



## *Professor Dr. Maxi Scherer*

### **SPECIAL COUNSEL**

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Professor Maxi Scherer is a special counsel in the firm's Litigation/Controversy Department, and a member of the International Arbitration Practice Group. She is also a distinguished academic, holding positions at various international law schools. She is a full-time tenured professor of law at Queen Mary, University of London, where she holds the Chair for International Arbitration, Dispute Resolution and Energy Law. She is also Queen Mary's Director of the Centre for Commercial Law Studies (CCLS) in Paris. Other current or past academic appointments include Global Professor of Law at NYU Law School, Visiting Professor at SciencesPo Law School Paris, Adjunct Professor at the Georgetown Centre of Transnational Legal Studies, as well as visiting positions at Bucerius Law School Hamburg, University of Melbourne, Freie Universität Berlin, Sorbonne Law School, Université de Versailles, Université de Fribourg Switzerland, Universität Würzburg, Pepperdine Law School, Université de Bourgogne, Universität Basel and Université de Paris X Nanterre.

### **Practice**

Professor Scherer has extensive experience with arbitral practice and procedure in civil and common law systems both in commercial and investment arbitration.

She has represented and advised clients in numerous international arbitrations before most major arbitral institutions (e.g., ICC, DIS, LCIA, HKIAC, VIAC and SIAC) at various seats, governed by a variety of substantive and procedural laws (e.g., Swiss, Austrian, French, German, English, Polish, Algerian, Kazak and Luxembourg law), in different industry sectors, with a particular focus on energy disputes.

Professor Scherer has served as arbitrator (presiding, sole, co- and emergency arbitrator) in more than 30 ad hoc and institutional arbitrations in different industry sectors, with a particular focus on energy disputes. Recent highlights include:

- ICC emergency arbitrator in proceedings between Central and Eastern European parties concerning a private jet service agreement;

- Co-arbitrator in EUR 1.3 billion dispute under the DIS Rules concerning the adaptation of a long-term energy contract;
- Sole arbitrator in ICC arbitration involving a state-owned company concerning a service agreement in the satellite industry; and
- Presiding arbitrator in several parallel LCIA arbitrations concerning a joint venture dispute involving more than 40 parties.

Other arbitrator appointments include:

LCIA Rules:

- Presiding arbitrator in LCIA arbitration between Chinese, UK, Turkish and other companies in a joint venture dispute (seat England, English law)
- Presiding arbitrator in LCIA arbitration between Nigerian and English companies concerning a long-term gas contract (seat England, English law)
- Sole arbitrator in LCIA arbitration involving a state-owned company concerning the financing of a power plant in Eastern Europe (seat England, English law)
- Sole arbitrator in LCIA arbitration between Portuguese and Irish parties concerning a distribution agreement (seat England, English law)
- Sole arbitrator in LCIA arbitration between Swiss and Greek companies concerning a service agreement in the energy sector (seat England, English law)
- Sole arbitrator in LCIA arbitration between Nigerian and Irish companies concerning an agreement about energy supply (seat England)
- Sole arbitrator in LCIA arbitration between Brazilian and UK companies concerning a financing agreement (seat England)
- Sole arbitrator in LCIA arbitration between US and Belgian companies concerning a service agreement (seat England, Belgian law)
- Co-arbitrator in LCIA arbitration between Irish and Russian companies concerning several airplane lease agreements (seat England, English law)
- Co-arbitrator in LCIA arbitration between Australian and Indian companies in the mining industry (seat England, English law)

ICC Rules:

- Presiding arbitrator in ICC arbitration between Spanish and Turkish companies concerning a joint venture agreement (seat Switzerland, Swiss law)
- Presiding arbitrator in ICC arbitration between Indian and Turkish companies concerning an energy joint venture dispute (seat England, Turkish law)
- Sole arbitrator in ICC arbitration between British Virgin Island and United Arab Emirates companies (seat England, Greek law)
- Sole arbitrator in ICC arbitration between a Swedish company and a State respondent in the satellite industry (seat England, English law)

Other:

- Presiding arbitrator in DIS arbitration between German and UK companies (seat Germany, German law)
- Sole arbitrator in HKIAC arbitration between Chinese and English companies in the energy emissions trading sector (seat Hong Kong, Hong Kong law)
- Sole arbitrator in ad hoc arbitration governed by UNCITRAL Rules between British Virgin Island and Kazak companies

### **Publications and Speaking Engagements**

Professor Scherer speaks regularly on international arbitration at conferences and seminars, including events organized by the International Bar Association (IBA), the Chartered Institute of Arbitrators (CIArb), the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), the Swiss Arbitration Association (ASA), the British Institute for International and Comparative Law (BIICL), the Society of International Economic Law (SIEL) and the Centre for Research on International Investment Law (CREDIMI).

