

DIS@PAW2024

**International and
German Perspectives
on Post M&A
Arbitration**

20 March 2024, 10.30-12.30 am

King & Spalding
48 bis rue de Monceau
75008 Paris

DIS

German Arbitration Institute



DIS@PAW 2024 International and German Perspectives on Post-M&A Disputes

Arbitration is an increasingly popular choice for dispute resolution in 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 a 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 procedural 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, we discuss some of these questions and learn about recent experiences.

Join us over a (second) breakfast for 2.0 hours at King & Spalding on 20 March 2024 at 10.30 am. Participation in the event is free of charge.

Registration

Please note that registration via the PAW site is now closed. We only have a very limited number of places available. **If you would like to be added to the waiting list, please send us a message to the following e-mail address: events@disarb.org.**

By registering you accept the [DIS General Terms and Conditions](#) for Conferences and Workshops.

German Arbitration Institute (DIS)
Deutsche Institution für Schiedsgerichtsbarkeit e.V.
www.disarb.org



10.00 am	Registration
10.30 am	Welcome Amy Frey Partner, King & Spalding, Paris
10.45 am	The German Arbitration Institute (DIS) and Post-M&A Arbitration Proceedings – A Short Introduction Reinmar Wolff Vice-President of the DIS Board, University of Marburg, Germany
11.00 am	International and German perspectives on Post-M&A Disputes – A Moderated Discussion Richard Happ President of the DIS Council, Luther, Hamburg Bartosz Krużewski Partner, Clifford Chance, Warsaw Shirin Saif Partner, Roschier, Stockholm Vanina Sucharitkul Partner, Rajah & Tann, Singapore Mirjam van de Hel-Koedoot Partner, Nauta Dutilh, Amsterdam Johanna Wirth DIS Board Member, Partner, Hengeler Mueller, Berlin Moderator: Jan K. Schäfer DIS Board Member, Partner, King & Spalding, Frankfurt
12.25 am	Farewell