

**Alexander Shchavelev**

Senior Associate
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Location

Munich, Germany

Biography

Alexander is member of the firm's German dispute resolution team based in Munich. He specialises in domestic and international arbitration, with a particular emphasis on commercial, M&A, venture capital, energy and construction related disputes. Alexander gained extensive experience in this area acting as administrative secretary of arbitral tribunals. In this capacity he has worked with many of the most renowned German and foreign arbitrators. Another focus of Alexander's practice form Russia and CIS related matters. The combination of his Russian background and German legal education allows him to master both legal and cultural implication of a dispute.

In addition to advising clients, Alexander regularly shares his practical experience by publishing on arbitration and commercial law subjects. He is an active member of the German Arbitration Institute (DIS). In this capacity Alexander contributed to the official Russian translation of the 2018 DIS Arbitration Rules and published a short commentary on the rules in Russian. He is also one of the assistant editors of an English language commentary on the 2018 DIS Arbitration Rules. As part of his legal traineeship Alexander also worked at the Australian Attorney General's Department where he was closely involved in the preparation of the 2015 amendments to the Australian International Arbitration Act.

Experience

Advised/acted as counsel for:

- a Russian consortium in two international arbitrations under the LCIA rules concerning claims in connection with an infrastructure project in Russia.
- a Dutch contractor in an international arbitration under the DIS rules concerning claims arising out of an engineering services agreement for the development of front end engineering design for a construction project in Russia.
- a creditor of an SCC award in enforcement proceedings in Germany.
- a leading German eyewear manufacturer in an international arbitration under the DIS rules concerning claims and counterclaims arising out of the termination of a distribution agreement with an overall value of approx. 6.5 million euro. In parallel, an interim injunction in aid of arbitration was obtained in the United States. The arbitration resulted in a full victory for the client.
- a German construction company seeking the annulment of an arbitration award rendered in connection with disputes arising out of a power plant project with an overall value of over 100 million euro. As a very rare exception, the award was ultimately annulled by the German courts.
- a major German shipyard in dispute adjudication board proceedings in connection with a dispute arising out of a contract for the construction of an offshore wind farm. The proceedings were conducted as a "mini-arbitration" with tight time limits and resulted in a favourable settlement.
- a major German company in the automotive sector in a DIS arbitration in connection with a joint-venture dispute. The dispute featured several novel aspects of German partnership law and resulted in a favourable settlement.
- for the seller in a fast track post M&A arbitration under the DIS rules pursuing earn-out claims. The dispute featured several unusual aspects of German contract law and resulted in a favourable settlement.

Acted as arbitrator:

- Sole arbitrator in an a DIS arbitration between two German entities in connection with an infrastructure project.

Acted as administrative secretary of an arbitral tribunal

- in several multi-million arbitrations in connection with post-M&A disputes under the DIS and ICC rules.
- in several multi-million gas price revision arbitrations triggered by the liberalisation of the European gas market.
- in an ad hoc arbitration in connection with a dispute over the construction of a power plant.
- in a multi-million ICC arbitration in the pharmaceutical sector.

Areas of Expertise

- Commercial
- Corporate disputes
- Energy & Infrastructure
- M&A disputes
- Securities disputes
- Commercial agents and distribution
- Debt Recovery
- Insurance claims and disputes
- Oil & Gas
- Venture capital disputes
- Construction
- D&O insurance disputes
- International trade
- Russia & CIS

Education

- 2010, University of Freiburg – First State Exam
- 2012, University of Freiburg – Doctoral Thesis
- 2012, University of New South Wales (Sydney) – Master of Laws (LL.M.)
- 2015, Higher Regional Court of Dusseldorf – Second State Exam

Qualification year and jurisdiction

- 2015 – Germany

Career History

- 2018 to present – Pinsent Masons, Senior Associate
- 2015 to 2018 – Orrick, Herrington & Sutcliffe, Associate

Languages

- German – Native
- English – Fluent
- Russian – Native
- Spanish – Basic

Professional Memberships

- German Bar Association
- London Court of International Arbitration (LCIA)
- German Arbitration institute (DIS)
- German-Russian Lawyers Association (DRJV)
- Young ICCA (International Council for Commercial Arbitration)

Publications

- [Intersection of arbitration and insolvency focus of new toolkit](#), Out-Law News, 24 March 2021
- [DIS Arbitration Rules 2018 – Experience of two years of application](#) [Арбитражный Регламент ДИС 2018 – опыт применения первых двух лет], 2 (4) Commercial Arbitration 2020, 210 (*in Russian*)
- [The Basics of Litigation in Germany, in Particular Involving Foreign Parties](#) [Основы гражданского процесса в Германии и его особенности при участии иностранных сторон], DRJV-Sammelband zum deutschen Recht in russischer Sprache [Сборник статей о праве Германии], No. 4, 2020, p. 1 (*in Russian, online publication*)
- [International Arbitration in Germany](#), in Flecke-Giammarco/Boog/Elsing/Heckel/Meier (eds), The DIS Arbitration Rules, Kluwer Law International, 2020, § 1.02 (*together with Alexander Grimm and Ulrich Kopetzki*)
- [Cybersecurity protocol will raise awareness of data protection in arbitration](#), Out-Law News, 26 November 2019
- [Germany's highest court awards damages for violation of a choice of court agreement](#), Out-Law Analysis, 21 October 2019
- [New convention to help businesses enforce foreign judgments](#), Out-Law Analysis, 8 July 2019
- [Host State's Regulatory Freedom and Investors' Legitimate Expectations](#), panel presentation at Young ICCA/Young IMA Conference on Investment Treaty Arbitration (St. Petersburg, 2 November 2018)
- [The New DIS Arbitration Rules 2018](#) [Die neue DIS-Schiedsgerichtsordnung 2018], IPrax 2018, p. 461 (*in German, together with Siegfried H. Elsing*)
- [The New 2018 Arbitration Rules of the German Arbitration Institute](#) [Новый Регламент Коммерческого Арбитража 2018 Немецкого Арбитражного Института (ДИС)], DRJV-Sammelband zum deutschen Recht in russischer Sprache [Сборник статей о праве Германии], No. 3, 2018, p. 255 (*in Russian, online publication*)
- [DIS Arbitration Rules 2018 – Well-ried Rules Dressed New](#) [DIS-Schiedsordnung 2018 – Altbewährtes in neuem Gewand], M&A Review 2018, p. 118 (*in German, together with Siegfried H. Elsing*)
- [International Arbitration – Facilitating the Dialogue in a Dispute](#) [Internationale Schiedsgerichtsbarkeit – Förderung des Dialogs im Streitfall], in Birke/Wedde (eds), Im Dienst des deutsch-russischen Rechtsdialogs: Festschrift 30 Jahre Deutsch-Russische Juristenvereinigung, BWV, 2018, p. 77 (*in German, together with Antonida Netzer*)
- [The Role of Party-Appointed Arbitrators](#), in Shaughnessy/Tung (eds), The Powers and Duties of an Arbitrator: Liber Amicorum Pierre A. Karrer, Kluwer Law International, 2017, p. 65 (*together with Siegfried H. Elsing*)
- [Umbrella Clauses - A Balanced Approach to Interpretation](#), GRIN Verlag, 2013
- [Improving Corporate Governance in Companies with a Dual Board Structure - Lessons from Germany and China](#), GRIN Verlag, 2013
- [Transfer-Pricing for Intra-Group Services](#) [Umlagen im Konzern], Peter Lang, 2012 (*in German, PhD thesis*)