Professor Scherer has also published extensively on topical issues of arbitration and international law. Recent publications include the books "*Transparency in International Investment Arbitration: A Guide to the UNCITRAL Rules on Transparency in Treaty-Based Investor-State Arbitration*" (2015 Cambridge University Press), "*Arbitrating Under the 2014 LCIA Rules – A User's Guide*" (2015 Wolters Kluwer Law and Business), "*The New York Convention on Recognition and Enforcement of Foreign Arbitral Awards: A Commentary*" (C. H. Beck München & Hart Publishing Oxford, 2013) and the articles *A Comparative and Normative Analysis of Parties' Agreements on Judicial Review of Awards*, *Arbitration International*, 2016; *L'autorité de chose jugée des décisions relatives au contrôle des sentences*, *Revue de l'arbitrage* 2016, pp. 1-35.

For a list of representative publications and speaking engagements please see the tabs above.

### *Professional Activities*

Professor Scherer is a distinguished academic. She is a full-time tenured professor of law at Queen Mary, University of London, School of International Arbitration, where she is also the Director of the Queen Mary Paris LLM program.

Other visiting and academic appointments include Global Professor of Law at NYU Law School, Visiting Professor at SciencesPo Law School Paris, Adjunct Professor at the Georgetown Centre of Transnational Legal Studies, as well as visiting positions at Bucerius Law School Hamburg, University of Melbourne, Freie Universität Berlin, Sorbonne Law School, Université de Versailles, Université de Fribourg Switzerland, Universität Würzburg, Pepperdine Law School, Université de Bourgogne, Universität Basel and Université de Paris X Nanterre.

Professor Scherer served as Director of Studies at the Hague Academy of International Law in 2016.

Professor Scherer is a member of the French Comity on Private International Law (*Comité Français*

*de Droit International Privé*), the French Comparative Law Society (*Société de Législation Comparé*), LCIA and ASA. She was selected as a scholar of the German National Academic Foundation (*Studienstiftung des Deutschen Volkes*).

In June 2014, Professor Scherer joined the IBA Recognition and Enforcement of Arbitral Awards Subcommittee, which focuses on the inventory of meanings of “public policy” as set forth by international commercial arbitrators, national courts, and investment arbitrators. She is also a member of the advisory board of the Social Science Research Network (SSRN). In October 2013, Professor Scherer was elected to serve a four-year term as the co-chair of DIS40, the German Arbitration Institution's young practitioners' group. She is also a member of the global advisory board of the ICDR, the international arm of the American Arbitration Association.

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## ***Solutions***

Litigation

International Arbitration

United Kingdom

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## ***Experience***

### *Recent Highlights*

- ICC emergency arbitrator in proceedings between Central and Eastern European parties concerning a private jet service agreement;
- Co-arbitrator in EUR 1.3 billion dispute under the DIS Rules concerning the adaptation of a long-term energy contract;
- Sole arbitrator in ICC arbitration involving a state-owned company concerning a service agreement in the satellite industry; and
- Presiding arbitrator in several parallel LCIA arbitrations concerning a joint venture dispute involving more than 40 parties.

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## ***Recognition***

### **Honors & Awards**

- Featured in the 2016, 2017 and 2018 editions of *Who's Who Legal: Arbitration* as a

leading arbitrator and was named among the "Most Highly Regarded Individuals" under 45 in the world in the inaugural edition of *Who's Who Legal: Arbitration - Future Leaders 2017*. Ms. Scherer was labeled "an excellent academic and arbitrator" and a "thought leader in the field of international arbitration," who stands out as "one of the very best" in commercial and investment arbitration proceedings. She is also recognized for her "strong combination of practice and academia" and described as "one of the best upcoming arbitrators."

- Recommended in the 2013 edition of *The Legal 500 UK* for dispute resolution: international arbitration

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## *Credentials*

### **EDUCATION**

PhD, University of Paris I,  
Panthéon-Sorbonne, 2001

*with Merits*

DEA, Post-Graduate Diploma  
in International Private and  
Commercial Law, University of  
Paris I, Panthéon-Sorbonne,  
1999

*Top of Class*

Maîtrise, University of Paris I,  
Panthéon-Sorbonne, 1998

*with highest Merits*

LLM, Universities of Paris  
Panthéon-Sorbonne and  
Cologne, 1998

*with highest Merits*

### **ADMISSIONS**

Paris

England and Wales, Solicitor

### **LANGUAGES**

English

French

German