

Partner, Frankfurt

International Litigation and Arbitration



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Education

Dr. jur, University of Freiburg, 1991
Second State Exam, State of Hesse, 1993
First State Exam, University of Freiburg, 1988

Bar Admissions

Frankfurt am Main

Associations

DIS Advisory Board
ICC Commission on Arbitration
ICC National Committee Germany
ICC International Court of Arbitration
AAA Board
ICCA Governing Board

Languages

German
English

Dr. Anke Sessler is widely recognized as one of Germany's leading disputes lawyers, with extensive experience in international and domestic arbitration and complex litigation proceedings. She represents industrial corporations and financial service providers in disputes relating to *inter alia* M&A and supply contracts, joint ventures and other commercial agreements, as well as in shareholder litigation and disputes relating to corporate boards.

Dr. Sessler joined Skadden as a partner in 2014. From 2008 to 2014, she was chief counsel litigation at Siemens AG in Munich. Prior to her tenure at Siemens, she was a partner at another top international law firm in Frankfurt for over 10 years.

Dr. Sessler holds positions in various arbitration institutions. Among others, she is a member of the International Court of Arbitration of the International Chamber of Commerce (ICC), the ICC Commission on Arbitration and the ICC National Committee (Germany). In addition, she serves on the ICCA Governing Board and the board of the American Arbitration Association (AAA). Dr. Sessler has been accredited as arbitrator by CIETAC and as mediator by the Center for Effective Dispute Resolution (CEDR).

Selected matters as counsel include:

- representing a major car manufacturer in a €1 billion arbitration against a U.S.-based automotive supplier and in a related U.S. lawsuit relating to the termination of a supply contract (DIS);
- representing a German bank regarding the repayment of a loan against an Indonesian company (ICC);
- representing UniCredit Bank AG in three separate litigation proceedings against former management board members regarding damages claims in relation to transactions effected around dividend record dates ("cum/ex" transactions);
- representing a German bank in connection with claims against former board members and employees because of a range of tax-driven transactions that ultimately caused severe losses to the bank as the envisaged tax incentives were not granted by the German tax authorities;
- advising an international investment bank in its defense against several damages claims by other banks regarding transactions effected around dividend record dates ("cum/ex" transactions);
- defending the Republic of Moldova against a BIT claim by Russian investors in the banking sector (Arbitration Institute of the Stockholm Chamber of Commerce (SCC), Stockholm);
- representing an international private equity fund as respondent in a post-M&A dispute with a strategic buyer regarding a target in the construction industry (DIS);
- representing an Indian automotive supplier in a dispute against its joint venture partner, a German supplier of parts for the automotive industry (ad hoc arbitration);
- representing a multinational business in parallel U.K. and German investigations in relation to national and EU competition law infringements by the company's German and U.K. businesses and resulting follow-on damages claims across the EU;
- advising a global mechanical and plant engineering firm in a dispute with a German original equipment manufacturer (OEM) in relation to the construction of an assembly line;

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- acting as an arbitrator in two arbitration proceedings involving various entities of an Arabic state and an Indian construction company (ICC, Amman and UNCITRAL, Cairo);
 - representing a global specialty materials company against a customer in a mediation related to a warranty claim (mediation, Amsterdam);
 - acting as arbitrator in an arbitration proceeding between a German automotive supplier and its Austrian subcontractor regarding a supply contract (ICC);
 - advising a manufacturer of stainless steel in a major post-M&A dispute relating to the carve-out of certain parts of the target company in an international post-M&A arbitration (DIS);
 - advising a U.S.-based biotech company in a dispute regarding license agreements in multiple disputes (ICC, Berlin and ad hoc, Paris);
 - advising a German construction company regarding enforcement issues in connection with a multimillion-dollar investment treaty arbitration case against the Republic of Argentina (ICSID, Washington, D.C.);
 - representing a German bank against former board members regarding tax evasion schemes through share deals (ad hoc arbitration);
 - defending a European state in its first treaty claim against a claim for damages filed by an Indian investor (UNCITRAL, Brussels);
 - advising a German investor against the state of Turkmenistan in connection with the expropriation of an investment;
 - representing a technology startup enterprise in a landmark directors' liability case, claiming damages from the former CEO who had falsified books and records, and deceived shareholders about financial data;
 - acting as co-lead counsel in a directors' liability case involving lawsuits against former board members of a German construction company for damages based on the negligent violation of their officers' duties;
 - representing five state banks against the claim by the insolvency administrator of a U.S. airline regarding an aircraft lease agreement involving complex questions of international and German insolvency law;
 - representing an investment management company against damage claims by institutional investors;
 - defending a telecommunications company in a post-M&A dispute against warranty claims by the buyer;
 - representing an English publishing house in arbitration and expert proceedings regarding warranty claims and claims for purchase price adjustment under an M&A contract;
 - acting as an arbitrator in a major arbitration regarding claims and counterclaims under a gas delivery contract (UNCITRAL, London);
 - advising a German energy company in connection with applicable conflict resolution mechanisms for resolving certain disputes against sovereign entities; and
 - acting as an arbitrator in a dispute regarding alleged damages claims resulting from the termination of a supply contract between a Russian and a German company (DIS).
- Dr. Sessler regularly publishes and lectures on international dispute resolution topics.

