

**CEDR Accreditation:** 2001**CEDR Panel** 2015**Languages:** English, German & Italian**Location:** London UK &
Washington DC

***“Well placed to understand the needs of
business people”***

Client Feedback

Wolf Jürgen Von Kumberg

Overview

Wolf is a leading internationally recognised independent arbitrator and mediator practising globally out of London, Washington D.C and Abu Dhabi. He has a broad range of experience in alternative dispute resolution (ADR) and conflict management. He has been involved in a large variety of international commercial litigation and arbitration proceedings in multiple jurisdictions. He has acted as mediator and joint mediator in a range of corporate, commercial, boardroom, aviation, aerospace, technology, insurance and investor state related disputes. He is a consultant for the development of conflict avoidance systems, a member of the CEDR training faculty and lecturer in ADR, has written on the subject and sits on the boards of several ADR Institutions, including CEDR.



Professional Background

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, regulatory and 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 has worked extensively with ADR institutions to develop appropriate process design mechanisms for highly complex disputes including state-to-state, investor-state, and commercial matters.

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

Expertise

- Aviation
- Aerospace
- Commercial Contracts
- Construction & Engineering
- Corporate Fraud
- Employment & Workplace
- Insurance
- Intellectual Property
- Partnership & Shareholder
- Technology
- Intellectual Property
- Sale of Goods and Services
- Shipping and Maritime
- Cyber Security
- Investor State

Dispute Experience

Aviation and Aerospace:

- Claim by Major aircraft manufacturer for deficient system design leading to crash of aircraft.
- Claim for failure to achieve airworthiness certification.
- Claim for faulty aircraft design.
- Claim for part deficiencies in aircraft cockpit equipment.
- Claim for supply of fraudulent aircraft parts.
- Claim under an aircraft leasing agreement.
- Aviation claim (multi-million dollars) respecting an airline brokerage agreement.
- Aviation/Aerospace claim against supplier for deficient navigation devices.
- Aviation/Aerospace claim related to the interpretation of an aircraft leasing contract.

Commercial Contracts:

- Accounting industry dispute respecting reputational and breach of contract matters pursuant to the CEDR mediation rules.
- Multimillion-dollar dispute in the aviation industry focused on the breach of a support contract pursuant to the AAA mediation rules.
- 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.
- Supply chain issue respecting sale of counterfeit parts.
- Breach of contract for late delivery of machines to a major infrastructure project.
- Breach of contract for failure to deliver a working software program on an emergency response system.
- Termination for convenience claim on a large Middle Eastern project.

- Claim for consequential damages for delivery of faulty switches to a major City communication system.

Construction and Engineering:

- Claim by MOD for non-performance of engine control unit in frigate.
- Claim for improper design of a security monitoring system.
- Claim for improper design of radar installation.
- Claim for faulty construction equipment.

Corporate Fraud:

- Removal of a finance director for fraud.
- Claim for payment of bribe in a public procurement contract.
- Money laundering claim in a complex multi-national commercial deal.

Employment and Workplace:

- Claim for bullying against manager.
- Dispute over scope of duties provision in an employment agreement.
- Dispute over termination of a company director.

Insurance:

- Dispute over the payment of a reinsurance claim.
- Dispute over calculation of a major property claim.
- Dispute over business interruption coverage.

Intellectual Property:

- Breach of software license agreement on a large South Korean project.
- Dispute over conversion of a proprietary design by a competitor.
- Patent infringement claim respecting a guidance system.
- Claim for breach of intellectual property agreement by a subcontractor.

Partnership and Shareholder:

- Dispute over termination provision in a shareholder agreement.
- Dispute between directors over settlement of a major contracts claim.
- 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.
- Claim involving remediation under a property lease agreement.
- Major environmental indemnification claims under a transaction agreement.

Sale of Goods and Services:

- Claim for sale of faulty switches to be used in an engine control system.
- Claim for inappropriate computer equipment.
- Claim for improper installation of a ship's guidance system.

Shipping:

- Dispute over installation of bridge system on a cruise ship.
- Claim for damage caused to a super yacht for deficient engine controls.
- Dispute over design provisions in a shipbuilding contract.

Tax:

- Major Italian tax case involving the payment of dividends to a European holding company.
- Dutch case on tax jurisdiction of a European multinational company.
- Review of employee multi jurisdiction employment contracts.

Personal Style

Wolf practices principled negotiation and interests-based mediation. He takes a neutral non-judgmental approach, while reality-testing, coaching and raising possible options for agreement. He is creatively facilitative, seeking a broad focus on the issues and needs of the parties, persistent and patient throughout.

Wolf has a calm, respectful approach while keeping control of the mediation process and being assertive where required. His extensive experience in business helps him to build trust and gain respect from the parties. This allows him to be able to craft a process to suit the needs of the parties while being mindful of, but not rigidly bound to any format. In process design Wolf will utilise both joint and private meetings as deemed most effective. He is strictly observant of confidences.

Feedback

- “Good listening ability and putting people at ease.”
- “Demonstrates intuition and patience.”
- “He was calm and had an orderly focus on the issues.”
- “Makes pro-active suggestions.”
- “Perceived by the parties as knowledgeable and trustworthy.”
- “Identifies positive commercial benefits not apparent to the parties.”
- “Skillfully identifies commercial risks.”
- “Helpful and impartial, allowing parties to express themselves.”
- “Very helpful in identifying alternatives.”
- “Good at controlling the process.”
- Helped parties understand each other.”
- “Persuasive but not aggressive.”
- “He was calm and had an orderly focus on the issues.”
- “Particular expertise in assessing options and settlement scenarios in cases where.”
- “...deep-seated emotions often evident in the dispute.”
- “Conducts mediations in a careful and professional manner.”
- “Effective co-mediator and works well as a team member.”

Professional Skills and Background

Education:

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

Memberships:

- Law Society of Upper Canada (Province of Ontario) (1982)
- The Law Society (England, Wales) (1989)
- Fellow, Chartered Institute of Arbitrators (1998)
- CEDR Accredited Mediator (2001)
- Asian International Arbitration Centre (AIAC)
- Hong Kong International Arbitration Centre (HKIAC)
- 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 Arbitration Centre (DIAC)
- Abu Dhabi International Financial Centre (ADGM)
- Asian Institute of Alternative Dispute Resolution (AIADR)
- Shanghai Arbitration Commission (SHAC)
- Shenzhen Court of International Arbitration (SCIA)
- Investor State Mediation Panel Abu Dhabi (ADGM/CEDR)

Directorships:

- Former Chairman and current Director the International Mediation Institute (IMI)
- Former Director American Arbitration Association (AAA)
- Former Director CEDR and on CEDR Faculty
- Former Chair of the Board of Management Chartered Institute of Arbitrators (CIArb)
- Former Member of the Steering Committee of the CCIAG

