

Dr. Nils SCHMIDT-AHRENDTS

Rechtsanwalt

Partner

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Relevant experience

As arbitrator

- > Chairman, Sole Arbitrator, Party-Appointed and Emergency Arbitrator in more than 35 arbitration proceedings (ICC, Swiss Rules, VIAC, DIS, DIA, FAI and ad hoc) with amounts in dispute up to EUR 75 million.

As counsel

- > Representation of domestic and foreign companies in arbitration proceedings (ICC, LCIA, SCC, DIS and ad hoc) with amounts in dispute up to EUR 350 million.
- > Representation of domestic and foreign companies in DAB proceedings (FIDIC, ICC, DIS and ad hoc) as well as in mediation proceedings
- > Representation of domestic and foreign companies before German courts (i.a. enforcement of arbitral awards and follow-on-damage claims) with amounts in dispute up to EUR 50 million.

Other

- > Co-counsel and expert arrangements with domestic and foreign law firms

Areas of specialization

- > International trade, construction & engineering, energy (in particular, on and offshore wind energy), infrastructure and transport as well as post-M&A
- > International contract law, commercial and corporate law, sales law (i.a. CISG), construction law, transport and distribution law, energy law, antitrust law
- > International private law, law of international civil procedure and comparative law

Nationality

- > German

Languages

- > German
- > English
- > French

Recognitions

- > **JUVE's 2020 list of Germany's 30 most renowned arbitrators**
- > **Who's Who Legal Thought Leaders - Germany**
- > **"highly visible and on almost every shortlist of arbitrators" (WWL)**
- > **"an outstanding performer with the sharpest legal mind and impressive clients" (WWL)**
- > **"a class act who is very business-oriented and very strategic" (WWL)**
- > **"a very smart and well-prepared arbitrator" (WWL)**
- > **"highly visible and on almost every shortlist of arbitrators" (WWL)**
- > **"a star in the German market, commended for his ,top-tier' work as arbitrator"**
- > **"excellent arbitrator, legally exact and to the point" (WWL)**
- > **"arbitration shooting star" (JUVE)**
- > **"strong court room presence as arbitrator" (JUVE)**
- > **"Nils is an ,extremely good lawyer" (The Legal 500)**

Professional background

- > **Since 2011**
HANEFELD, Hamburg

- > **2009 - 2011**
CMS Hasche Sigle, Munich (Member of the International Litigation and Arbitration Department headed by Dr. Klaus Sachs)
- > **2007 - 2009**
Legal traineeship including work experience with the ICC International Court of Arbitration in Paris, France, Hengeler Mueller in Berlin and the German Embassy in Cambodia
- > **2005 - 2007**
Doctor of Laws (Dr. iur.) and Research and Teaching Assistant at the Institute for Foreign and International Private Law, University of Freiburg, Germany
- > **1999 - 2005**
University of Freiburg, Germany and University of Grenoble, France

Academic Appointments

- > Visiting Professor for International Arbitration at the University of Freiburg
- > Co-founder of the International Dispute Resolution LL.M at the HU Berlin

Speeches

- > Fast and Furious – Urgent and Expedited Relief, SCAI Innovation, Zurich (2020)
- > Reform des deutschen Schiedsverfahrensrecht, DIS 40, Berlin (2019)
- > Der richtige Schiedsstandort bei Brexit (in German), Konstanz (2017)
- > Energy Disputes, ICC YAF, Dusseldorf (2017)
- > Minimising unconscious bias – a checklist for arbitrators, Vienna (2016)
- > Schiedsort Berlin – *quo vadis* (in German), Berlin (2016)
- > Arbitrating East-West Disputes in the Time of Sanctions, ICC YAF, Helsinki (2016)
- > Damages under the CISG, Hanover (2016)
- > Challenges for a new generation of arbitrators, ICC YAF, Frankfurt (2015)
- > Independence and impartiality – the new IBA Guidelines, Copenhagen (2015)
- > Arbitral activism v impartiality, Kiev Arbitration Days, Kiev (2015)
- > Emergency arbitrators – success stories and challenges, ICC YAF, Cologne (2015)
- > Internationales Schiedsverfahrensrecht (in German), YAAP Roundtable, Vienna (2014)
- > The future of investment arbitration, ICC YAF, Hamburg (2014)
- > Counsel ethics in international arbitration, YIAG, Istanbul (2014)
- > Europe Hall Debate, ICC YAF, Rome (2014)
- > Arbitration & Project Finance, Baltic Arbitration Days, Riga (2013)

