



OLGA SEMUSHINA

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Partner at Aitkulov & Partners. Before becoming a partner at Aitkulov & Partners, Olga was a senior associate at the Moscow office of Clifford Chance (Olga's experience with Clifford Chance spans about 10 years).

Olga specializes in Russian and cross-border litigation and arbitration, including in the field of construction, as well as proceedings involving regulatory authorities and law enforcement agencies.

WORK EXPERIENCE

2012 – 2021

Clifford Chance CIS Limited (Moscow)

Senior Associate (PQE 10+)

Litigation & Dispute Resolution

Selected experience includes representing/advising:

International Arbitration. Construction

- **a Russian company** in connection with an EPC contract with a value of approximately USD 500 million to build an ammonia production plant in Russia. After construction was completed, a number of defects were discovered, some of which could potentially jeopardize the stable operation of the plant. Our mandate includes (1) negotiating with the contractor to agree a repair option acceptable to the client, (2) supporting assessment of the defects by technical experts, (3) preparing claims under the performance bonds, and (4) preparing for arbitration. The contracts are governed by English law and provide for arbitration under the LCIA rules;
- **a subsidiary of a Russian chemical company** in connection with a contract for the supply of specialized equipment for crushing, transporting and stacking mining waste in Russia. The contracts are governed by English law and provide for arbitration under the ICC rules;
- **a Russian petrochemical company** on various issues arising in the course of performance of supply and engineering services contracts with a

German contractor worth approximately USD 860 million in connection with the construction of a major ethylene production plant in one of Russia's regions. Numerous disagreements arose in the course of fulfilling the contracts, including as to the quality of the work, the scope of the contractor's design and delivery obligations, early delivery of equipment, reimbursement of Export Credit Agency insurance costs, etc. The contracts are governed by English law and provide for arbitration under the ICC rules;

- **a Turkish company** on its claims against a Russian state company based on the occurrence of "exceptional circumstances" under a concession agreement and an EPC contract for the construction of a motorway toll road;
- **a Russian company** on the financing and construction of an LNG plant and associated infrastructure at a cost of about USD 25 billion, including construction of LNG storage tanks, a power station, tankers and a seaport, and also in relation to certain contentious issues surrounding the supply of equipment for the power station which arose due to the bankruptcy of the general contractor;
- **a subsidiary of a major Russian natural gas company** in connection with contracts with German and Italian contractors for the construction of a gas chemical facility. Numerous disagreements arose in the course of fulfilling the contracts, including as to the quality of the work and the scope of the contractors' obligations. The contracts are governed by English and Swedish law and provide for arbitration under the ICC and SCC rules.

International Arbitration. Commercial Disputes

- **a major mining company** in an arbitration in Stockholm under the SCC Rules involving a claim of more than USD 120 million against a major Western European company in connection with bribery of the Russian company's staff by the Western European company in the course of negotiating the terms of supply contracts. The dispute involved complex issues governed by Swedish, Russian and Norwegian law, as well as assistance from foreign law enforcement agencies. The case ultimately ended with the conclusion of an amicable settlement;
- **a high net worth individual** in an LCIA arbitration and related Russian and English court proceedings in respect of a shareholder dispute with a Russian counterparty relating to real estate assets in Moscow and offshore companies;

- **a major railcar operating company** in an internal investigation into allegations of corruption and the breach of EU and US sanctions, and subsequent LCIA arbitration initiated against a former CEO;
- **an agent arranging trans-shipment of oil products** at a terminal in the south of Russia, in a case against a Swiss-incorporated trading company involving the breach of guaranteed delivery terms by the latter and subsequent indebtedness. The dispute was successfully settled;
- **a shareholder** in a corporate dispute with a leading international nickel and palladium producer. The matter included advising on a wide range of legal issues in the framework of an international arbitration relating to the breach of a shareholders' agreement and a number of disputes in foreign and Russian courts. Decisions taken by the board of directors contravened Russian law on foreign investment in Russian strategic companies, and the buy-back of shares was successfully challenged.

Disputes in foreign state courts

- **an international leasing company** in relation to an internal investigation into leaks of confidential corporate information by a member of staff and former CEO. The matter involved complex analysis of personal data protection issues and the labour legislation (including questions of liability for breach of confidentiality and IT policies). Based on the findings of the internal investigation, a number of claims were filed by the client in the US courts;
- **a leading Russian bank** on a complex set of cases to recover more than USD 200 million from the bankrupt JFC group. The matter involves pending or potential proceedings in Russia, England, Cyprus, BVI, France/Monaco, Luxemburg, Curacao, Ecuador, Panama and Costa Rica;
- **founders of a Russian online grocery delivery service** in relation to, among other things, an English court order on interim injunctive relief prohibiting them from taking part in an upcoming initial coin offering for their new business.

2009 – 2012

Law Offices of Egorov, Puginsky, Afanasiev and Partners

Associate, Dispute Resolution

EDUCATION

2007 – 2009

The Russian School of Private Law (Institute) (Moscow)

Master of Laws, Diploma with Honours