



Dr Wojciech Sadowski

OVERVIEW

Dr. Wojciech Sadowski is a founding partner of Queritius. He focuses on international and trans-border dispute resolution, working as counsel and arbitrator.

Wojciech has been extensively involved in advisory work and client representation

in matters involving international investment treaties and acted for both investors and states. He has also broad experience in commercial arbitrations and litigations before domestic courts, the European Court of Human Rights, the General Court of the EU and the Court of Justice of the European Union.

He has acted in matters relating to, among others, construction, infrastructure, renewable and conventional energy, M&A, real estate, finance, intellectual property, telecoms, mining and metals, pharmaceutical, outsourcing, FMCG, sale of goods, shareholders' agreements and unfair market practices.

Wojciech holds a PhD in legal studies and is the author or co-author of many articles and books on international and trans-border arbitration and litigation. Until 2013 he was a researcher and then assistant professor at the Institute of Legal Studies of the Polish Academy of Science, where he defended a PhD thesis on the *res iudicata* principle in investment treaty arbitration.

Before founding Queritius, Wojciech was a Warsaw and London partner at a leading global law firm and had almost 20 years of working in top legal brands.

Since 2008, Wojciech has been constantly ranked as a leading dispute resolution practitioner by principal directories, including Chambers and Partners, Legal 500, Best Lawyers and Who's Who International Arbitration.

REPRESENTATIVE EXPERIENCE INVESTMENT TREATY ARBITRATION

- Counsel to a EU investor in an arbitration against a CEE country related to regulatory changes in the renewable energy sector.

CONTACT

Mobile:

+48 607 914 798

E-mail:

wojciech.sadowski@queritius.com

Office address:

Senatorska 2
00-075 Warsaw, Poland

ADMISSIONS

- Poland, Adwokat
- England and Wales: EEL

ACHIEVEMENTS

- Chambers (Global and Europe) Dispute Resolution - Poland:
Band 2: 2012 – 2019
Band3: 2009 – 2011
Up & coming - 2008
- Chambers (Global and Europe) Dispute Resolution - Most in Demand Arbitrators - Poland:
Band 3: 2014 and 2017 - 2019
- Legal 500 EMEA Dispute Resolution – Poland:
Tier 1: 2014 - 2019
Tier 2 – 2010 and 2013
Tier 3 – 2009, 2011 and 2012
- Who's Who Legal International Arbitration:
Global Leader 2015 - 2020
- Best Lawyers Arbitration - Poland: 2010-2019

- Advisor to a multinational exploration company on treaty-related claims against a Central European state relating to an investment in the mining sector.
- Advisor to an Asian engineering company on treaty-related claims against a Central American state relating to the non-compliance with an arbitral award.
- Counsel to a Polish construction company in a dispute with a Southern European state related to the non-compliance with an arbitral award.
- Counsel to a multinational engineering company on investment treaty aspects of their claim against a Latin American country.
- Counsel to an European fund on investment treaty aspects of its claim against a Latin American country.
- Counsel to Corona Materials LLC in the case *Corona Materials LLC v. Dominican Republic* (ICSID Case No. ARB(AF)/14/3), relating to an investment in the mining industry.
- Counsel to Marion and Reinhard Unglaube in the dispute against Costa Rica (ICSID Case Nos. ARB/08/01 and ARB/09/20), relating to expropriation of real property for environmental purposes.
- Counsel to a Central European state in the arbitration against Spanish investors, relating to revocation of a tax exemption.
- Counsel to the Republic of Poland in the USD 16 billion arbitration against Eureko B.V., relating to privatization of Poland's largest insurance company, PZU SA.
- Counsel to a CEE country in a dispute against U.S. and Canadian investors relating to an investment related to development of a seaport facility.
- Counsel to a Central European state in the arbitration against two Luxembourg companies relating to supervisory measures applied by the regulator to a commercial bank.
- Counsel to the Republic of Poland in the case *David Minnotte and Robert Lewis vs. Republic of Poland* (ICSID Case No. ARB(AF)/10/1), relating to an investment in the pharmaceutical sector.
- Counsel to the Republic of Poland in the case *Vincent J. Ryan, Schooner Capital LLC et al vs. Republic of Poland* (ICSID Case No. ARB(AF)/11/3), relating to an investment in the vegetable fat industry.
- Counsel to a Central European state in the arbitration against Dutch investors relating to a regulatory change in the entertainment sector.
- Counsel to a Central European state in the arbitration against a Luxembourg company relating to an investment in a real estate development company.

