrations and cases at Qatar International Court of Qatar Financial Centre. Served as co-counsel

in proceedings at Qatar Court of First Instance. Delivered dispute resolution services for clients predominantly within construction and energy sectors.

My representations included:

- Acting for a major international consulting engineer in an ICC arbitration relating to variations and unpaid fees for architectural design detailing services on one of the major civil works contracts on one of the Doha Metro railway line.
- Acting for an MEP subcontractor on an ICC arbitration for claims for variations, delay and disruption relating to the construction of an iconic public building in Qatar.
- Acting for a subcontractor bringing a claim in ICC arbitration relating to delay, disruption and unpaid variations relating to the construction of roads in Qatar.
- Acting for a quasi non-governmental Qatari organization, advising on dispute avoidance concerning the termination of a contract for supply of specialist IT and audio equipment for 2 mega yachts.
- Advising a major international design practice on claims and counterclaims arising out of a landmark cable-stayed and bascule bridge project in Qatar, being litigated in the Qatar courts.
- Acting for a Qatari bank defending itself in litigation before the QICDRC relating to the sale of insurance-backed savings products.
- Advising a master franchisor in the food and beverage industry in disputes regarding misuse of its IP rights and trade marks with franchisees in Qatar, Egypt and Kuwait.

LUCCI SMITH LAW PLLC/BAIN & BAIN LAW | Houston, TX

Paralegal

09/2015 – 05/2017

Conducted legal research, drafted pleadings and correspondence, and assisted with hearings.

- Secured part-time paralegal roles at two boutique litigation firms while pursuing LLM in US law at University of Houston, obtaining Texas Bar license.
- Managed discovery in significant pipeline condemnation case.

NAM | Assen, The Netherlands

Legal Counsel

01 - 12/2014

Led resolution of liability claims caused by NAM's gas production in the Groningen field, a pivotal Dutch oil and gas hub, as in-house lawyer for joint venture of Shell and ExxonMobil.

- Negotiated and advised on settlement agreements with Groningen residents.
- Set up compensation schemes for house value depreciation caused by the Gas production and for new building projects.

NV NEDERLANDSE GASUNIE | Groningen, The Netherlands

Legal Counsel

11/2012 – 12/2013

Oversaw legal matters for Gasunie's LNG Terminal Gate in Rotterdam, a major European gas transportation hub. Provided legal counsel on corporate and commercial issues related to daily operations.

- Drafted, negotiated, and finalized corporate and commercial agreements for Gasunie's LNG Terminal Gate, including terminal use agreements, break bulk agreements, shareholder agreements, articles of association, EPC contracts, service agreements, and NDAs.

ADDITIONAL EXPERIENCE IN PERIOD 2002 - 2012:

Senior Legal Advisor | ASPIRE ZONE FOUNDATION – PRESIDENT'S OFFICE, Doha, Qatar

Legal Advisor | LOCAL ORGANIZING COMMITTEE – AFC ASIAN CUP, Doha, Qatar

Commercial Judge | COURT OF ROTTERDAM, Rotterdam, The Netherlands

Attorney | SIMMONS & SIMMONS, Rotterdam, The Netherlands

Trainee Judge | COURT OF DORDRECHT, Dordrecht, The Netherlands

Legal Counsel | Ministry of Defense, The Hague, The Netherlands

EDUCATION / LICENSES / TRAINING

UNIVERSITY OF HOUSTON | Houston, Texas, USA

Master of Law (LLM) in US Law | GPA 3.73 | Lex Award Certificate for Lawyering Skills

05/2017

ERASMUS UNIVERSITY ROTTERDAM | Rotterdam, The Netherlands

05/2002

Master of Law (LLM) in Dutch Law

Texas Bar License | TEXAS BOARD OF LAW EXAMINERS (bar exam result: 810 points)