- > The empty chair – arbitrating against absent Respondents, ASA Below 40, Geneva (2013)
- > CISG & Arbitration, ICC YAF, Paris (2013)
- > Evidence in international arbitration, Warsaw (2013)
- > Sportschiedsgerichtsbarkeit, Frankfurt (2013)
- > The Use of Experts in International Arbitration, Wellington (2012)
- > Bridging the divide between party and tribunal-appointed experts, Auckland (2012)
- > The CISG – a good choice for buyers, Cologne (2012)
- > Sports Arbitration in Germany, Warsaw (2012)

Publications

- > Dispute resolution by Dispute Adjudication Boards - practical advice on the structuring and conduct of proceedings (in German), *BauR* 2020, pp. 1385 et seq., jointly with Dr. Johanna Büstgens and Jörn Hombeck
- > Art. 25-27 und 71-73 CISG, in: Beck Online Großkommentar, 2020
- > Die Feinjustierungen des BGH zu den Folgen der Verletzung von Offenlegungspflichten im Aufhebungs- und Vollstreckbarerklärungsverfahren (in German), *SchiedsVZ* 2020, pp. 35 et seq., jointly with Viktoria K. Schneider
- > Country Report: Germany, in: Weigand/Baumann (ed.), *Practitioner's Handbook on International Commercial Arbitration*, 3rd ed. 2019
- > Art. 74-77 CISG, in: Brunner /Gottlieb (eds.), *Commentary on the UN Sales Law (CISG)*, 1st ed. 2019
- > The Consequences of the Non-Disclosure of Conflict of Interest on the Enforceability of Awards: The German Stance, in: *Kluwer Arbitration Blog* 2019, jointly with Viktoria K. Schneider
- > The "Right" Place of Arbitration: How Germany Might Profit from Brexit, *SchiedsVZ* 2018, pp. 281 et seq., jointly with Aaron de Jong
- > Enforcement of international arbitral awards in Germany, *Lexis PSL Practice Notes* 2015, jointly with Jörn Hombeck
- > Art. 74-77 UN-Kaufrecht, in: Brunner (Hrsg.), *UN-Kaufrecht – CISG*, 2. Aufl. 2014
- > Art. 7-10 and 21 ICC-SchO (in German), in: Nedden/Herzberg (ed.), *Praxiskommentar ICC SchO und DIS SchO*, 1st ed. 2013
- > §§ 13 und 23 DIS-SchO (in German), in: Nedden/Herzberg (ed.), *Praxiskommentar ICC SchO und DIS SchO*, 1st ed. 2013
- > Expert Teaming – Bridging the Divide Between Party-Appointed and Tribunal-Appointed Experts, *Wellington Law Review* 2012, pp. 653 et seq.
- > Anwendbares Recht bei Schiedsverfahren mit Sitz in Deutschland (in German), *SchiedsVZ* 2011, pp. 267 et seq.

- > Expert evidence under the 2010 IBA Rules, *International Arbitration Law Review* 2010, pp. 216 *et seq.*
- > Settlement Efforts in Arbitration, *Revista de Arbitragem e Mediação* 2010, pp. 161 *et seq.*
- > Diverging Concepts of the Principle of Competence-Competence, *New Developments in International Commercial Arbitration* 2010, pp. 1 *et seq.*
- > Experts – Neutrals or Advocates, *ICCA Congress Series* 2010, pp. 135 *et seq.*
- > Einführung in das Schiedsverfahrensrecht, *JURA* 2010, pp. 520 *et seq.*
- > Der Ersatz frustrierter Aufwendungen im UN-Kaufrecht, *IHR* 2006, pp. 67 *et seq.*
- > Das Verhältnis von Erfüllung, Schadensersatz und Vertragsaufhebung im CISG, Mohr Siebeck, 2007 (doctoral thesis in German; sponsored by the German Academic Scholarship Foundation)

Memberships

- > Appointed member of the ICC Commission on Arbitration and ADR
- > Appointed member of the ICC Commission's Task Force on "Maximizing the Probative Value of Witness Evidence"
- > German Arbitration Institute (DIS)
- > Swiss Arbitration Association (ASA)
- > Hamburg Arbitration Circle (HAC)
- > Former Regional Coordinator Europe & Russia ICC Young Arbitrators Forum (YAF)
- > Former Regional Coordinator Europe LCIA Young International Arbitration Group (YIAG)