

REQUEST FOR APPOINTMENT OF A BINDING ADVISOR IN AD HOC PROCEEDINGS

Complete the form and submit the appointment of a binding advisor in ad hoc proceedings request to the NAI Secretariat via the NAI arbitration platform ([click here](#)) or via email (secretariaat@nai.nl). All fields are mandatory unless otherwise stated.

1 THE PARTIES AND THEIR REPRESENTATIVES

1.1 Applicants details (Artikel 7(2)(a))

Name:	
Address:	
Residence:	
Phone number	
E-mailadress:	
VAT number	

Name:	
Address:	
Residence:	
Phone number	
E-mailadress:	
VAT number	

Name:	
Address:	
Residence:	
Phone number	
E-mailadress:	
VAT number	

1.2 If applicable, details of applicant's representative (Article7(2)(b))

Name of representa- tive:	
Organisation:	
Address:	
Residence:	
Phone number	
E-mail address:	

Name of representative:	
Organisation:	
Address:	
Residence:	
Phone number	
E-mail address:	

1.3 Details of defendant (Article 7(2)(a))

Name:	
Address:	
Residence:	
Phone number	
E-mailaddress:	
VAT number	

Name:	
Address:	
Residence:	
Phone number	
E-mailaddress:	
VAT number	

Name:	
Address:	
Residence:	
Phone number	
E-mailaddress:	
VAT number	

1.4 If applicable and already known, details of defendant's representative

Name of representative:	
Organisation:	
Address:	
Residence:	
Phone number	
E-mail address:	

Name of representative:	
Organisation:	
Address:	
Residence:	
Phone number	
E-mail address:	

1.5 E-mail address at which the applicant can be reached for electronic communication for the duration of the appointment proceedings (Article 7(2)(c))

1.6 Brief description of the uncertainty or dispute (Article 7(2)(d))

(The description given here serves to introduce the proceedings and to inform the NAI administrator and does not affect the parties' right to file a statement of claim or response, respectively (Article 9). The description of the uncertainty or dispute may be given on an annex to the request for appointment).

2 CLEAR STATEMENT OF THE CLAIM CLAIMED, WITH, IF POSSIBLE, AN INDICATION OF THE PECUNIARY INTEREST OF EACH OF THE CLAIMS (ARTICLE 7(2)(E))

(The description given here is for initiation of the proceedings and for the information of the NAI administrator and does not affect the right to alter, increase or reduce a claim within the limits set by the binding adviser(s)). _____

3 BINDING ADVICE AGREEMENT AND ANY OTHER AGREEMENTS TO WHICH THE BINDING OPINION RELATES (ARTICLE 7(2)(F))

(A copy of these agreement(s) should be sent with the request for appointment). The agreement between the parties, that their disputes will be decided by binding opinion is evidenced by: * (a) attached compromise (b) attached contract (confirmation) with binding opinion clause dated. _____
(c) other written evidence. _____

4 NUMBER OF BINDING ADVISERS (ARTICLE 7(2)(H))

(The number of binding advisers should be odd. If the parties have not agreed on the number of binding advisers, or if the agreed method of determining the number is not implemented and the parties do not agree on the number, it shall be determined by the NAI administrator, who shall set the number at one or three, taking into account the preference of the parties, size of the dispute, complexity of the case and the interest of the parties in efficient litigation (Article 12).

With regard to the number of binding advisers:* (a) the parties have agreed _____ binding adviser(s) should be appointed. (b) the parties have not agreed, but the applicant prefers _____ binding adviser(s).

4.1 Appointment of binding advisers (Article 7(2)(g)(h))

Based on the NAI rules for appointing binding adviser(s) in ad hoc proceedings, binding counsel(s) are appointed on the basis of the list procedure (Article 13). The list contains at least three names if one binding advisor is to be appointed, at least six names if two binding advisors are to be appointed and at least nine names if three binding advisors are to be appointed. A party may strike out the names of persons against whom objections exist and number the remaining names in order of preference. Based on the returned lists, the binding adviser(s) shall be invited and appointed. If the parties themselves have agreed on a method of appointment, the appointment shall be made in that manner (Article 14.) (a) (Article 13) The parties have not agreed on a method of appointment, therefore the list procedure will be followed. (b) (Article 14) If the parties have agreed the other mode of appointment, state this below (or in an annex to the application):

4.2 Qualifications of the binding advisor(s) (Article 7(2)(h))

With regard to the qualifications of the binding advisor(s):*

(a) The parties have agreed that the binding advisor(s) should have the following qualifications:

(b) nothing was agreed between the parties, but the applicant preferred:

4.3 Other details concerning the binding opinion procedure (Article 7(2)(i))

(Details of the proceedings which the applicant wishes to be mentioned should be given here. The opposing party may state the details in the response).

(Residence) _____, (Date) _____ 20_____

_____ (signature applicant or his/her representative) * Please fill in what applies;

delete what does not apply