

Michał Jochemczak

Partner



Partner

Warsaw

D +48 22 242 56 94

michal.jochemczak@dentons.com

Overview

Michał Jochemczak heads the Arbitration practice in Dentons' Warsaw office.

He specializes in complex arbitration and litigation. He has represented clients in arbitrations under the leading arbitration rules (ICC, VIAC, LCIA) and in ad hoc domestic and international arbitration. Michał has been involved in numerous high profile international cases.

Michał has acted as counsel in numerous international joint-venture, M&A, real estate, construction, corporate, and financial services disputes. He advises clients on international civil law and has significant experience in the fields of jurisdiction, enforcement of judgments and conflict of laws. Michał also provides legal advice to creditors, management and shareholders in bankruptcy and insolvency proceedings. He has in-depth experience in corporate matters as well as in procedural issues of competition law.

Michał acts as an arbitrator: he received his first appointment in international arbitration under the ICC Rules at the age of 30.

Michał was one of the core members of the ad hoc committee drafting the new Rules of Arbitration of the Lewiatan Arbitration Court (second largest arbitration court in Poland).

Experience

- **International consortium:** Representing a client in a dispute concerning the construction of the LNG terminal in the north of Poland.
- **International developer:** Representing a client in an investment treaty case against an EU Member State, concerning a terminated real estate project.
- **American drilling company:** Representing a client in a domestic arbitration concerning drilling and acid-fracking operations in Poland.
- **Vivendi:** Representing a client in a high-profile dispute with T-Mobile and Elektrim, in interconnected arbitrations under the VIAC and LCIA Rules in a dispute arising out of joint venture agreements.

- **Luxembourg-based real estate and hospitality investor:** Representing a client in an ICC arbitration against a Croatian state-entity, concerning a portfolio of hotels on one of the Croatian islands (Croatian law, seat in Croatia).
- **Investment bank:** Representing a client in an ICC arbitration against Polish companies in a high profile shareholders' dispute (ICC arbitration seated in London, Polish injunction proceedings).
- **French investor:** Representing a client in an ICC arbitration relating to the construction and development of a prestigious residential skyscraper in Warsaw.
- **French company:** Representing a client in an ICC arbitration concerning the design and construction of a Combined Heat and Power Plant in Poland.
- **Foreign investor (as a seller):** Representing a client in a dispute with a buyer concerning alleged breaches of representation and warranties in a wind-farm project in the north of Poland.
- **General contractor:** Representing a client in UNCITRAL arbitration against one of the leading Polish construction companies concerning two different biomass projects in Poland.
- **French investor:** Representing a client in a domestic arbitration concerning the refurbishment of a wastewater treatment plant in Poland.
- **International real estate fund:** Representing a client in a high-profile arbitration under the Rules of the Court of Arbitration at the Polish Chamber of Commerce.
- **Swiss oil company:** Representing a client in a corporate dispute under the Rules of the Court of Arbitration at the Polish Chamber of Commerce.
- **French company:** Representing a client in a dispute over wastewater treatment plant in an ICC arbitration seated in Warsaw.
- **Polish asset management company:** Representing a client in an ICC arbitration seated in Paris.
- **Various clients:** Representing clients in proceedings for recognition under the NY Convention of awards issued by international arbitral tribunals under VIAC, LCIA, and ICC Rules.
- **Various clients:** Representing clients or those involved in proceedings for setting aside arbitral awards rendered by the LCIA arbitral tribunals (Section 67 applications), VIAC arbitral tribunals, Polish seated arbitral tribunals.

Recognition

- *Chambers Global and Chambers Europe 2020 and 2021:* Ranked in Dispute Resolution: Most in Demand Arbitrators in Poland (Band 3).
- *Chambers Global and Chambers Europe 2019–2021:* Ranked in Dispute Resolution in Poland (Band 4).
- *Benchmark Litigation Europe 2019-2021:* Ranked as "Dispute Resolution Star" in Poland in the categories: Arbitration, Commercial and transactions, Construction, International arbitration, Real estate.
- *Who's Who Legal 2021:* Recognized as a "Global leader" in Arbitration.
- *Who's Who Legal 2018-2020:* Recognized as a "Future leader" in Arbitration.

Insights

- Chapter on Poland in Arbitration World (ed. by Karyl Nairn and Patrick Heneghan), 4th edition 2012 and 2015 (to be published)

- Selected issues of the Kompetenz-Kompetenz principle, *Monitor Prawa Handlowego* 2/2012
- New Rules of the Lewiatan Court of Arbitration (co-author with Beata Gessel), *Young Arbitration Review*, April 2012
- Chapter on Poland in the *International Arbitration Review* (ed. by James H. Carter) 2011 and 2012
- Attorney – client privilege in international arbitration (Attorney – client privilege w międzynarodowym postępowaniu arbitrażowym), *Przegląd Prawa Handlowego*, 3/2010
- Observations on the *Dallah Real Estate v. Pakistan* case (Sprawa *Dallah Real Estate v. Pakistan*), e *Przegląd Arbitrażowy*, 2/2010
- Observations on the conflict of law rules relating to arbitration agreements (Kilka uwag na temat zagadnień kolizyjnoprawnych umowy o arbitraż), *Przegląd Prawa Handlowego*, 4/2009
- Arbitration in the European Union: myths and facts (Arbitraż w Unii Europejskiej: fakty i mity), *Rzeczpospolita*, 16 December 2009
- Resolution of disputes arising out of futures contracts (Rozwiązywanie sporów wynikających z prowadzenia terminowych operacji finansowych), *Biuletyn Arbitrażowy* 11/2009
- Are corporate disputes arbitrable? (Czy sądy arbitrażowe mogą orzekać w sprawach decyzji spółek), *Gazeta Prawna*, 21 May 2009

Activities and Affiliations

Memberships

- Member of the management board, Young Arbitration Practitioners in Poland, 2010–2015
- Member, ICC YAF, 2013 to date

Prior and Present Employment

- Partner, Dentons, Warsaw, 2016 to date
- Counsel, Dentons (formerly Salans), **Warsaw**, 2013–2016
- Senior Associate, Salans, **Warsaw**, 2008–2013
- Associate, Salans, **Warsaw**, 2006–2008
- Junior Associate, Salans, **Warsaw**, 2005–2006
- Intern, Piotr Kondek Law Firm, Poznan, 2003–2004

Areas of focus

Practices

- Arbitration
- Litigation and Dispute Resolution
- Restructuring, Insolvency and Bankruptcy

Industry sectors

- Financial Institutions

Education

- Adam Mickiewicz University in Poznań, 2004, Master of Laws

Admissions and qualifications

- Attorney-at-law, Poland, 2008

Languages

- English
- Polish