

DAVID F. DAY, FCIARB
LAW OFFICES OF DAVID F. DAY
Century Square, Suite 2404
1188 Bishop Street
Honolulu, Hawaii 96813
(808) 531-8020 Telephone
(808) 521-0962 Facsimile
Daviddaylaw@aol.com

Mr. David Day, is one of the Region's leading international legal practitioners. David is recognized as a pioneer in the development of international conciliation and mediation in Singapore and Malaysia and is a frequent speaker on international topics at symposiums throughout the Asia/pacific Region. He is involved in deal-structuring and negotiations and has been involved in infrastructure projects in a number of Southeast Asian countries as well as China.

Mr. Day was instrumental in the brokering and creation of the first public discussions on the subject of economic normalization among several U.S. Ambassadors and Ministers of the Socialist Republic of Vietnam in early 1997. Senior officials of the U.S. Departments of State and Commerce participated along with the Commander-in-Chief of the Pacific Fleet (CINCPAC) and Indochina experts from the academic and private sectors from the United States and Vietnam.

David has handled various international business and complex litigation matters in Hawaii, on the U.S. Mainland, throughout Southeast Asia and the Pacific Islands Regions. His clients have included Fortune 500 firms, Asian foreign governments, as well as, technology, industrial, construction, resort and tourism, real estate development, entertainment, and education firms.

Mr. Day is an active neutral participating on a number of panels worldwide, including the ICC (The International Court of Arbitration - - Paris), CIETAC (China), the American Arbitration Association and SIAC (Singapore). A Fellow of the Chartered Institute of Arbitrators (London), Mr. Day has participated in international proceedings involving parties from most Asian countries during the course of his career. David is one of only 45 Americans named as global arbitrators in the **International Who's Who of Commercial Arbitrators** published by Law

Business Research.

As an Adjunct Professor at the University of Hawaii's Business School, Mr. Day has also taught numerous various MBA and ExecMBA programs including diversity, crosscultural/diversity management skills, cross-border and cross-cultural negotiation ("how to do business with...") and deal repair programs in the U.S. and in Asia for both businesspersons and lawyers. Most recently, David conducted cross-cultural negotiations programs at the ExecMBA level at the Hanoi School of Business (Vietnamese and American MBA candidates) and the American Embassy (American and Vietnamese Embassy staff) in Hanoi, Vietnam.

Current Professional Activities

Practice of Law Specialties: Commercial Practice with special emphasis on cross-border transactions and business startups/development with the entrepreneurial client. Technology, Construction, Real Estate, Employment, Arbitration and Mediation.

Complex civil litigation: (admitted California 1978 and Hawaii 1974) including direct litigation responsibility in the agricultural, airline, banking, technology, construction, environmental, food, high technology, insurance, leasing, mining, manufacturing, and petroleum industries, as well as, in air crash, antitrust, contract, intellectual property, environmental (regulatory and toxic tort), construction, telecommunications, trust and estate litigation, legal and medical malpractice, real estate, resort development, employment discrimination cases before Federal and State Courts including direct trial and appellate responsibility as well as arbitrations and mediations before the AAA and ICC.

Arbitrator and Mediator Panelist

International Court of Arbitration (ICC)
American Arbitration Association
British Columbia International Arbitration Centre
(Vancouver)
Hong Kong International Arbitration Centre

Singapore International Arbitration Centre
The Arbitration Chambers (Singapore)
National Association of Securities Dealers (NASD)
Inter-American Arbitration Commission (OAS, Washington
D.C. - - Latin America)
China International Economic and Trade Arbitration
Commission (CIETAC -- Beijing)
Korean Commercial Arbitration Board
The Kuala Lumpur Regional Centre for Commercial
Arbitration

Professional Experience

1985 - Present: Law Offices of David F. Day, Honolulu
1977 - 1984: Brobeck Phleger & Harrison, San Francisco
1974 - 1977: Goodsell Anderson & Quinn, Honolulu

Academic Degrees & Qualifications

J.D., with Distinction, George Washington University, 1974.
A.B., Magna Cum Laude, International Relations, Tufts
University, 1971.

