

CURRICULUM VITAE OF SERGEY LYSOV



Sergey Lysov
KK&P | Kulkov, Kolotilov and Partners
Senior Associate
T: +7 495 258 39 41
M: +7 963 686 50 10
E: s.lysov@kkplaw.ru

Specialisation and experience

For the last 10 years Sergey represents Russian and foreign clients in arbitration proceedings, insolvency cases, recognition and enforcement of foreign arbitral awards, construction cases, corporate disputes and disputes arising out of international trade agreements.

Sergey is recognised by the international legal directory Best Lawyers (International Arbitration and Litigation) and by top Russian directory Pravo.300 (First Band in International Arbitration and Commercial Litigation (high market)).

In 2020 Sergey has been listed among top 10 young arbitration practitioners by the Russian Arbitration Association.

Sergey is a member of Moscow BAR Associations, YIAG, ICDR, Young ICCA and RAA40.

Since 2016 Sergey is a part of leading Russian dispute resolution law firm KK&P | Kulkov, Kolotilov and Partners, recognised by leading directories, including Global Arbitration Review, Chambers & Partners, Legal500.

Before that Sergey acted as a counsel defending foreign companies in Russian courts and arbitration tribunal as a part of leading Czech law firms, BBH, advokátní kancelář, s.r.o.

Education:

Sergey is a graduate of the National Research University “Higher School of Economics” (Moscow), and holds LL.M. degree from the University of Manchester Master’s (program validated in Moscow).

He also studied at the Hague Academy of International Law (the Netherlands) and at the Cologne Arbitration Academy (Germany).

Notable representations:

- Representing a client (hotel management company) in the SCC arbitration arising out of the termination of a premium hotel management contract. The firm recovered lost profits for the next 40 years of the contract;

- Representing an international oilfield services company at the ICAC at the Chamber of Commerce and Industry of the Russian Federation in a lawsuit against another international oilfield services company in connection with the reimbursement of the client's expenses of more than 5m USD on remedying an accident and restoring the hermetic seal of an oil well.

- Enforcement of SCC award rendered in favour of Canadian company against Russian strategic enterprise.

- Representing the European advertisement company in ICAC arbitration regarding the termination of the lease agreement, concluded with state department.

- Representing the client (shareholder) in the complex corporate proceedings arising out of the shareholder agreement (SHA) concluded regarding the management of a Cypriot company which owned shopping malls located in Moscow and Moscow Region. Preparation of an application to obtain interim measures in support of LCIA arbitration, providing English team with legal advice regarding Russian law issues arising within the scope of the LCIA arbitration;

- Representing International Bank of Azerbaijan's in a dispute with Russia's major bank, Sberbank, in proceedings for the recognition of the judgment on IBA's US\$3.3b debt restructuring. The dispute, for the first time, demonstrated the legal position of the courts of the Russian Federation on the consequences of the decision of a foreign court adopted in the framework of the UNCITRAL law on restructuring the debt of a foreign debtor (IBA) for a total amount of more than US\$3.3b, including a US\$20m loan from Sberbank.

- Advising a major Sweden subsidiary of one of the leaders in digital industries operating worldwide on the Convention on Contracts for the International Sale of Goods (CISG) and Russian law in advance of a forthcoming dispute before the ICAC arising out of a sale and purchase agreement.

- Preparation of an Expert Report on Russian law to ensure the English court that a Russian court would recognise and give effect to a restructuring scheme before client's creditors involving a group of the world's largest investment banks and groups.

- Representing Raiffeisenbank at all stages of the bankruptcy of a debtor owing over US\$53 million secured by the mortgage of one of the largest shopping malls in Russia. Since the bank is the main creditor of the debtor, our services include managing the bankruptcy procedure (key decisions of the creditors' board) and defending the bankruptcy trustee from the claims raised by opposing creditors.

- Defending Nestle Russia in a dispute over a claim by NLMK Kaluga, the largest producer of rolled steel for the construction industry in central Russia, in a case involving reclamation of real estate located in the Kaluga Region owned by the client and invalidation of sales agreement.

- Representing Orion in the Commercial Court of Moscow. The client was a defendant in a corporate dispute relating to the invalidation of an issue of shares and challenging of the SPA (both worth over US\$13 million) in relation to a Russian IT company. The claimant alleged that she was a beneficiary of the company and that the shares were disposed of without her consent.

Notable Publications:

- *Annotated Article-by-Article Practical Commentary to National Arbitration Courts Laws* (2021, RAA)
- *Russian Arbitration Law 2016: key issues.* Maxim Kulkov, Sergey Lysov, Practical Law UK. ThomsonReuters
- *Resolution of multi-party construction arbitration disputes* // Arbitration.ru. 2020 №4
- *Consolidation in International Arbitration* // Arbitration Court.2016. №2
- *Joinder of third parties in international commercial arbitration proceedings* // Arbitration Court.2016. №4
- *Problems arising of multiple contracts in international arbitration* // Arbitration Court, 2017. №4
- *Participation of non-signatories in international arbitration proceedings.* International CommercialArbitration Review. 2015 № 1 (10)
- *General overview of arbitration involving Russian parties* Legalinsight № 1, 2019.