



## CONTACT

### **Jana Scharm, LL.M. (London)**

Lawyer/Partner

Specialist lawyer for international business law

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## PRACTICE AREAS

Jana Scharm represents domestic and international clients in disputes before state courts and arbitration tribunals. She has an extensive experience in managing complex legal disputes in economic affairs, also relating to foreign jurisdictions. She is also active as an arbitrator. Her work focuses particularly on general commercial and business law, product liability, plant construction, corporate law as well as banking and capital market law.

## CURRICULUM VITAE

- **1993-2000** Study of law (focus: private international law and civil procedure law) and legal clerkship in Dresden. Completion of the First and Second State Examination with honors
- **2001** Admission to the bar (Frankfurt Bar Association)
- **2001-2007** (Principal) Associate of the international law firm Freshfields Bruckhaus Deringer, Location: Frankfurt/Main, Department: Dispute Resolution
- **2004-2005** LL.M. course at the University of London. Graduated with the academic degree of "Master of Laws in Comparative and International Dispute Resolution". Honored with the Sir Roy Goode Prize and Drapers' Company Postgraduate Award
- **2007-2009** Partner of the law firm Friedrich Korch Hanefeld in Frankfurt/Main
- **2009-2019** Founding partner of the law firm Wiehe & Scharm in Frankfurt/Main
- **2019** Appointment as specialist lawyer for international business law
- **Since 2020** Founding partner of ERIS LEGAL

## LANGUAGES

German, English

## REPRESENTATIVE MATTERS (LITIGATION)

- Legal representation of an automotive supplier in disputes with sub-suppliers due to cost recourse from a worldwide recall of motor vehicles
- Legal representation of an international manufacturer of industrial fans in a product liability case due to an explosion in a wind tunnel facility
- Legal representation of a German project development company in connection with the contractual interpretation regarding the amount of the contractually owed profit sharing
- Legal representation of a Dutch SPV in connection with numerous tenancy law claims arising from a commercial real estate contract at the headquarters of a leading real estate company
- Legal representation of a board member in connection with recourse claims of financial institutions due to criminal fraud reproaches, including examination of claims against D&O insurance
- Legal representation of an offshore company in connection with the defense against insolvency law-related liability claims based on a mezzanine financing
- Legal representation of a cosmetics manufacturer for insurance claims in connection with damage caused by vandalism in the production facilities
- Legal representation of a plant engineering company in the field of conveyor technology in the defence of claims arising from liability for defects and loss of profit
- Legal representation of a Finnish company in connection with claims for damages in a post-M&A dispute
- Legal representation of a group of companies in various lawsuits against former managing directors due to directors' liability, including examination of claims against D&O insurance
- Legal representation of several foreign institutional investors in connection with claims for additional payment under stock corporation law in connection with voluntary takeover offers pursuant to the German Securities Acquisition and Takeover Act (WpÜG)
- Legal representation of a bank in the defence of claims arising from investment advisory liability in connection with derivative transactions
- Legal representation of a global enterprise in connection with claims out of bank guarantees under supply contracts

## REPRESENTATIVE MATTERS (ARBITRATION)

- Legal representation of an Italian industrial plant constructor in arbitration proceedings against a Slovak company concerning alleged defects of the plant (party representation, WKO proceedings)
- Legal representation of a bank in stock exchange arbitration proceedings (party representation, proceedings according to the rules established by the Frankfurt Stock Exchange)
- Legal representation of a joint venture company in connection with liability claims arising from a PPP project (party representation, SOBau proceedings)
- Legal representation of a German plant constructor in the defense against warranty claims raised by a Spanish biodiesel producer (party representation, ICC proceedings)
- Legal assessment of the eligibility of sales commission in connection with the distribution of solar energy (arbitrator, DIS proceedings)
- Legal assessment of a corporate law-related dispute (arbitrator, DIS proceedings)
- Legal assessment of a post M&A dispute in connection with an earn-out after a share purchase (arbitrator, DIS proceedings)
- Legal assessment regarding the reason and amount of claims for damages from real estate portfolio transactions (arbitrator, adhoc proceedings)
- Legal assessment of contractual commission promises in connection with a ship charter contract (arbitrator, UNUM proceedings)
- Legal assessment of corporate law actions to set aside resolutions (arbitrator, DIS proceedings)
- Legal assessment of a post-M&A dispute in connection with the purchase of a hotel (arbitrator, DIS proceedings)
- Legal assessment of price adjustment clauses arising from logistics agreement (arbitrator, ICC proceedings)

## REPUTATION

- **2020** Recommended in Who's Who Legal Arbitration: Future Leaders - Partner: *"Jana Scharm is widely recognised as a key name in the arbitration space and, as peers remark, she "impresses with her commitment and commercial insight".*
- **2019** Recommended in Who's Who Legal Arbitration: Future Leaders - Partners: *"Jana Scharm is a diligent and thorough arbitration practitioner who is commended for her smart and creative approach as well as her hands-on and pragmatic style".*
- **2018** Recommended in Who's Who Legal Arbitration: Future Leaders - Partners
- **2017** Recommended in FOCUS Special in the category Litigation
- **2011/2012** Recommended in the JUVE Handbook of Commercial Law Firms: *"For various competitors, Jana Scharm, formerly with Freshfields and Friedrich Korch Hanefeld, is one of the "most talented young litigation and arbitration lawyers" in the market."*

## MEMBERSHIPS / PUBLICATIONS / LECTURING

- Member of the German Institution of Arbitration (DIS), the German Construction Law Association, Arbitral Women and ILEX (International Litigation Exchange)
- Author for procedural law and arbitration proceedings at Beck-Verlag
- Author of *"Legal aspects of quality management - liability bases and risk avoidance"*, Management Circle Edition, 2007
- Regular speaking engagements for Management Circle and for renowned industrial companies
- Lecturer at the Frankfurt Bar Association for civil procedural law