

Partner, Frankfurt

International Litigation and Arbitration; Litigation



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Education

Second State Exam, State of Hesse, 2012

First State Exam, Humboldt University of Berlin, 2010

Bar Admissions

Frankfurt am Main

Max Stein acts for companies and governments in complex domestic and international litigation and arbitration matters, including investment arbitration. In particular, he has handled disputes involving post-M&A, corporate, energy, capital markets, construction and public international law. Mr. Stein also serves as an arbitrator.

Mr. Stein has been repeatedly recognized by *Best Lawyers* in the areas of arbitration and mediation, international arbitration and litigation and *Lexology Index* (formerly *Who's Who Legal*) as a Global Leader in the Professional Negligence category and a Future Leader in Arbitration. He also is listed as a highly recommended attorney for dispute resolution in *JUVE Handbuch*, in which he is praised by clients for having a “well-deserved high level of trust” and his “exceptional communication skills in proceedings,” in addition to being noted by peers as a “quick-witted litigator.”

Selected matters as counsel include:

- advising an international private equity fund as claimant in a post-M&A arbitration against another private equity fund
- representing a global materials technology and recycling company in a high-value dispute arising from a joint venture for the production and supply of key industrial materials
- advising a leading international logistics company before a German court regarding the enforcement of a foreign court judgment
- advising a publicly traded technology company in connection with claims arising from a so-called short-seller attack
- 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 global chemical company in a €500 million post-M&A arbitration based on rising energy prices against an Eastern European purchaser of an industrial asset in Germany (DIS)
- advising a major German car manufacturer in relation to cartel damages claims arising out of several supplier cartels
- representing a U.S.-based biotech company in a dispute — including mediation proceedings — with a French pharmaceutical company in relation to a licensing and collaboration agreement
- defending the Republic of Moldova against a bilateral investment treaty claim by Russian investors in the banking sector (SCC, Stockholm)
- advising a global chemical company in relation to €1 billion in cartel damages claims
- representing an international construction and transport company in ICC mediation proceedings against a German multinational in relation to the construction of wind turbine generators for two wind parks
- 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)
- advising a German multinational in ICC proceedings against an Asian engineering company for additional payment in relation to the engineering, procurement and construction of a fertilizer plant in the Middle East

- advising a leading German engineering company in relation to a dispute with another engineering company concerning the development of two wastewater treatment plants in Russia
- advising a global mechanical and plant engineering firm in a dispute with a German original equipment manufacturer in relation to the construction of an assembly line
- representing a bank in a dispute with former board members regarding so-called “cum/ex” transactions
- advising an international oil and gas company on the structuring of its investment in the Middle East to benefit from an investment treaty
- advising a pharmaceutical company in a dispute regarding the sale of a joint venture share in the context of an M&A process
- 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)
- advising an insurance broker on the issuance of an insurance policy for an *ad hoc* arbitration proceeding and related court proceedings in relation to the lease of satellites
- advising a train manufacturer in a dispute with a multinational conglomerate in relation to the assembly of trains
- representing a Central Asian state in a multibillion-dollar claim under the Energy Charter Treaty in relation to oil and gas fields (SCC)
- representing a Central Asian state in relation to proceedings for the setting aside of an award and enforcement proceedings in several jurisdictions
- representing a major German utilities company in a DIS arbitration for claims in relation to the operation of a biomass power plant and a wood pellet factory
- representing a Slovenian holding company before German courts in claims against two banks for unlawful realization of collateral
- representing a leading supplier of profiles for windows and doors in claims for contractual penalties before German courts
- representing a steel trading company in an ICC arbitration against two African companies in relation to the failure to pay for a delivery of steel

Mr. Stein studied law at the University of Heidelberg and the National University of Singapore and spent time in New York and London during his legal training. He regularly publishes on disputes topics and has lectured on commercial and investment arbitration at the University of Heidelberg, the Europa-Institut of Saarland University, the University of Frankfurt and KAZGUU University in Astana, Kazakhstan. Mr. Stein serves on the ICC Task Force on ADR and Arbitration and is a member of the Rising Arbitrator Initiative, DIS and the German-American Lawyers’ Association.

Publications

“Environmental Groups Have Sued Large German Companies To Reduce Their Products’ CO2 Emissions,” *Skadden’s 2022 Insights*, January 19, 2022

“The Energy Charter Treaty at a Crossroads - Uncertain Times for Energy Investors,” *International Journal for Nuclear Power*, July 2021

“Right To Be Heard in Arbitral Proceedings — Recent Case Law on the Most Invoked Ground in Set-Aside Proceedings,” *International Law Office newsletter*, April 2021

“The Tug-of-War Over the Energy Charter Treaty,” *Frankfurter Allgemeine Zeitung*, March 2021

“Q&A: Arbitration With an Insolvent Party,” *International Law Office newsletter*, August 2020

“How Commercial Disputes With Vietnam Will Be Resolved,” *Frankfurter Allgemeine Zeitung*, June 2020

“Goodbye to Investment Protection — Soon Companies Will No Longer Be Able To Turn To Arbitral Tribunals for Disputes Within Europe,” *Frankfurter Allgemeine Zeitung*, May 2020

“Is Effective Intra-EU Investment Protection Ending?,” *International Law Office newsletter*, May 2019

“The Prague Rules: Problem Detected, but Imperfectly Solved,” *Alternatives, International Institute for Conflict*

Prevention & Resolution, May 2019

“Litigation and Arbitration in Case of Investment Protection,” *Börsenzeitung newsletter Brexit Countdown*, December 2018

“A Hint of Class Action,” *Frankfurter Allgemeine Zeitung*, December 2018

“EC Commission Takes on Vattenfall et al.,” *Börsenzeitung*, August 2018

“*Iudex Non Calculat* Was Yesterday — How To Determine Chances To Succeed in Court Proceedings,” *Dispute Resolution*, March 2018

“Healthcare Enforcement & Litigation: Germany,” *Getting the Deal Through*, 2016-2018

“The Constitution of the Arbitral Tribunal” (chapter co-author), *Arbitration in Germany: The Model Law in Practice (Second Edition)*, 2015

“Investment Arbitration — From the Shadows Into the Spotlight?,” *Global Arbitration Review*, 2014

“Energy Charter Treaty Arbitration and the CIS Countries,” *The European, Middle Eastern and African Arbitration Review*, 2014

“Security for Costs in International Arbitration,” *Yearbook on International Arbitration, Volume III*, 2013