

WOLF VON KUMBERG

Qualifications: FCIArb, CEDR Qualified Mediator and AAA Master Mediator

Nationality: German & Canadian

Languages: Fluent in English and German. Social knowledge in Italian and French.



Wolf is a leading internationally recognised independent arbitrator and mediator, based out of London and Washington D.C.

Wolf has over 30 years' experience in complex commercial disputes within international business with a particular focus on Aviation, Defence, Technology, Cyber, Engineering/Infrastructure and Investor State dispute resolution. Before establishing his ADR practice, he served as Legal Director and Assistant General Counsel to Northrop Grumman Corporation and prior to this at Litton Industries Inc. During his international career he was located in their Toronto, Zurich and London offices.

As Assistant General Counsel for Northrop Grumman, Wolf worked with Governments and State Agencies in over 52 countries dealing with trade, security, investment matters, and responsible for international disputes including arbitration, adjudication, and mediation. In that role he has held security clearances in major NATO countries. He is also very familiar with EU Law and the domestic Laws of most EU States, as well as being a qualified solicitor in England and Canada. As such, he is well versed in civil as well as common law.

His expert analysis has covered all types of dispute management and resolution boards, adjudication systems, ADR guidelines and Model Clauses, ADR policies and procedures, Global conflict compliance and governance programs, arbitration programs, government procurement and supply chain dispute management.

He is a well rounded and effective international dispute resolution expert, capable to dealing with the most complex and high value cases.

Specialist Sector Experience

- Aviation, Aerospace, Defence & Government Services
- Construction, Engineering & Infrastructure
- Technology & Telecommunications
- Energy, Natural Resources & Renewables
- Marine, Shipping & Superyachts
- Investment Treaty
- Insurance, Reinsurance & Fintech
- Energy, Oil & Gas

Aviation

Wolf has unparalleled experience in disputes related to the Aviation & Aerospace, Defence, Compliance, Investor/State, IP, Cyber Security and Technology Industries.

He is a founding member of the Aerospace, Aviation and National Security panel of AAA. Having worked for Northrop Grumman Corporation a major aircraft manufacturer for the US Airforce contributing to such iconic aircraft as the F15, B2 Bomber, the GlobalHawk and the F35, he is well versed in the design, manufacture and supply of aircraft systems globally.

Whilst working at Litton Industries, Inc. a onetime major supplier to airframe manufacturers globally, he is highly experienced dealing with global supply chains and the issues associated therewith.

His aviation disputes experience includes:

- Aircraft manufacturing and supply contracts
- Procurement issues
- Certification issues
- Aircraft joint venture, syndicate and partnering disputes
- Aircraft sale, leasing and financing agreements
- Aviation insurance and reinsurance claims
- Warranty and repair claims
- Aircraft crash investigations
- IP and licensing related claims

Investor State

Wolf is a leading international ADR figure working together with ICSID, CEDR and the Energy Charter Treaty Secretariat to develop protocols and policies, as well as training to enable the use of mediation in investor-state disputes. In the process he contributed to the Investor State Mediation Guide for the Energy Charter Treaty Secretariat. He is active in developing the field of Investor State mediation together with ICSID, CEDR, IMI and the ECT. He has worked with several countries to put in place mediation protocols to be used in disputes with investors and has actively worked with them to resolve investor disputes through mediation and arbitration.

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Engineering & Technology

Wolf has worked for and with several global engineering companies. He has a broad understanding for research, development and implementation of multi-party, complex engineering and technology programmes. In this context, he is extremely familiar with the workings of joint venture infrastructure projects and the issues arising from them. He has acquired broad technical and commercial engineering expertise, which he is now utilising in complex, high value engineering disputes. In particular, his engineering experience extends to:

- Research and Development
- Infrastructure projects
- Complex Joint venture arrangements
- Satellite systems
- Navigation systems
- Mechanical
- Civil
- Electrical
- Industrial

Cyber

Wolf worked for over 25 years with several defence companies that pioneered the field of cyber technology. In that role he was at the cutting edge of developments and acquired a good understanding for cyber vulnerabilities and defences. He has also been involved in the development of blockchain technology and understands its vulnerabilities. He was also involved in several cyber related disputes in which his security clearances were essential. He has knowledge related to:

- Ransomware
- Phishing
- Data leakage
- Hacking
- Insider threats
- Blockchain and crypto currency
- Software vulnerabilities
- Machine learning and A1 attacks

Energy, Oil & Gas

Wolf has broad energy dispute resolution experience in both downstream, upstream and renewable energy such as solar and wind projects and has been involved in energy exploration and transit disputes. He was Counsel for Western Atlas (Schlumberger purchased the company in 2006) in its oil and gas exploration and drilling activity globally. Wolf also represented Western Atlas in disputes with States and commercial parties. In addition, he worked extensively with The Energy Charter Treaty Organization in relation to energy transit matters and sit on the ECT panel for transit disputes.

Wolf has acted as counsel, arbitrator and mediator in energy related disputes covering the following matters:

- exploration and drilling
- transportation and trading;
- energy transit;
- supply and marketing;
- infrastructure for oil and gas projects;
- concession disputes with States;
- renewable energy disputes respecting wind and solar projects.