COMMERCIAL ARBITRATION

- Counsel to a US provider of cargo scanning technology in an ICC arbitration against a Southern European state over non-performance of the concession agreement.
- Counsel to a combined-cycle power plant operator in three arbitrations against the general contractor and the insurer of the combined value of EUR 200 million.
- Counsel to an international organization in a commercial arbitration regarding early termination of a lease of real property.
- Counsel to an FMCG producer in an ICC arbitration against a Luxembourg company, in a dispute arising under a joint venture agreement.
- Counsel to an international telecom in a VIAC arbitration regarding the acquisition of shares in a major Polish telecom.
- Counsel to a construction company in an ICC arbitration over settlement of a consortium agreement related to a FIDIC-based contract for construction of a water treatment plant.
- Counsel to a seaport authority in an arbitration over a terminated tenancy agreement.
- Counsel to an apparel company in an arbitration with a multinational shopping centre operator arising from a commercial lease agreement.
- Counsel to an international motion picture distribution company in an arbitration with a cinema operator over license fees.
- Counsel to a German construction company in an arbitration against a Polish road authority arising from a FIDIC-based contract for construction of a motorway in Poland.
- Counsel to a Baltic chain of discount retail stores in Lithuania and Latvia with regard to a dispute resulting from the repudiation of a franchising contract.
- Counsel to an Israeli IT company in an arbitration resulting from a contract for IT services.
- Counsel to a hard coal mining company in a dispute with a consortium of contractors regarding performance of a contract for construction of a hard coal processing plant.
- Counsel to a construction company in an arbitration arising from a FIDIC-based contract for construction of a major shopping mall.
- Counsel to a hotel operator in a dispute with a contractor concerning the refurbishment of a hotel.
- Counsel to a Portuguese road construction company in an UNCITRAL arbitration against a Polish road authority related to a FIDIC-based contract for construction of a motorway in Southern Poland.

COMMERCIAL LITIGATION

- Counsel to a Polish engineering company in a dispute arising from the termination a contract for construction of an oil pipeline.

- Counsel to Portuguese construction companies in a dispute arising from a FIDIC contract for construction of a motorway in South-Eastern Poland.
- Counsel to eight investment funds and private investors in a precedent dispute regarding the application of the investment funds law.
- Counsel to a manufacturer of RFID inlets in a dispute relating to annulment of a tender.
- Counsel to an English company in a dispute with a Polish distributor under a framework license agreement.
- Counsel to an international motion picture distribution company in a dispute against a public institution regarding the enforceability of a license agreement.
- Acted for a spirits manufacturer in a dispute against its major competitor related to misleading packaging.
- Counsel to a shopping mall operator in a dispute against a defaulting and insolvent lessee under a commercial lease contract.
- Counsel to an Italian shareholder of a Polish construction company in a dispute against a State agency regarding the validity of a strategic resolution taken by shareholders of that company.
- Counsel to the Europe largest inland waters operator in a series of disputes related to defamation in press articles.
- Counsel to a major Polish bank in a debt collection case against a defaulting borrower and its shareholder.
- Counsel to a Polish distributor of mechanical tools in a dispute with a U.S. manufacturer regarding unfair market practices.
- Advisor to a Polish company in a dispute with an international bank resulting from an FX transaction.
- Counsel to the Ministry of Foreign Affairs before the Polish Constitutional Court in a dispute related to the constitutionality of the U.S. – Poland extradition treaty.
- Counsel to a Polish energy company in a set of litigations against the consortium of Bulgarian and US companies arising from a contract for services related to environmental studies.
- Counsel to a railroad company in a dispute against another railroad company and the railroad infrastructure operator in a set of litigations concerning the consequences of a railroad accident.
- Counsel to a Polish mining company in an arbitration against the consortium of a Polish and a Spanish company, related to the performance of a construction contract.

ARBITRATOR APPOINTMENTS

- President of an ICC arbitral tribunal in a dispute between a German and Russian company concerning international sale of goods.

- Sole arbitrator under the SCC Arbitration Rules in a dispute between a Russian and a Polish party concerning delivery of an aircraft.
- President of the arbitral tribunal in a dispute between a shopping mall operator and a tenant.
- Party-appointed arbitrator in a dispute between a distributor of vegetable oil and a supermarket chain related arising from the distribution agreement.
- Party-appointed arbitrator in a post M&A arbitration between a Cypriot company and Polish individuals related to price reduction on the ground of tax liability.
- Party-appointed arbitrator in a dispute between a German and a Polish parties arising from a contract for supply of a technological line.
- Party-appointed arbitrator in an ICC dispute between a Spanish and CEE parties resulting from a construction contract.
- Party-appointed arbitrator in an arbitration between two companies concerning repayment of loan.