Lecturers, Conferences, Seminars and Publications

**Educational Program Designer, Faculty Trainer and
Faculty:** Instrumental in the creation and development of
conferences and trainings for lawyers and business executives at
various symposiums in North America, Hawaii, Guam and
Southeast Asia, including:

Cross-Cultural Negotiations and Cross-Border Deal Making
, ExecMBA program in Hanoi, Vietnam jointly conducted by the
Hanoi School of Business and the University of Hawaii's College
of Business Administration (this unusual ExecMBA program
awards an American degree to candidates participating in classes
in Vietnam. Hanoi, Vietnam, September - October, 2002);

Cross-Cultural Negotiations, a training conducted for
Vietnamese and American staff of the American Embassy in
Hanoi, Vietnam. (October 2002).

Cross-Border Mediation and Conciliation, Joint Conference
by the Inter-Pacific Bar Association and the U.H. Law School

(Honolulu, Hawaii, March 2002);

Various Business Development and Leadership Skills for Small Business Owners and Entrepreneurs, ongoing training (San Francisco, Seattle, Los Angeles and Honolulu, '99 through '02);

E-Commerce in the Insurance Industry, Hawaii Chapter of Insurance Executives (Honolulu, Spring 2001)

E-Commerce and the Small Business, Chamber of Commerce Small Business Conference (Honolulu, Fall 2000)

International Negotiations, U.H. School of Business, Japan and China Executive MBA programs (Spring Semester 2000);

Cross Border Negotiations & Dispute Resolution, Symposium hosted by Baker & McKenzie for Asian legal practitioners from 12 (twelve) countries, (Singapore, August 2000);

Various ADR and Business Negotiations classes, William S. Richardson School of Law, University of Hawaii ('99, '98, '97, '95, '94, '93, '92);

Cyber-Arbitration, Inter-Pacific Bar Association, 8th Annual Conference, Co-chairman (Auckland, New Zealand, 5/98);

Pacific Tourism Issues, Inter-Pacific Bar Association's Annual Conference (Auckland, New Zealand, 5/98);

Resolving Disputes in the Global Marketplace, American Bar Association, Section of Dispute Resolution with the Section of International Law and Practice, (Washington, D.C., 4/98);

Conduct of an International Arbitration, Taiwan Bar Association (Taipei, 10/98);

An Introduction to U.S. Corporate Practice, Laws and Cultural Considerations for Vietnamese Lawyers and Business People, Pacific Asian Management Institute, U.H. School of Business (Honolulu, 3/97);

Resolving Conflict within the Global Project, Institute for

Transnational Arbitration, Southwestern Legal Foundation
(Dallas, Texas, 6/97);

International Moot Court, Judge, William S. Richardson
School of Law, University of Hawaii (Honolulu, '97, '96);

Road to MFN and Economic Normalization between the
U.S. & Vietnam (This was an educational program and diplomatic
exercise bringing senior government officials together with
private sector experts to begin to discuss the issues relating to
economic normalization between the U.S. And Vietnam.) A
conference for businesspersons, attorneys, accountants doing
business in the Asia Pacific Region, Conference Chairman and
diplomatic coordinator for the Inter-Pacific Bar Association
(Honolulu, '97);

Current Developments in Greater China and their Potential
Impact on Hawai'i, Pacific and Asian Affairs Council Forum
(11/96);

Venture Capital and Foreign Investment, Chairman of the
Asia Pacific Foreign Investment Panel, State of Hawaii,
Department of Business Economic and Tourism Development
Conference (09/96);

Vietnam, "Business Climate and Opportunities in Vietnam,"
Lecturer, State of Hawaii, University of Hawaii Continuing
Education Class (09/96);

Recent Developments that Affect Educational Programs for
International Arbitrators, The Commercial Arbitration Association
of the Republic of China, (Taiwan, 12/96);

Doing Business in Vietnam, "Pacific Rim Economic
Opportunities", Panelist, State of Hawaii, Hawaii Community
Colleges and the Community Colleges International Development
(CCID) Conference (Honolulu, 07/96);

