

## CV Josef Fröhlingsdorf, Madrid

### I. Personal Information

Born 13.08.1951 (Germany)

German nationality, married, 4 children.

Languages: German, Spanish, English, Portuguese, basic French

Domicile:

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### II. Education

1971 – 1973 Bank training (Bankkaufmann)

1978 University of Freiburg/Brsg., Germany, First law degree (Staatsexamen)

1981 (January) Second Law Degree, admitted to the bar in Hamburg (Germany)

1982 Law degree University Complutense in Madrid

1982 admitted to the Madrid Bar (nº 22.658)

### III. Professional Activity

1981-1988, associate and later partner in J. y B. Cremades (Madrid / Paris).

1988 Founding of FRÖHLINGSDORF ABOGADOS ASOCIADOS, S.L.

#### IV. Professional Experience

##### 1. General Description

Legal advisor in cross border transactions of foreign companies and their investments in Spain and Portugal as well in several Latin American countries.

Basic practice areas:

- M & A
- joint venture
- construction / civil engineering
- banking
- insurance
- automotive
- real estate
- distribution
- litigation / arbitration

##### 2. Experience in Arbitration

a) Chairman, sole arbitrator or party appointed arbitrator as well as counsel in more than 90 international or national arbitration cases administered by different institutions or ad hoc arbitrations subject to various procedural and substantive laws concerning different subjects like construction, civil engineering, merger & acquisition, joint ventures, distribution contracts, sales contracts etc. ( for more details see below under section 3.),collaboration in arbitration procedures for investment protection (ICSID)

##### b) Panel of Arbitrators

ICC International Court of Arbitration of the International Chamber of Commerce, DIS German Arbitration Institution, VIAC Vienna International Arbitration Centre of the Austrian Federal Chamber of Commerce, LCIA, London Court of International Arbitration, Arbitration Court of the Official Chamber of Commerce and Industry of Madrid (Corte de Arbitraje de la Cámara Oficial de Comercio e Industria de Madrid, Consulat de Mar (Cámara de Comercio Barcelona), Centro de Mediação e Arbitragem da Câmara de Brasil-Canada, São Paulo (CAM-CCBC), Centro Brasileiro de Mediação e Arbitragem CBMA, Câmara de Conciliação, Mediação e Arbitragem CIESP/FIESP, São Paulo, Court of

Arbitration Chamber of Commerce and Industry of Slovenia, Centro de Arbitragem Commercial, Lisbon.

c) Languages

Arbitral proceedings can be conducted in German, Spanish, English and Portuguese

3. Specific Information

Specific experience in the following fields, both as arbitrator or as lawyer:

- a) Merger and Acquisition      Negotiation of Mergers and Acquisitions or resolution of disputes related thereto
- (for example, negotiation for the acquisition of the Spanish automobile producer SEAT by VOLKSWAGEN, restructuring of the activities of ALLIANZ Group in Spain, acquisition of a Spanish Construction company by PHILIPP HOLZMANN).
- b) Joint venture      Negotiation of Joint Venture and Shareholder Agreements between companies of different nationalities and area of business as well as the resolution of disputes related thereto
- (Negotiation in relation to the incorporation of the reservation system AMADEUS, advising IBERIA, Líneas Aéreas de España)
- b) Mercantile / Corporate      Incorporation of mercantile companies,
- Legal advice in the day to day business.
- Implementation of the dealer and workshop network for a German truck and bus producer in Spain and Portugal
- Design and implementation of a compliance structure in Spanish companies, following German and Spanish Legislation

c) Commercial Agreements      Negotiation of Agency-, Distribution – or Sales Agreements and resolution of disputes related thereto

d) Construction:

- More than ten years secretary to the board of directors and legal advisor to the Spanish joint venture company of one of the largest German construction companies (erection of building, civil engineering, shopping centers etc).
- Long term construction projects
- Complex engineering projects
- Participation in Dispute Resolution Boards
- Claim Management
  
- Industrial plants - The design, supply, engineering, erection, start up and operating of different types of power plants (combined cycle, cogeneration, solar power plants, windparks, biogas etc.)
- Other type of plants: automotive, treatment of waste, fabrication of concrete and cement, steel works, steel mill, petroleum exploration etc.
- The supply of generators for different types of power plants (GE Jenbacher, MAN Turbo, MAN Diesel, Deutz) and after sales service

e) Infrastructure                      Construction of motorways, underground railways etc. in different formulas, also PPP, BOT, etc.

Design and construction of airports, operating of airports

f) Banking / insurance              Advice of several foreign banks and insurance

companies active in the Spanish market in their day to day business (COMMERZBANK, HYPOVEREINSBANK, BANK AUSTRIA, UNICREDIT, HDI, ALLIANZ, FONDIARIA, MILANO, EWP)

g) Automotive

Advice to automotive providers in their day to day business and relation to automotive manufacturers.

Temporary head of the legal department of SEAT (1986)

#### V. Memberships

ALARB	Asociación Latinoamericana de Arbitraje
Arbaut	Austrian Arbitration Association
ASA	Swiss Arbitration Association
CBAr	Comité Brasileiro de Arbitragem
CEA	Club Español del Arbitraje (Member of the board)
CIAM/MIAC	Madrid International Arbitral Centre (Member of Plenum)
DBJV	German Brazilian lawyers association
DIS	German Institution for Arbitration
IBA	International Bar Association (Arbitration Committee and Committee for International Construction Projects)
ICC	International Court of Arbitration of the International Chamber of Commerce, member of the Arbitration Committee and the national committees of Germany and Spain
LAV	Business Association for Latin America
LCIA	London Court of International Arbitration
VIAC	Vienna International Arbitral Centre / Member of the International Advisory Board

