

Curriculum Vitae of Sergey Lysov



SERGEY LYSOV

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PROFESSIONAL EXPERIENCE

Sergey is an attorney with Monastyrsky, Zyuba, Stepanov and Partners. For over a decade, Sergey has represented clients in international commercial disputes (arbitration and foreign litigation), provided assistance in contractual and regulatory matters, and acted as an arbitrator.

Sergey is recognised by the international legal directory Best Lawyers ("International Arbitration" and "Litigation") and by the top Russian directory "Pravo.ru - 300" as a leading individual in the categories "Commercial Litigation (high market)" and "International Arbitration". He is listed in the Guide to the Next Generation of Russian Arbitrators and is a member of the Moscow Bar Association, YIAG, ICDR, Young ICCA and RAA40. In 2020, Sergey was listed among the top 10 young arbitration practitioners by the Russian Arbitration Association.

Sergey teaches Dispute Resolution and International Arbitration at the Higher School of Economics and the Foreign Trade Academy (Moscow).

Since 2023 Sergey has been part of Monastyrsky, Zyuba, Stepanov and Partners, a one of the strongest team in Russia and CIA, recognised by leading directories such as Chambers & Partners, Legal500.

Previously, Sergey worked with various arbitration and litigation matters in the leading Russian dispute resolution law firm KK&P | Kulkov, Kolotilov and Partners (2016-2023) and in the Czech law firm BBH, advokátní kancelář, s.r.o (2012-2015).

QUALIFICATIONS:

Sergey is a graduate of the National Research University "Higher School of Economics" (Moscow), and holds LL.M. degree from the University of Manchester (program validated in Moscow).

NOTABLE REPRESENTATIONS

International Arbitration

- Representing Russian investor in the investment arbitration proceedings under the UNCITRAL Arbitration Rules initiated against a North-American state.
- Hotel management company in the SCC arbitration arising out of the termination of the

English law management contract and managed to recover lost profits for the next 40 years of the contract;

- Representing Cypriot businessman in the LCIA arbitration against the UK national under the loan agreement governed by English law.
- Representing financial group in financial dispute with the Cypriot company under the ICAC Rules arising out of the assignment agreement governed by English law.
- Representing Serbian construction company in the ICC arbitration proceedings against Italian subcontractor.
- Representing an international oilfield services company at the ICAC at the Chamber of Commerce and Industry of the Russian Federation in proceedings against another international oilfield services company in connection with the recovery of 5m USD damages due to the accident and restoring the hermetic seal of an oil well.
- Representing Russian biggest energy corporation in arbitration under ICAC Rules regarding the repair of a turbine by the contractor – Italian company.
- Representing the European advertisement company in the ICAC arbitration regarding the termination of the lease agreement, concluded with the state department.
- Representing the client (shareholder) in the complex corporate proceedings arising out of the shareholder agreement (SHA) concluded regarding the management of a Cypriot company which owned shopping malls located in Moscow and Moscow Region. Preparation of an application to obtain interim measures in support of LCIA arbitration, providing English team with legal advice regarding Russian law issues arising within the scope of the LCIA arbitration;
- Preparing the expert report regarding on Russian commercial law (including statute of limitations, calculation of penalty and exemption from liability) for the SCC construction arbitration.

Enforcement proceedings:

- Enforcement of SCC award rendered in favour of Canadian company against Russian strategic enterprise (the parties reached settlement).
- Representing International Bank of Azerbaijan's in a dispute with Russia's major bank, Sberbank, in proceedings for the recognition of the judgment on IBA's US\$3.3b debt restructuring. The dispute, for the first time, demonstrated the legal position of the courts of the Russian Federation on the consequences of the decision of a foreign court adopted in the framework of the UNCITRAL law on restructuring the debt of a foreign debtor (IBA) for a total amount of more than US\$3.3b, including a US\$20m loan from Sberbank.
- Representing Czech Export Bank in the proceedings regarding enforcement of the arbitral award issues under the rules of The Arbitration Court attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic (the award has been successfully enforced).
- Coordinating set of proceedings regarding enforcement of the arbitral award rendered in favour of Russian company.

Other notable cases

- Representing VEB.RF in a series of proceedings against Barclays PLC and Goldman Sachs International arising out of the ISDA Master Agreements governed by English law.