11/2017

40-hour Basic Mediation Course MEDIATORS & ARBITRATORS OF AMERICA	12/2024
Arbitration Fundamentals and Best Practices for New AAA Arbitrators AMERICAN ARBITRATION ASSOCIATION	10/2024
Diploma Course on International Maritime Arbitration CIARB	12/2023
Advanced Training for Arbitrators on Case Management Techniques ICC	05/2023
Course for Arbitrators NETHERLANDS ARBITRATION INSTITUTE	06/2023
Transportation Law Course ERASMUS SCHOOL OF LAW EXECUTIVE EDUCATION	01/2020 – 01/2022
CIArb Accelerated Route to Membership in International Commercial Arbitration CIARB	03/2019
International Commercial Contracts School FALCONBURY	10/2013
Dutch Bar Education Courses DUTCH BAR ASSOCIATION	04/2007 – 09/2008
Trainee Program DUTCH JUDICIARY	04/2003 – 03/2007

SPEAKING ENGAGEMENTS

Panelist, Effective Management of International Construction Disputes US CONSTRUCTION SUPER CONFERENCE	12/2024
Speaker, Career Opportunities in International Arbitration CIMA, WEBINAR	11/2024
Moderator, Arbitration – The Tribunal’s Perspective ARBDB CHAMBERS, DUBAI ARBITRATION WEEK	11/2024
Moderator, First Rule of Infrastructure Disputes ASSOCIATION FOR INTERNATIONAL ENERGY NEGOTIATORS	10/2024
Panelist, Foreign Lawyers Roundtable HOUSTON, UNIVERSITY OF HOUSTON & CURTIS, MALLET-PREVOST	10/2024
Panelist, Vinson & Elkins Construction Conference HOUSTON, VINSON & ELKINS	09/2024
Panelist, Ensuring a diverse next generation of practitioners DUTCH ARBITRATION DAY	06/2024
Speaker, The Netherlands: a Small Country with Big Cases HOUSTON INTERNATIONAL ARBITRATION CLUB	05/2024
Speaker, Judging vs. Arbitrating HAPPY HOUR INTERNATIONAL ARBITRATION PODCAST	04/2024
Panelist, International Women’s Day event HOUSTON BAR ASSOCIATION, INTERNATIONAL SECTION	03/2024
Keynote Speaker, Inland Shipping Practices of Court of Rotterdam GBM ANNUAL MEETING	10/2023
Speaker, Importance of Diversity and Inclusion for the Dutch Judiciary COURT OF ROTTERDAM	01 – 12/2023
Panelist, NCC: A Forum Conveniens for International Commercial Cases NETHERLANDS COMMERCIAL COURT	05/2022
Panelist, Multi-Tier Dispute Resolution Clauses LEGALPLUS QATAR SUMMIT	04/2019
Panelist, Internationalizing Domestic Courts in Europe HBKU CONFERENCE ON HYBRID DISPUTE RESOLUTION	11/2018

PUBLICATIONS

“MUR Shipping – A Comparative Analysis” (co-authored with James M. Turner KC), *Lloyd’s Journal for Trade & Shipping* 2024/10 [2024]

“The Exclusive Competence of the Court of Rotterdam in Maritime Cases,” *Journal for Transport and Law* (Tijdschrift Vervoer en Recht) 2023/6 (2023).

“Internationalizing Domestic Courts in Europe: Procedure, Function, Organization”, chapter in *International Commercial Courts: The Future of Transnational Adjudication* by Cambridge University Press (2022).

The guide to Challenging and Enforcing Arbitration Awards, Qatar chapter, *Global Arbitration Review* (2019).

ADR in Qatar - A New Law, A New Regional Seat of Choice, and a New Era, *Lexis Middle East Law* (2018).

PROFESSIONAL MEMBERSHIPS

CIArb, Fellow
 Texas Bar
 American Bar Association
 Houston Bar Association, Council Member of the International Law Section
 Houston International Arbitration Club
 Houston Maritime Arbitration Association, Advisory Board Member
 London Maritime Arbitration Association, supporting member
 Dutch Arbitration Association, Chair of the DAA Energy Committee
 Dutch Association for Transport Law
 ArbitralWomen