

Axel Benjamin Herzberg, LL.M.

abh@bodenheimer.legal



## Dispute Resolution: Track Record & CV

### QUALIFICATIONS

- Germany (Rechtsanwalt)
- England and Wales (Solicitor)

### CASES HANDLED

- As Chairman of the Arbitral Tribunal: 2
- As Co-Arbitrator: 7
- As Counsel: 150+
- As Deputy Counsel at the Secretariat of the ICC International Court of Arbitration: 90+
- Governing Laws in Cases Handled: Austria, California, CISG, England and Wales, EU, France, Germany, Guernsey, Illinois, Ireland, Italy, Liechtenstein, New York, Switzerland, Turkey, Unidroit Principles of International Commercial Contracts, Virginia
- Places of Arbitration in Cases Handled: Basel (Switzerland), Berlin (Germany), Cologne (Germany), Frankfurt (Germany), Hamburg (Germany), Munich (Germany), Paris (France), Singapore, Vienna (Austria), Zurich (Switzerland)
- Sectors and Practice Areas in Cases Handled: Banking & Finance, Commerce, Competition, Construction, Corporate, Distribution, Energy, IP, IT, Media, Mining, Real Estate, Tourism, Transportation

### REPRESENTATIVE MATTERS

Represented a German manufacturer of equipment for civil passenger aircraft in ICC expertise as well as in ensuing ICC arbitration proceedings against a German supplier, revolving around conformity issues.

Represented a multinational online media agency in a series of ICC, DIS, and SIAC arbitrations against non-performing advertisers arising out of Insertion Orders with some 25+ advertisers from around the world.

Advised a U.S. manufacturer of medical devices on prospects of ICC arbitration against a German distributor.

Represented a German distributor in ICC arbitral proceedings against two French B2B tech companies on commercial agent's commission and indemnity claims, under French law, and Directive 86/653/EEC.

Represented a German shipyard in interim relief litigation in a product piracy matter, including the arrest of a ship.

Represented the global umbrella organisation of a well-known, global network of NGOs with observer status at the UN, in defamation litigation against a Pakistani bank before the German state courts, in a matter pertaining to statements made on compliance and anti-corruption issues.

Represented a consultancy company in an annulment action against the European Commission before the General Court of the EU and the Court of Justice of the EU in a matter revolving around an interference of the European Commission with a contract concluded by the client with a third party.

Acted as co-arbitrator in an ICC arbitration between a Cyprus-based member of a group of construction companies against an Italian supplier of building materials on claims arising out of a supply contract governed by the CISG, with Zurich as the place of the arbitration.

Acted as co-arbitrator in an ICC arbitration between a UK service and technology provider and a German manufacturer on claims arising out of a contract for the supply of components used in electrical power systems, based on the CISG, with Berlin as the place of the arbitration.

Acted as co-arbitrator in a DIS arbitration between the parties to an M&A deal, revolving around the calculation of an earn-out, with German law as the governing law and Frankfurt as the place of the arbitration.

## CAREER MILESTONES

Prior to founding BODENHEIMER HERZBERG, Mr Herzberg held positions, inter alia, at Baker & McKenzie, the Secretariat of the ICC International Court of Arbitration in Paris (France), and the University of Basel (Switzerland).

## MEMBERSHIPS (SELECTION)

ICC Commission on Arbitration and ADR; Task Force on Emergency Arbitrator Proceedings; International Council for Commercial Arbitration

## EDUCATIONAL BACKGROUND

Mr Herzberg holds a Postgraduate Master of Laws, International Business Law, University of London (Queen Mary/UCL, "with merit"). He is a graduate of the University of Freiburg (Germany), and holds diplomas in English Law and Language from the University of Passau (Germany), and in Transnational Law, from the University of Geneva (Switzerland).

Stralauer Allee 2  
10245 Berlin | Germany  
T: + 49 30 994 04 35 40  
F: + 49 30 994 04 35 41

## LANGUAGES

English | French | German | Spanish

Hohenzollernring 103  
50672 Berlin | Germany  
T: +49 221 291 90 6 0  
F: +49 221 291 90 6 11

mail@bodenheimer.legal  
BODENHEIMER.legal