Maritime

Wolf was the General Counsel for Sperry Marine, a global manufacturer supplier of sophisticated marine equipment. In this capacity, he acquired a good knowledge for the maritime shipbuilding and shipping industries, together with related issues. He has been involved in several maritime disputes, as counsel, arbitrator and mediator. His experience includes:

- Marine equipment manufacture and supply
- Shipbuilding (commercial and defence)
- Maritime satellite communication systems
- Ship collision investigations
- Maritime security
- Environmental issues

Insurance & Reinsurance

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Wolf has extensive experience in both the insurance and reinsurance markets as counsel, arbitrator and mediator. This experience is garnered from several decades as in house counsel for several commercial companies with global operations. This expertise extends to the following areas of cover:

- Property
- Professional Indemnity
- Commercial
- Health
- Environmental

Experience as Arbitrator & Counsel

Wolf has extensive experience in AAA, ICDR, ICC, LCIA and AIAC and ad hoc cases. Seats have included Geneva, London, New York, Singapore and Kuala Lumpur.

- Aerospace claim for failure to achieve airworthiness certification.
- Aviation/Aerospace claim for return of faulty aircraft engines.
- Engineering/Technology claim by Ministry of Defence for non-performance of engine control unit in frigate. Engineering/Technology claim for improper design of radar installation.
- Commercial Contracts claim regarding breach of contract for late delivery of machines to a major infrastructure project.
- Commercial Contracts termination for convenience claim on a large Middle Eastern project.
- Insurance dispute over the payment of a reinsurance claim at shipyard damaged by hurricane.
- Intellectual Property dispute concerning breach of software license agreement on a large South Korean project. Property dispute concerning major environmental indemnification claim under a transaction agreement.
- Sale of goods and services claim for sale of faulty switches to be used in an engine control system.
- Sale of good and services claim for delivery of faulty construction equipment.
- Aviation/Aerospace claim by major aircraft manufacturer for deficient system design leading to crash of aircraft.
- Aviation/Aerospace claim by North Atlantic Treaty Organisation (NATO) for non-performance of aircraft design.
- Aviation/Aerospace claim by UK Ministry of Defence related to early warning system on military jet.
- Aviation/Aerospace claim by French Ministry of Defence related to Tracker Aircraft.
- Engineering/Technology claim for improper software design for the London Ambulance services.
- Commercial contracts dispute concerning breach of contract for failure to deliver a working software program on an emergency response system.

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- Commercial contracts claim for consequential damages for delivery of faulty switches to a major City communication system.
 - Investor State claim against Government of Egypt for expropriation.
 - Investor State claim against Government of Libya for expropriation.
 - Investor State claim against Government of Venezuela for expropriation.
 - Corporate Fraud claim for payment of bribe in a public procurement contract.
 - Corporate Fraud claim concerning money laundering in a complex multi-national commercial deal.
 - Employment and workplace dispute over scope of duties provision in an employment agreement.
 - Insurance dispute over calculation of a major property claim.
 - Intellectual property dispute over conversion of a proprietary design by a competitor.
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- Intellectual property patent infringement claim respecting an aircraft guidance system.
 - Property claim involving remediation under a property lease agreement.
 - Sale of goods and services claim for improper installation of a ship's guidance system.
 - Shipping/Maritime dispute over design provisions in a shipbuilding contract.
 - Major Italian Tax case involving the payment of dividends to a European holding company.
 - Dutch case on tax jurisdiction of a European multinational company.

Mediation & Dispute Boards

Wolf has applied his accumulated knowledge to the field of global commercial conflict avoidance and resolution.

He has been involved in the implementation of Dispute Boards in various regions of the World.

These boards have been used in the aerospace and technology sectors where long term commitments and relationships required conflicts to be dealt with expeditiously and cost effectively, permitting projects to be delivered.

As Assistant General Counsel at Northrop, Wolf was responsible for developing a dispute management process including an ADR Policy, Guidelines and International Dispute Clauses. In addition, he was involved in its international compliance program and complex regulatory investigations. Wolf's expertise also includes development and implementation of specialized global Early Issue Conflict Management (EICM) programs such as conflict avoidance structures, single and co mediation programs, board room and partnership dispute programs.

Wolf is also a certified CEDR mediator and American Arbitration Association Master Mediator. He has mediated numerous types of commercial disputes and sits on the mediation panels of CEDR, AIAC, WIPO, SCCA and the AAA/ICDR. He has also been active in the DIFC in Dubai and the ADGM in Abu Dhabi. Disputes have largely been

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cross-border and include locations in Singapore, Kuala Lumpur, Hong Kong, New York, Paris, Abu Dhabi, Washington, Toronto, Frankfurt and London.

