

MANNER SPANGENBERG

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Simon Manner specialises in dispute resolution, litigation and arbitration. He assists companies in navigating high-stakes disputes as well as in the drafting, negotiation and execution of complex contracts.

Simon Manner has significant experience as counsel and as arbitrator (> 30 arbitrations as president, sole arbitrator and co-arbitrator) in domestic and international arbitrations under various rules (including ICC, DIS, SCC, KCAB, CEAC, GMAA, RUCIP, Hamburg Chamber of Commerce and *Ad hoc*) and laws (including Austrian, English, French, German, Indonesian, Italian, Korean, Russian, Spanish, Swedish and Swiss law). He has handled construction, machinery, energy (gas and renewables), transportation, infrastructure, distribution, intellectual property, information technology, corporate law, shareholder, post-M&A and a variety of contract, trade and other commercial disputes.

Simon Manner is recognized in leading rankings, including Who's Who Legal, Handelsblatt/Best Lawyers ("Germany's best lawyers") and JUVE: "He brings a unique blend of in-house technical expertise to provide its clients with the best service possible"; "He is outstanding as an arbitrator and is known for his experience in infrastructure cases"; "He is a very smart lawyer, with industry knowledge in wind turbines and EPC contracting (Who's Who Legal Global Leader Arbitration 2021); "Simon Manner is an 'impressive arbitrator' who is 'commercially minded' and deeply experienced in high-stakes disputes" (Who's Who Legal National Leader Germany – Arbitration 2021); "Simon Manner is a 'very smart' lawyer who ranks highly for his impressive handling of arbitration proceedings relating to energy, M&A and construction disputes" (Who's Who Legal National Leader Germany – Arbitration 2020); "Simon Manner is highlighted for his 'sharp legal mind' and 'unique blend of in-house technical expertise'" (Who's Who Legal Arbitration 2020); "confident, experienced, empathic" (JUVE Handbook 2020/2021); "Simon Manner frequently acts as both counsel and arbitrator in high-stakes disputes relating to contract, energy and infrastructure matters, with sources noting that he is 'definitely a person to watch'" (Who's Who Legal Germany Arbitration 2019).

Simon Manner combines many years of experience as in-house counsel in a globally operating energy company with his experience as an attorney in dispute resolution law firms. Before founding **MANNER SPANGENBERG**, he was Senior Legal Counsel with the Nordex Group, where he was globally responsible for handling the company's disputes, negotiated numerous high-volume construction contracts (often FIDIC-based) and procurement contracts under various laws and headed a team of several lawyers. Prior to his in-house role, he worked for over five years as an attorney with Hanefeld Rechtsanwälte (2011-2013) and Friedrich Korch Hanefeld (2008-2011) in Hamburg.

Simon Manner was a Research Assistant to Prof. Dr. Ingeborg Schwenzer, LL.M. (University of Basel, 2005-2007) and Prof. Dr. Andreas Voßkuhle (University of Freiburg, 2003-2004). He holds law degrees from Germany (Freiburg, Second State Exam, 2005; First State Exam, 2003) and Switzerland (Doctor of Laws, University of Basel, 2009, *summa cum laude*).

Simon Manner is a member of the Editorial Board of the Journal of International Arbitration, a former co-chair of DIS40, and participated in the committee for the revision of the DIS Arbitration Rules. His working languages are English and German.

Presentations (Selection)

- Energy Arbitration and the CISG, XI Annual Peter Schlechtriem CISG Conference, Virtual Conference 2020
- Annulment and Enforcement of Arbitral Awards from a comparative law perspective, Brussels 2018
- The ABCs of CMCs – Selected Issues in Relation to Case Management Conferences, Frankfurt 2018
- The Arbitrator's Duty to Disclose Potential Conflicts, ICC YAF Conference, Zurich 2017
- My top tips for the best awards, 6th IBA Construction Projects from Conception to Completion Conference, Brussels 2017
- Joint Venture Disputes, DRI-Conference, Dublin 2017
- Adjudication from a User's Perspective, Mock Adjudication, Berlin 2017
- Dispute resolution clause, case strategy, Request for Arbitration and Answer, ICC Arbitration and ADR Training, Krakow 2017
- Risk and Conflict Management in Wind Park Projects, DIS Spring Conference, Hamburg 2016
- Expert Evidence, Mannheim International Arbitration Conference, Mannheim 2016
- What's New about the New IBA Guidelines, ICC YAF/YAC Conference, Copenhagen 2015
- Case Management during the Arbitration Proceedings, ASA Below 40 Conference, Geneva 2015
- The Drafting of Multi-Tier Dispute Resolution Clauses, IWIS Seminar, Stuttgart 2014
- Expert Evidence in Arbitration, Moderator, DIS40 Spring Conference, Frankfurt 2014
- The DIS Rules for Alternative Dispute Resolution, Hamburg 2014
- Relevant Points for Users when Designing Dispute Resolution Schemes and Clauses, DIS Autumn Conference, Berlin 2013
- Witness Examination Techniques in Arbitration and Litigation, Moderator, DIS40 Spring Conference, Munich 2013
- Post Award Issues, AIJA Annual Arbitration Conference, Basel 2013
- Conflicts of Interest and Challenges of Arbitrators, ICC/PIDA Conference, Vienna 2012

Publications (Selection)

- Art. 1 and Art. 6 CISG, in Brunner/Gottlieb (eds.), Commentary on the CISG, 2019 (jointly with Moritz Schmitt)
- Annulment and Enforcement of Arbitral Awards in Germany, in Goldman/Van Rompaey (eds.), Annulment and Enforcement of Arbitral Awards from a Comparative Law Perspective, 2018, pp. 51 *et seqq.*
- Renewable Energy Disputes, in M. Scherer (ed.), International Arbitration in the Energy Sector, 2018, pp. 86 *et seqq.* (jointly with Dr. Tilman Niedermaier)
- Arts. 30-34 and 38 ICC Rules and Sects. 7, 11, 25, 33-38 and 40 DIS Rules, in Nedden/Herzberg (eds.), Commentary on the ICC and DIS Rules (in German), 2014
- Art. 1 and Art. 6 CISG, in Brunner (ed.), UN-Kaufrecht – CISG, 2nd edition (in German), 2014 (jointly with Moritz Schmitt)
- Damages and Fixed Sums for Breach of Arbitration Agreements, in Böhler/Müller-Chen (eds.), Festschrift für Ingeborg Schwenzer zum 60. Geburtstag, 2011, pp. 1197 *et seqq.* (jointly with Dr. Olivier Mosimann)
- Monetary Relief in Trademark and Copyright Law (in German), 2010
- “The Pot Calling the Kettle Black: The Impact of the Non-Breaching Party’s (Non-) Behavior on its CISG-Remedies”, in Schroeter/Baasch-Andersen (eds.), Sharing International Commercial Law across National Boundaries, 2008, pp. 470 *et seqq.* (jointly with Prof. Ingeborg Schwenzer)
- “The Claim is Time-Barred: The Proper Limitation Regime for International Sales Contracts in International Commercial Arbitration”, 23(2) Arbitration International (2007), pp. 293 *et seqq.* (jointly with Prof. Ingeborg Schwenzer)
