

DIS@Hongkong

International and German Perspectives on Post M&A Disputes

5 May 2024, 1.00 pm (GMT+8)

CMS (Lau, Horton & Wise LLP, in
association with CMS, Hong Kong LLP)
8th Floor Nexus Building,
41 Connaught Road Central,
Hong Kong

DIS

German Arbitration Institute



DIS@Hongkong: International and German Perspectives on Post M&A Disputes

Arbitration is a popular choice for dispute resolution in International-German cross-border corporate transactions. In Germany, it has become the common method of resolving post M&A disputes. Typical scenarios include disputes about contractual representations and warranties, purchase price adjustments, MAC clauses, earn-outs, escrowed funds, and statutory tort claims. Often legal and accounting questions are intertwined.

In an International-German cross-border M&A deal, some common questions arise: Should I select arbitration? If so, what choices should I make in the arbitration clause? Is splitting the seat from the applicable substantive law a good compromise? What are the typical challenges in such matters – e.g. information access after closing and interplay of contractual and tort claims – and how can they be addressed in contract drafting? What, if any, solutions to those challenges are offered by arbitral practice? Is there a difference between common law and German law when interpreting M&A contracts?

With our panel of experienced arbitration lawyers from Asia and Germany, we discuss some of these questions and learn about recent experiences. A light lunch will be served.

Registration

Please register via the link below. Participation in the event is free of charge. By registering you accept the [DIS General Terms and Conditions](#) for Conferences and Workshops.

[Registration →](#)

Please address any questions to: events@disarb.org

German Arbitration Institute (DIS)
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12.45 pm

Registration

1.00 pm

Welcome and Introduction to Topic, including introduction to DIS and Post M&A Arbitration

Torsten Loercher

DIS Board Member, Partner, CMS, Cologne

1.20 pm

International and German perspectives on Post M&A Disputes – A Moderated Discussion

Nils Eliasson

Partner, King & Spalding, Singapore

Dorothee Ruckteschler

Partner, Dorothee Ruckteschler Dispute Resolution, Stuttgart

Yunsoo Shin

Partner, Peter & Kim, Seoul

Dominique Yong

Senior Associate, Clifford Chance, Hong Kong

Moderator:

Nicolas Wiegand

Partner, CMS, Hong Kong / San Francisco

2.20 pm

Closing Remarks

Mariel Dimsey

Head of Hong Kong Office, CMS, Hong Kong

2.30 pm

End of event