Recent examples of his mediation experience include:

- Claim for \$5 Million by the purchaser of a glass manufacturing system for the auto industry by an American Company against a Spanish manufacturer pursuant to the ICDR mediation rules.
- Claim by a satellite Network provider against a satellite manufacturer, for failure to properly meet licensing requirements for required satellite orbit deployment. Cross-border dispute, ICC Rules – Seated in NY.
- Aviation/Aerospace claim against supplier for deficient navigation devices.
- Aviation/Aerospace claim related to the interpretation of an aircraft leasing contract.
- Engineering/Technology claim for improper design of a security monitoring system.
- Engineering/Technology claim for improper installation of radar masts.
- Commercial contracts supply chain issue respecting sale of counterfeit parts.
- Corporate Fraud claim against finance director for fraud.
- Employment & Workplace claim for bullying against manager.
- Employment & Workplace dispute over termination of a company director.
- Insurance dispute over interpretation of policy wording in a business interruption cover.
- Intellectual Property claim for breach of intellectual property agreement by a subcontractor.
- Intellectual Property software license dispute related to a defence project in the Middle East.
- Partnership & Shareholder dispute over termination provision in a shareholder agreement.
- Partnership & Shareholder dispute between JV partners over settlement of a major contracts claim.
- Partnership & Shareholder dispute between shareholders over sale of a business.
- Partnership & Shareholder dispute by doctors in a medical partnership over revenue sharing.
- Property claim respecting water pollution on a former industrial site in Paris.
- Sale of goods and services claim for design inappropriate computer equipment.
- Shipping/Maritime dispute over installation of bridge system on a cruise ship.
- Shipping/Maritime claim for damage caused to a super yacht for deficient engine controls.
- Shipping/Maritime dispute respecting a Charter party Contract.
- Tax dispute over tax provision in an employee multi jurisdiction employment contract.

Professional & Academic Qualifications

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Career History

- April 2019- Member Int-Arb
- 2015– March 2020 – Member ArbDB Chambers – London, England
- 2015 -March 2020 - Consulting Counsel Bird & Bird- London
- 2000- 2015 European Legal Director Assistant General Counsel Northrop Grumman Corporation European HQ – London, England
- 1992 – 2000 European Legal Director Litton International SA European HQ – Zurich, Switzerland Litton Industries Inc.
- 1987 - 1992 Vice President, Counsel and Assistant Secretary to Litton Systems Canada Limited (a subsidiary of Litton Industries, Inc.), a 3'000 employee aerospace electronics manufacturer having facilities in Toronto, Ottawa and Halifax, Canada.
- 1985 - 1987 Litigation Associate - Smith, Lyons, Torrence, Stevenson, & Mayer Toronto, Ontario, Canada

Education

- 1989 Solicitor's Final Examination - The Law Society England and Wales
- 1984 - 1985 University of Cambridge, United Kingdom - LL.M. Master of Law International Commercial Law
- 1981 - 1982 Law Society of Upper Canada, Toronto, Ontario Bar Admission Course Barrister and Solicitor - April, 1982
- 1977 - 1980 Osgoode Hall Law School, Toronto, Ontario - LL.B. Bachelor of Law
- 1974 - 1977 York University, Toronto, Ontario - B.A. History and Political Science

Professional Associations

- Former Chairman and former Director of the International Mediation Institute (IMI)
- Former Director of American Arbitration Association (AAA-ICDR)
- Director the Centre for Effective Dispute Resolution (CEDR)
- Former Chair of the Board of Management Chartered Institute of Arbitrators (CIArb)
- Former Member of the Steering Committee of the CCIAG (Corporate Counsel International Arbitration Group)

Mediation & Arbitral Panels

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- Centre for Effective Dispute Resolution (CEDR)
- Asian International Arbitration Centre (AIAC)
- World Intellectual Property Organisation (WIPO)
- Saudi Centre for Commercial Arbitration (SCCA)
- The American Arbitration Association/ The International Centre for Dispute Resolution (AAA/ICDR)
- London Court of International Arbitration (LCIA)
- Dubai International Financial Centre (DIFC)
- Abu Dhabi International Financial Centre (ADGM)
- Asian Institute of Alternative Dispute Resolution (AIADR)

Publications, Articles & Thought Leadership

- “Investor State Mediation and the Singapore Convention” March 2021
- The Time for Investor State Mediation has Come: A Concept Paper, June 2020
- “Seven Keys to unlock Mediations golden age” – June 2020
- GC Insider: Aviation and Aerospace Supply Chains- At the Tipping Point
- “Mediations in an emergency – GC Magazine” March 2020
- “The Energy Charter Treaty and ADR in the context of Investor-State and other Disputes” January 21, 2016
- Corporate ADR Systems; “Implementing a Corporate ADR Policy and Formulating ADR Guidelines
- “Investor-state dispute settlement reconceptualized: Regulation of disputes, standards and mediation” [Vol. 18: 467, 2017]
- “What the Nordic Banking Scandals Can Teach us about Corporate Culture”
- Boeing 737: “Mediation and the Resolution of Complex Supply Chain Issues”
- Making Mediation Mainstream - ADR in Business Volume II – Wolter Kluwer
- Using ADR as a tool for Containing Legal Risk -Legal Risk Management, Governance and Compliance – Globe Law and Business