

Benjamin W. Graham

Associate

Benjamin W. Graham is an associate at Williams & Connolly and focuses his practice on complex commercial litigation and international arbitration. Outside the firm, Ben is also a Visiting Clinical Lecturer at Yale Law School, where he teaches a seminar on Advocacy in International Arbitration.

Ben's recent experience has focused on trials and arbitral evidentiary hearings. He has argued dispositive motions on behalf of clients in both state and federal court, and examined witnesses before judges, juries, and arbitrators. In his arbitration practice, Ben has handled investment-treaty disputes before ICSID and diverse commercial disputes before the leading arbitral institutions (ICC, SCC, HKIAC, CPR, etc.). His clients include sovereign states, multinational corporations, and AmLaw-100 law firms.

In 2020, Ben was recognized as a Future Leader in *Who's Who Legal: Litigation*, which according to the publication, identifies "the foremost practitioners in the litigation community aged 45 and under." He was one of only three attorneys in the United States to receive the honor in the non-partner category.

Originally from Missouri, Ben earned his bachelor's degree, *summa cum laude*, from Washington University in St. Louis. He spent a year on an academic fellowship in Berlin, Germany, before attending Yale Law School, where he won the school's top prize for trial advocacy.

Representative Experience

Though all cases vary and none is predictive, Ben's experience includes:

- Winning a complete defense award as second-chair trial counsel for a major private equity firm in an UNCITRAL arbitration seated in New York.
- Winning a complete defense award as trial counsel for a global project-finance company in an ICC arbitration seated in Madrid, in which the claimant sought more than \$450 million in damages.
- Winning a complete defense verdict as trial counsel for an AmLaw-100 law firm in a legal malpractice action and successfully defending the verdict on appeal.
- Securing dismissal of a petition to enforce an arbitral award in the District of Columbia against a foreign sovereign.



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Education

Yale Law School, J.D., 2015: John Fletcher Caskey Prize, Thomas Swan Barristers' Union; Editor, Yale Journal of International Law; Editor, Yale Journal of Law and Technology
Humboldt Universität zu Berlin, , 2011: Deutsche Akademische Austauschdienst (DAAD) Scholarship
Washington University in St. Louis, A.B., *summa cum laude*, 2011: Phi Beta Kappa

Recognitions

Recognized as a "Future Leader" in *Who's Who Legal: Litigation*, 2020

Admissions

District of Columbia
New York
United States District Courts for the Southern District of New York and District of Columbia

Languages

German

- Securing dismissals in several actions against one of the nation's largest pharmaceutical benefits managers, including *qui tam* actions seeking more than \$200 million in damages in the federal courts of Delaware and New Jersey.
- Securing dismissals in several actions against one of the nation's largest healthcare companies, including a putative class action alleging ERISA in California federal court and a *qui tam* alleging False Claims Act violations in Pennsylvania federal court.
- Representing a foreign sovereign in ongoing investment-treaty arbitrations in the energy and commercial development sectors.
- Representing a foreign sovereign in an ongoing state-to-state arbitration under the auspices of a bilateral, natural-resource treaty.
- Representing an American technology company in an ongoing arbitration against a Hong Kong technology company, involving a demand for indemnification and the scope of patent licenses.
- Representing a Hong Kong subcontractor as trial counsel in an HKIAC construction arbitration against an Australian
- Representing an American medical device manufacturer as trial counsel in an SCC arbitration seated in Sweden, concerning allegations of trademark infringement.
- Representing a Colombian medical-device distributor in an international CPR arbitration seated in the United States, which concerns significant issues of arbitral jurisdiction.
- Representing an American healthcare company in an earn-out dispute subject to the rules of the German Arbitration Institute.