- Representing RBC (Russian leading business media source) in a series of defamation proceedings, including the largest claim in Russian history (USD 600 Million).
- Representing USM Holding in a series of defamation cases against mass-media.
- Advising a major Sweden subsidiary of one of the leaders in digital industries operating worldwide on the Convention on Contracts for the International Sale of Goods (CISG) and Russian law in advance of a forthcoming dispute before the ICAC arising out of a sale and purchase agreement.
- Preparation of an Expert Report on Russian law to ensure the English court that a Russian court would recognise and give effect to a restructuring scheme before client's creditors involving a group of the world's largest investment banks and groups.
- Representing Raiffeisenbank at all stages of the bankruptcy of a debtor owing over US\$53 million secured by the mortgage of one of the largest shopping malls in Russia. Since the bank is the main creditor of the debtor, our services include managing the bankruptcy procedure (key decisions of the creditors' board) and defending the bankruptcy trustee from the claims raised by opposing creditors.
- Representing Nestle Russia in a dispute over a claim by NLMK Kaluga, the largest producer of rolled steel for the construction industry in central Russia, in a case involving reclamation of the land plot.

Acting as arbitrator

- Sole arbitrator under the Rules of the Russian Arbitration Center in a construction dispute in a dispute arising out of sales of goods agreement affected by foreign sanctions. The seller did not manage to provide the goods produced by the major telecommunication company, which decided to leave Russia in 2022.
- Sole arbitrator under the Rules of the Russian Arbitration Center in a dispute regarding construction of the infrastructure facility.
- Sole arbitrator under the Rules of the Russian Arbitration Center in a construction dispute regarding recovery of penalty from the subcontractor for the delay in providing the guarantee under the construction contract.
- Acting as tribunal secretary under ICC and SCC arbitration rules.

NOTABLE PUBLICATIONS:

- *Disputes with foreign companies: new rules of the game* / S. V. Lysov /// Legal work in the credit organisation. 2024. – № 2.
- *Antisuit injunction in Russia: application of injunctive relief by Russian courts* / S. V. Lysov // Legal Insight. - 2023
- *Calculation of limitation period for claims related to defects of work on wells* / S. V. Lysov, D. V. Ilyin, K. Y. Shevchenko // Oil, Gas and Law. - 2022. - № 1-4. - C. 23-30.
- *The eighth package of EU and UK sanctions on legal services* / S. V. Lysov // Legal work in the credit organisation. - 2022. - № 4 (74). - C. 62-65.
- *Guide to drafting an arbitration clause* / D. S. Vlasov, S. V. Lysov, K. Y. Shevchenko // Legal Insight. - 2022. - № 03 (109). - C. 50-56.
- *Influence on dispute resolution in the ICAC at the CCI RF administration of arbitration in*

- Russia by foreign centres of international arbitration* / S. V. Lysov // Arbitration Court. - 2022. - № 1. - C. 41-46.
- *Currency exchange rate changes, sanctions and military actions as grounds for exemption from liability* / S. V. Lysov // Legal Work in Credit Organisation. - 2022. - № 1 (71). - C. 4-9.
 - *Exclusive competence of Russian courts under sanctions: does international arbitration have a chance?* / S. V. Lysov // Arbitration.ru. - 2022. - № 2 (32). - C. 29-33.
 - *Annotated Article-by-Article Practical Commentary to National Arbitration Courts Laws* (Wolters Kluwer, 2021)
 - *Resolution of multi-party construction arbitration disputes* // Journal Arbitration.ru. 2020 №4
 - *General overview of arbitration involving Russian parties* // Legalinsight №1, 2019.
 - *Review of Russian caselaw regarding international arbitration and domestic arbitration proceedings* / M. A. Kulkov, S. V. Lysov, V. V. Rodionov // Court of Arbitration. - 2018. - № 1/2 (113/114). - C. 192-198.
 - *How are the issues of cross-border insolvency resolved in the jurisprudence of Russian courts?* / S. V. Lysov // International Banking Operations. - 2017. - № 1 (63). - C. 48-54.
 - *Problems arising of multiple contracts in international arbitration* // Arbitration Court, 2017. №4
 - *Russian Arbitration Law 2016: key issues* (Practical Law UK. ThomsonReuters)
 - *Joinder of third parties in international commercial arbitration proceedings* // Arbitration Court.2016. №4.
 - *Consolidation of proceedings in International Arbitration* // Arbitration Court.2016. №2
 - *Participation of non-signatories in international arbitration proceedings.* International Commercial Arbitration Review. 2015 № 1 (10), available at Wolters Kluwer (in Russian).