

## James Menz

J.D.

Partner // Attorney-at-law

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James Menz is a founding partner of rothorn legal. His practice focuses on complex disputes in the construction, engineering, energy, transportation, pharmaceutical, and biotechnology sectors. He also advises on FIDIC-contracts and counsels clients at the pre-arbitration claims and DAB-stages. James Menz has acted as counsel in dozens of proceedings under a variety of applicable institutional rules and substantive laws. He also regularly sits as arbitrator.

A U.S.-trained attorney with extensive experience in civil and common law settings, James Menz brings a 360-degree view to cross-border disputes. As senior litigation expert at a large multinational mobility provider, he managed a range of domestic and international litigations and arbitrations and advised the business on dispute avoidance and resolution strategies. From 2016-2018, James Menz was Deputy Secretary General and Head of Case Management at the German Arbitration Institute (DIS), where he supervised hundreds of arbitration and ADR proceedings, represented the institute, and served on the drafting committee for the revised 2018 DIS Arbitration Rules. Previously, for over ten years James Menz practiced international arbitration, litigation, and competition law with major law firms in New York and Zurich.

James Menz is member of the boards of the Swiss Arbitration Association (ASA) and of the DIS. He helped launch the German Association of Company Lawyers' (BUJ) Dispute Resolution Group. He regularly speaks at conferences and lectures at universities and seminars on issues in international commercial arbitration.

According to Who's Who Legal Arbitration 2022, "James is an absolutely fantastic lawyer with a great commercial approach" and is "very hardworking and versatile" as well as a "skillful counsel" and "one to watch." He has been repeatedly listed in the Who's Who Legal's Global, Switzerland and Future Leaders editions, including most recently in 2022/2023. The Legal500 calls him "highly regarded" in its 2022 rankings on Dispute Resolution: Arbitration in Switzerland.

James Menz is bilingual in English and German and reads French, Russian and Serbo-Croatian.



## Experience (Excerpt)

- Representing a multinational entity in several ICC arbitrations against sub-contractors on construction-related disputes arising out of a renewable energy project in the Middle East
- Representing a multinational company on claims arising during the refurbishment of a nuclear power plant
- Advising a Swiss pharmaceutical company on claims arising from production failures
- Representing a Spanish entity against a Turkish entity in an ICC arbitration regarding a collaboration agreement regarding a billion-dollar construction project in Turkey
- Representing a Swedish entity in an SCC arbitration over defects arising from the delivery of metro trains
- Advising international venture capital investors in an earn-out dispute worth several hundred millions of dollars following the sale of a biotech start-up
- Representing a UK entity against a UK individual in a warranty and property dispute
- Representing a German company against an Egyptian company in a dispute relating to the termination of an agency agreement
- Representing Israeli and Swiss entities against a Bermuda and a German company in a multi-billion dollar WIPO arbitration in the pharmaceutical industry
- Representing a German multinational against an Italian construction company in an ICC arbitration concerning a power plant in Italy
- Representing a German company against a Canadian metals and mining conglomerate in an ICC arbitration regarding the sale of industrial goods
- Sole arbitrator in an ICC arbitration under Swiss law regarding the construction of a diplomatic facility
- Party-appointed arbitrator in an ICC arbitration under Swiss law regarding the refurbishment of a production line for steel

## Qualifications

- Attorney-at-Law, Admitted to the New York Bar
- Admitted to the U.S. District Court for the Southern District of New York
- Admitted to the U.S. District Court for the Eastern District of New York
- Swiss Arbitration Academy (2010)
- The George Washington University Law School, J.D., with highest honors (2005)
- University of Wisconsin-Madison, M.A. (2001)
- St. Olaf College, B.A., summa cum laude (2000)

## Publications (Excerpt)

- *Commentary on the Swiss Rules, (Schütze, Institutional Arbitration)*, (co-authored), 2019
- *Die bundesgerichtliche Rechtsprechung zur Schiedsgerichtsbarkeit 2016/2017*, Jusletter (co-authored), June 2018
- *Commentary on the WIPO Rules, Arbitration in Switzerland – the Practitioner’s Guide* (Arroyo, 2d ed.), 2018
- *Neuerungen in der 2018 DIS-Schiedsgerichtsordnung im Überblick, SchiedsvZ*, (co-authored), 2018
- *Kommentierung der Schweizerischen Schiedsordnung (Schütze, Institutionelle*



*Schiedsgerichtsbarkeit*, (co-authored), December 2017

- *The Effectiveness Principle and cartel damages arbitrations – beyond “institutional ambivalence”*, *Competition Law and Policy Debate*, March 2017