Cross-cultural and International Mediation and Conciliation,
Society of Professionals in Dispute Resolution National
Conference (Honolulu, 4/96);

International Deal-Making, Equal Employment Opportunity
(EEO) Conference, Equal Employment Opportunity Commission

(Honolulu, 10/95);

American Bar Association Section of Litigation, Dispute Resolution in the Pacific Rim, Co-Chairman of International Litigation and Conciliation Program (Hong Kong, 2/95);

Attachment and the Enforcement of International Judgments, Hawaii State Bar Association (HSBA)'s ADR Section and International Law Workshops (Honolulu, '95, '94, and '93), International Law Section Conference ('95);

Singapore International Arbitration Center's (SIAC) Mediator Training (Singapore, 11/93 and 2/95); and Introduction to Mediation Workshop (Singapore, 11/92);

Inter-Pacific Bar Association (IPBA)'s Arbitration, Cross-cultural Negotiations, and International Conciliation Programs (Taipei 5/93, Singapore 5/94, Hong Kong 2/95 and San Francisco 5/95);

The Kuala Lumpur Regional Centre for Arbitration's Mediation Program (Malaysia, 11/93) and Conciliator Training (Malaysia, 2/95);

International Arbitrator Training, Asia Pacific Center/American Arbitration Association - - Faculty for Los Angeles (11/92), Taipei, Taiwan (5/93), and Honolulu (10/93), Coral Gables, Florida (10/93), Singapore (11/93, 05/94), Vancouver (04/94) and Harvard Law School (08/94), San Francisco (10/94) and Hong Kong (02/95);

SIAC/Singapore Institute of Arbitrators/AAA Advanced Arbitrator Training (Singapore 11/92, 11/93 and 5/94);

Japan-American Institute for Management Sciences (JAIMS), guest lecturer on Diversity Issues, Diversity Management, International dispute resolution, cross-cultural conflict resolution, and employment/race/sex discrimination and ADR approaches (Honolulu, Summers, '96 '95, '94, and '93);

American Arbitration Association (AAA)'s/ICC/ICSID annual International Arbitration Colloquiums (Los Angeles, 10/93 and Coral Gables, Florida 10/94);

XI Joint ICS ID/ICC/American Arbitration Colloquium on International Commercial Arbitration, "Training of Arbitrators to Manage, Resolve and Enforce the Resolution of International Disputes," (Los Angeles, 10/94);

Mediation in Asia, National University of Singapore Law School, (Singapore, 3/92);

Resolving International Business Disputes, Center for International Commercial Dispute Resolution (CICDR) Conference (Honolulu, 10/93);

Arbitration and Mediation Advocacy - - Faculty trainer for HSBA ADR Section Workshop (7/93) and American Arbitration Association (10/94);

Mediation and Mediator Training, faculty for American Arbitration Association (Guam, 3/92);

Judicial Enforcement of International Arbitration Awards in Guam, Palau, FSM and Commonwealth of Northern Marianas, Pacific Judicial Conference (Guam, 3/92);

Out of Peoria (Illinois) - - Getting Across the Cultural Cow Pasture, Society of Professionals in Dispute Resolution (SPIDR) Conference (San Diego, 11/91);

Cross-cultural Negotiations -- The Asian View, American Arbitration Conference (San Francisco, 9/90);

Author:

"Mediation Advocacy: Why do we often do it wrong?", Hawaii Bar Journal, 12/95.

"International Arbitration in the Pacific," Hawaii State Bar Association Convention, 11/95.

Co-author of Program Manual, International Arbitrator Training, American Arbitration Association, 10/92, rev. Ed. 11/93, 5/94.

"A World Class Education -- Training Arbitrators to Bridge the Steep Learning Curve from domestic to international

arbitration," The San Francisco Recorder ADR Magazine (Spring, 1995).

"Persuading the Arbitrator," Hawaii Bar Journal (August, 1994).

"International Mediation," Hawaii Bar Journal (April 1992).

"ADR and the Internationalization of Business Relationships in the Pacific," 7 Guam Bar Association Journal, March-April, 1992.