SELECTED PUBLICATIONS

- Sadowski W., Odpowiedzialność odszkodowawcza państw członkowskich UE za orzeczenia sądów krajowych naruszające prawo wspólnotowe, PiP 2004, No. 12, p. 76-88.
- Sadowski W., Taborowski M., Współpraca sądowa w sprawach cywilnych, [in:] J. Barcz [ed.], Prawo Unii Europejskiej, Warszawa 2005, p. 841 i n.
- Sadowski W., Zabezpieczenie kosztów postępowania w arbitrażu handlowym, Kwartalnik Prawa Prywatnego, No. 4/2005, p. 1135 i n.
- Sadowski W., Prowspólnotowa wykładnia prawa polskiego a kontrola legalności działalności administracji publicznej przez sądy administracyjne – glosa do wyroku Wojewódzkiego Sądu Administracyjnego w Warszawie z 21.11.2005, Europejski Przegląd Sądowy 2006, No. 4, p. 48-53.
- Sadowski W., Granice odpowiedzialności odszkodowawczej państw członkowskich za orzeczenia sądów – glosa do wyroku ETS z 13.06.2006 w sprawie C-173/03 Traghetti del Mediterraneo, Europejski Przegląd Sądowy 2006, No. 11, p. 41-51.
- Taborowski M., Sadowski W., Europejski Tytuł Egzekucyjny dla roszczeń bezspornych, [in:] W. Czapliński [ed.] Prawo w XXI wieku. Księga pamiątkowa 50-lecia Instytutu Nauk Prawnych PAN, Warszawa 2006, p. 931-964.
- Kordasiewicz B., Sadowski W., Postępowanie w sprawach o uznanie i stwierdzenie wykonalności orzeczeń sądów polubownych w Polsce. Uwagi na tle nowelizacji kodeksu postępowania cywilnego, Kwartalnik Prawa Prywatnego, No. 2/2007, p. 525-560.

- Sadowski W., Forum shopping a jurysdykcja wyłączna w rozporządzeniu Nr.44/2001 (Bruksela I), [in:] W. Czapliński, A. Wróbel [ed.], Współpraca sądowa w sprawach cywilnych i karnych, Beck 2007, p. 100-132.
- Wróbel A. (ed.), Kowalik-Bańczyk K. (ed.), Szwarc-Kuczer M. (ed.), Domańska M., Łacny J., Sadowski W., Taborowski M., Stosowanie prawa Unii Europejskiej przez sądy. Tom II. Zasady - Orzecznictwo - Piśmiennictwo, Wolters Kluwer Polska 2007, p. 23-140.
- Sadowski W., Ogłoszenie upadłości a zapis na sąd polubowny – Uwagi krytyczne na tle ustawy – Prawo upadłościowe i naprawcze, ADR Arbitraż i Mediacja 2008, No. 4, p. 153-180.
- Sadowski W., Komentarz do Art. 296-299 TWE (in:) A. Wróbel (ed.) Traktat Ustanawiający Wspólnotę Europejską. Komentarz. Tom III. Wolters Kluwer 2010.
- Sadowski W., Wpływ postępowania upadłościowego w Polsce na postępowania arbitrażowe prowadzone za granicą: uwagi na kanwie sprawy Elektrimu; Effect of Bankruptcy Proceedings in Poland on Arbitration Proceedings Conducted Abroad: Remarks based on the Elektrim case e-Przegląd Arbitrażowy, e-Arbitration Review (wydawnictwo dwujęzyczne); Sąd Arbitrażowy „Lewiatan” 2010, No. 2, p. 5-20, Warszawa.
- Sadowski, W., The Changing Face of Arbitration in Poland, GlobalArbitrationReview, The European and Middle Eastern Arbitration Review 2011, 2010, London.
- Sadowski W., Zapewnienie skuteczności wyroków trybunałów arbitrażowych w sporach inwestycyjnych, [in:] A. Wróbel (ed.), Zapewnienie efektywności orzeczeń sądów międzynarodowych w polskim porządku prawnym, WoltersKluwer 2011, p.923-954.
- Morek R., Sadowski W., Recognition and Enforcement of Arbitral Awards in Poland [in:] Arbitration in Poland, Warszawa, 2011; p. 125-140.
- Sadowski W., Taborowski M., Współpraca sądowa w sprawach cywilnych i handlowych, Instytut Wydawniczy EuroPrawo, Wyd. 2, Warszawa 2011, pp.309.
- Sadowski W., Yukos and Contributory Fault, Transnational Dispute Management 2014 (advance publication), published on 6 October 2014;
- Sadowski W., Wętrys E., The Arbitration Clause in An Underlying Contract and Non-Contractual Claims Arising in Connection with Such Contract, .e.-Przegląd Arbitrażowy, No. 3-4 (18-19/2014), p. 6;
- Sadowski W., No Taxation Without Arbitration? Jurisdiction of Investment Treaty Tribunals over Tax Measures in the Aftermath of Yukos, in B. Gessel (ed.), The Challenges And the Future of Commercial and Investment Arbitration. LiberAmicorum Professor Jerzy Rajski, Warszawa 2015, p. 483-516;

- Sadowski W., Protection of the rule of law in the European Union through investment treaty arbitration: Is judicial monopolism the right response to illiberal tendencies in Europe?, 55 Common Market Law Review, Issue 4, pp.1025–1060, 2018
- Sadowski W., Treder P., Poland [in:] Nagy C. (ed.), Investment Arbitration in Central and Eastern Europe. Law and Practice, Elgar 2019; pp 592.

PROFESSIONAL/CIVIC ACTIVITIES

- Club Español del Arbitraje, Vice-President of the Polish-Ukrainian Chapter
- Former President of the Court of Arbitration at the Polish National Bar Association

EDUCATION

- Ph.D., Institute of Legal Studies of the Polish Academy of Sciences, 2009
- LL.M., University of Gdansk, 2002

LANGUAGES

English | Polish | Spanish