

**CARNEADES LEGAL**

#SMARTHEADSSTRONGPARTNER



# ARBITRATION: HOW CAN CARNEADES ASSIST YOUR COMPANY?







## HOW CAN WE HELP YOU? / 1

Arbitration is an alternative private judicial mode of settlement of commercial disputes which provides the parties greater freedom to choose the type of procedure to be used for the settlement of disputes. It is therefore possible to have recourse to arbitration as soon as the dispute arises by means of an arbitration agreement, but also before the dispute arises by inserting an arbitration clause in the agreement.

The parties are therefore required to give their consent to the appointment of the arbitrator who intervenes throughout the procedure. The involvement of your lawyer in international arbitration matters. In fact, parties from different legal, linguistic and cultural systems are advised to resort to international arbitration, which requires the intervention of an arbitrator with authority conferred by the parties to resolve their dispute definitively.



## HOW CAN WE HELP YOU? / 2

An additional advantage is the possibility of gathering for parties' diverse backgrounds or regional implications affecting the specific transaction or the life of the contract (often accentuating the underlying issue at dispute), building a bridge between cultures and expectations and allowing the parties the possibility to reach a decision more expeditiously.

Arbitration is often not only less expensive than judicial proceedings, but is also characterised by its speed, a key factor in the business world, with immediate effect on other business opportunities. Furthermore, it offers confidentiality towards the public eye.

Thus, CARNEADES LEGAL, located in Hamburg, will be able to accompany you both before and after the conclusion of an international agreement, but also represent you during the hearings of the arbitral tribunal or afterwards, in connection with an exequatur, annulment or revision proceedings.





## OUR EXPERIENCE

Carneades Legal regularly accompanies its clients from different fields in arbitration proceedings. However, prior to the actual settlement of the dispute, the parties must ensure the drafting of the agreement that will govern the conduct of this procedure. The firm therefore proposes a focus on the clauses not to be omitted when drafting an arbitration agreement. Thus, we advise and assist you in the following cases in particular:

- drafting of arbitration clauses - advice on the choice of arbitration procedure and institution
- providing assistance in ad hoc arbitration proceedings -- assistance in arbitral proceedings under the aegis of the ICC, DIS, London Maritime Arbitration Association, the Paris Mediation and Arbitration Centre, etc...
- enforcement of arbitral awards.

# WE SUPPORT COMPANIES IN EVERY PHASE OF AN ARBITRATION



**DRAFTING OF THE  
ARBITRATION  
AGREEMENT**

**CHOICE OF THE  
ARBITRAL PROCEDURE**

**THE CONDUCT OF THE  
ARBITRATION  
(PROCEDURE AND  
MERITS)**

**THE ENFORCEMENT OF  
THE ARBITRAL AWARD**

## OUR EXPERTS



**TOBIAS VOIGT**

Managing Partner, Lawyer

**CARNEADES LEGAL**

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For close to 20 years, Tobias Voigt is an attorney with a focus on infrastructure and offshore wind industry. He is founder and Managing Partner at Carneades Legal in Hamburg. He is a Co-Chairman of the Working Commission on International Construction Law of the German Lawyers' Association (DAV) and a Co-Chairman of the World Forum Offshore Wind (WFO) Alternative Dispute Resolution Committee. He is excelling in contract, claim, and negotiation management for leading corporations worldwide, all in large infrastructure projects or energy industry, mainly in offshore wind. He is an internationally recognized and respected expert and advocate in his areas of expertise. As an entrepreneur himself, deep commercial and business understanding combined with a comprehensive technical knowledge adds to his abilities in the field of legal disputes.

Tobias works both as party representative and party appointed arbitrator.

## OUR EXPERTS



**MARCIA VIEIRA-ROYLE, LL.M**

Contract & Claim Manager | Solicitor of England and Wales.

Marcia has considerable experience in the judicial recognition and enforcement of arbitral awards in foreign countries, especially in Shipping. She is a Solicitor of England and Wales.

Her qualification in both common law and civil law systems enables her to design efficient strategies to secure proper enforcement, with or without filing adequate judicial measures to obtain asset freezing injunctions or by ensuring judicial asset protection against such measures.

Marcia has successfully conducted procedures for the enforcement , exequatur and setting aside of several foreign arbitration awards in Brazil.

Marcia brings over fifteen years of experience in Oil & Gas, Shipping and Wind Energy (Stephenson Harwood, HFW and Seaway7).

Her experience also includes ship finance, ship sale and purchase, shipbuilding and enforcement of foreign arbitration awards.



## OUR EXPERTS



**MERIE M REZGUI, LL.M**

Associate I Lawyer

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Meriem Rezgui holds an LL.M. in Alternative Dispute Resolution from Humboldt University. She is an associate in our office. Ms. Rezgui has extensive experience in advising on infrastructure and energy projects, as well as general corporate and commercial matters. Her focus is on North Afrika and Mena region in, addition to a number of other francophone countries in Africa and all over the world.

As a Tunisian qualified lawyer , Ms. Rezgui was an associate at a leading Tunisian law firm. She has worked on several ICC commercial arbitration cases and has advised numerous international clients in negotiations/mediations with the Tunisian Government post Arab Spring. In Germany she worked on several arbitration cases in connection with commercial transactions and international sales of goods and general business related issues.

Meriem has consolidated her practical experience with an extended theoretical knowledge with a special focus on ADR, followed by practical experience in Germany working in various arbitration proceedings involving countries of Arabic language and culture.



## OUR EXPERTS



**DANIEL SMITH**

Associate I Lawyer

**CARNEADES LEGAL**

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Daniel has considerable experience with arbitration in Germany and the UK, as well as in German court cases regarding project management, contract and construction related legal aspects in particular concerning complex ship newbuilds and repair/refit projects, but also regarding an offshore substation constructions.

He has a “industry-insight” view on dispute resolution and benefits from many complex cases on his record. For instance, during his time as legal inhouse counsel for a northern German shipyard group he managed and supervised an London arbitration case for the shipyard against a client regarding the superyacht newbuild 'SY A'. One of the main tasks was to manage the external London lawyers and barristers and make sure they represented their client's interests appropriately. He monitored expert witness statements, reviewed and commented on submission drafts and on submissions from the counterparty with the relevant employees of the client, and represented the yard in the main hearings.

# CARNEADES LEGAL RECHTSANWÄLTE VOIGT UND KRUSE PARTG MBB

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## THANK YOU FOR YOUR ATTENTION!

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