Selected Recent Publications

Co-author, “Third-Party Arbitration Funding – An Overview,” *ILO Newsletter*, October 24, 2019

“§ 7. Einleitung des Verfahrens/Klageeinreichung” (§ 7. Commencement of the Proceedings/Submission of Statement of Claim) in: Salger/Trittmann (eds.), *Praxishandbuch Internationale Schiedsverfahren*, 2019, p. 169

Co-author, “2018 DIS Arbitration Rules – One Year On,” *ILO Newsletter*, July 18, 2019

Co-author, “Is Effective Intra-EU Investment Protection Ending?” *ILO Newsletter*, May 2, 2019

Co-author, “Germany,” in: Pitkowitz (ed.), *Handbook on Third-Party Funding in International Arbitration*, 2018, p. 225

“The Growth of Collective Shareholder Actions in Europe,” *Skadden, Arps, Slate, Meagher & Flom LLP*, July 2017

“Cross-Border Investigations Update,” *Skadden, Arps, Slate, Meagher & Flom LLP*, November 2017

“Die Konstituierung des Schiedsgerichts in Mehrparteischiedsverfahren – eine Bestandsaufnahme” (Constitution of the Arbitral Tribunal in Arbitral Proceedings with Multiple Parties – an Inventory of the Current Situation) in: Dieners/Dietzel/Gasteyer (eds.), *Liber Amicorum Dolf Weber*, 2016, p. 527

“Overview of Recent Changes to ICC Arbitration Proceedings,” *Skadden, Arps, Slate, Meagher & Flom LLP*, September 2016

Co-author, “Commentary on Sections 1052-1058 ZPO,” in: Böckstiegel/Kröll/Nacimiento (eds.), *Arbitration in Germany – The Model Law in Practice*, 2nd edition, 2015, p. 318

“The 2014 IBA Guidelines on Conflicts of Interest in International Arbitration,” *Skadden, Arps, Slate, Meagher & Flom LLP*, January 2015

“Robust Action Dominates Global Government Enforcement Landscape,” *Skadden, Arps, Slate, Meagher & Flom LLP*, January 2015

“Germany: High-Profile Enforcement Actions and Increased Cartel Prosecution Dominate Enforcement Landscape,” *Skadden, Arps, Slate, Meagher & Flom LLP*, January 2015

“Cross-Border Investigations Update,” *Skadden, Arps, Slate, Meagher & Flom LLP*, October 2014

Co-author, “Im Praxistest. Ein Jahr nach der Reform: erste Erfahrungen mit dem Kapitalanleger-Musterverfahrensgesetz” (In a Practical Test. One Year after the Reform: Initial Experiences with the German Capital Markets Model Case Act), *DisputeResolution – Das Online-Magazin 2013*, 22

Co-author, “Die Revidierte ICC-Schiedsgerichtsordnung – Schwerpunkte” (The Revised ICC Arbitration Rules – Key Topics), *SchiedsVZ 2012*, 120

“Reducing Costs in Arbitration – The Perspective of In-House Counsel,” *SchiedsVZ 2012*, 15

“Außergerichtliche Streitbeilegung – Bedeutung, Vertragsgestaltung und Durchführung bei der Siemens AG” (Extra-Judicial Dispute Resolution – Significance, Contract Drafting and Implementation at Siemens AG) in: Eidenmüller (ed.), *Alternative Streitbeilegung*, 2011, p. 9