



## **Dr. Ernst F. Schmid, LL.M.**

Partner (born 1952)

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## **Languages**

German, English, French, Italian

## ■ **Areas of Practice**

Ernst F. Schmid is head of the dispute resolution group of Niederer Kraft & Frey. He regularly acts as counsel in national and international litigation and arbitration cases, and as arbitrator in ad hoc and institutional arbitration proceedings. His arbitration experience includes disputes relating to banking, M&A agreements, joint ventures, licensing, construction and other commercial contracts.

Ernst F. Schmid has published articles on issues related to company law and contributed to various commentaries (Code of Obligations II, Debt Enforcement and Bankruptcy and Code of Civil Procedure).

Ernst F. Schmid is vice chairman of the Ethical Court of the Zurich Bar Association and a member of the Swiss Arbitration Academy Advisory Committee. He teaches Rules of the Legal Profession and Arbitration Law at the University of Zurich.

## ■ **Professional Career**

- 1991 – Partner, Niederer Kraft & Frey
- 1984 – 1990 Associate, Niederer Kraft & Frey
- 1982 – 1983 Associate with Zurich law firm
- 1980 – 1982 Clerk with the Commercial Court of the Canton of Zurich
- 1978 – 1980 Clerk with the District Court of Meilen
- 1975 – 1978 Scientific Assistant to Professor Peter Forstmoser, Chair for company law at the University of Zurich

## ■ **Education**

- 1984 – Master of Law, Cambridge, England (LL.M.)
- 1981 – Admitted to the Bar (*Rechtsanwalt*)
- 1979 – Doctor iuris (Dr. iur.), University of Zurich
- 1975 – Licentiatius iuris utriusque (lic. iur.), University of Zurich

## ■ **Recent Experience**

- Co-counsel on Swiss law in a litigation in Bermuda, amount in dispute exceeding 120m
- Enforcement of Kazakh arbitral award in Switzerland against Swiss defendant, amount in dispute 30m
- Co-arbitrator in a Swiss Rules arbitration in the railways sector, amount in dispute 120m
- Representing a defendant in a D&O liability litigation before the state courts, amount in dispute CHF 150m
- Representing a defendant in a series of D&O claims brought by the liquidator in connection with the bankruptcy of one of the largest Swiss groups of companies
- Advising an international bank in the context of the misappropriation of client funds by a customer relationship officer; representing the bank in criminal and civil proceedings against the CRO and clients
- Presiding arbitrator in an ICC arbitration between two BVI companies on commodities trading, amount in dispute CHF 70m
- Presiding arbitrator in an ICC arbitration between a German manufacturer and a Singaporean distributor of medical equipment, amount in dispute USD 11m
- Co-arbitrator in an ad hoc arbitration between a US foundation and Austrian respondents for the restitution of art works, amount in dispute USD 30m

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- Chairman in a Swiss Rules arbitration between a Swiss and a Spanish company concerning commodities, amount in dispute USD 11m
- Co-arbitrator in a Swiss Rules arbitration between a BVI company and a Swiss company relating to a joint venture, amount in dispute CHF 7m
- Chairman of an arbitration between US claimants and a Swiss individual for the repayment of the investment in a Swiss company, amount in dispute CHF 2m
- Sole arbitrator in a Swiss rules arbitration between a Jersey company and Austrian respondents in relation to an agency contract, amount in dispute EUR 2m
- Sole arbitrator in a Swiss Rules arbitration between a Swiss company and an Italian company regarding commodities

## ■ Market Perception

“According to sources Ernst Schmid is a superb arbitrator and ‘always very well prepared for the hearing; he knows his cases very well.’” (Chambers Global 2015)

“He co-heads the practice.” (Chambers Global 2015)

“Head of the disputes practice Ernst Felix Schmid is ‘very active’ before the courts, and he is praised for the ‘pragmatic and sensible approach’ he brings to proceedings.” (Who is Who Legal 2015)

“Ernst Felix Schmid heads the dispute resolution department at Niederer Kraft & Frey and ‘commands respect’ from peers and clients alike.” (Who is Who Legal 2014)

