Wolf Juergen Von Kumberg, Esq.

Washington, District of Columbia

Primary Areas of Expertise

Investor State

Current Employer-Title

Global Resolution Resources LLC - President/Chief Executive Officer

Profession

Arbitrator, Attorney, Consultant, Educator, Executive and Dispute Board Member

Work History

Managing Director, Global Resolution Services Limited, 2015 - Present; Assistant General Counsel,

Northrop Grumman Corporation, 2000 - 2015; European Legal Director, Litton Industries Inc., 1987 - 2000; General Counsel Sperry Marine Limited 1996 -2000; Litigation Counsel, Smith Lyons, 1985 - 1987.

international legal and business experience in the practice of commercial law and ADR. Served as Legal Director and Assistant General counsel to aerospace and defense multi-nationals Northrop Grumman Corporation and before that Litton Industries Inc., as well as the global marine electronics group Sperry Marine Inc. and energy group Western Atlas, has unique in depth knowledge related to the aerospace, defense, cyber security, maritime, energy and high tech industries.

Practice is global and including commercial, government and state entities. Areas of expertise include: investor/state, aviation, aerospace, cyber security, corporate commercial, government procurement, compliance, board room governance, shareholder and partnership disputes, as well as a range of IP, licensing and trademark related activities. Both a lawyer and an experienced business executive with an understanding of the needs of global business and the risks associated with being a multi-national organization. Well placed to deal with a range of commercial, technology, investor/state and public procurement issues. Has been appointed by the President of the World Bank to the ICSID Conciliation Panel. dealing with Investor State disputes.

International Experience

Aviation

- Claim by major aircraft manufacturer for deficient system design leading to crash of aircraft.
- Claim by communications company against a major satellite manufacturer.
- Claim for failure to achieve airworthiness certification.
- Claim for return of aircraft engines.

Commercial Contracts

- 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 delivery of faulty switches to a major City communication system.

Construction & Engineering

- Claim by MOD for non-performance of engine control unit in frigate. *(Ad Hoc)
- Claim for improper design of a security monitoring system.
- Claim for improper design of radar installation.

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.

Insurance

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

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 & 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.

Property

- Claim respecting water pollution on a former industrial site in Paris.
- Claim involving remediation under a property lease agreement.
- Major environmental indemnification claim under a transaction agreement.

Sale of Goods and Services

- Claim by Purchaser that manufacturing system for auto glass manufacturing was deficient.
- Claim for sale of faulty switches to be used in an engine control system.
- Claim for improper installation of a ship’s guidance system.

Shipping/Maritime

- Dispute over the installation of bridge system on a cruise ship.
- Claim for damage caused to a super yacht for deficient engine.

Investor State

- Claim for an energy investment.
- Claim for cancellation of a University Campus
- Claim for IT infrastructure
- Claim for telecoms infrastructure

Mediator Experience

Active member of the mediation community since being credentialed as a mediator in 2001. During that

time has handled a large variety of commercial, private party and state party disputes, ranging from several

hundred thousand to several million dollars including: Aviation/Aerospace claim by aircraft manufacturer after crash of an aircraft; aviation supply chain claims, NATO claim respecting the non-performance of software; commercial contract disputes ranging from late delivery, counterfeit parts, delivery of faulty equipment, equipment not working to specification; insurance dispute over payment of hurricane damage claim; reinsurance dispute between reinsurance carriers; partnership dispute over termination provision in a shareholder agreement; shipping dispute over damage caused to cargo, marine dispute over collision and damage to a mega yacht; dispute over installation of a bridge system on a ship; claim for restoration of a building and end of lease; environmental claim for remediation after ground water contamination; competition dispute, senior executive termination claim, licensing and IP disputes, bribery in a public procurement claim.

Master Mediator in 2019.

Practice included a wide range of commercial disputes in such areas as technology, aviation, aerospace defense, cyber security, marine, IP, finance, construction and environmental.

Leading ICSID and ECT mediator in the field of Investor/State disputes and use of mediation to resolve same.

Representative Issues The primary issues he has dealt with in mediations have revolved around: Handled as a Mediator Aviation, aerospace and defence; Technology related claims including software development, licensing and IP rights Public procurement law in a range of jurisdictions including the USA, China, UK, Italy, Germany, EU, Japan, USA, Singapore; Boardroom disputes; Environmental; Commercial sale of goods; IP and Trademark law in the USA and in the EU; Competition law; Product liability; M&A related disputes; Employment law; Company law England; Insurance law England.

Mediator Style & Process Wolf practices principled negotiation and interests-based mediation taking a non- judgmental approach, Preferences while reality-testing and raising possible options for agreement. He is creatively facilitative, seeking a broad focus, persistent and patient throughout.

Wolf has a calm, respectful approach while keeping control of the mediation. His experience in business helps him to build up 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. He is strictly observant of confidences.

Wolf has many years of experience in foreign investments and disputes arising therefrom. He is keenly aware of the differences in interests between investors and states and has developed tools to bridge that

gap, leading to positive results and settlement.

Wolf will commence each mediation appointment with a request for a brief written summary of each party's position and pertinent facts, together with any key documents. He will also hold a pre-mediation call with the lawyers, including the parties to agree a process design for the mediation. Depending on the complexity of the case he may also hold several preliminary meetings with the parties prior to the mediation.

Education

University of Cambridge England (LL.M - 1985); Osgoode Hall Law School Toronto (LL.B -1980); York

University Toronto (BA - 1977).

Professional Licenses

Admitted to the Bar: Ontario, Canada (1982), England and Wales (1989).

Professional Associations

Fellow, Chartered Institute of Arbitrators; American Arbitration Institution; Institute of Directors England;

Former Chair of the Board of Management Chartered Institute of Arbitrators (CIArb); Former Chairman and Director of the International Mediation Institute (IMI); Former Director American Arbitration Asso-

Recent Publications & PUBLICATIONS: Speaking Engagements • “The Climate Emergency Disputes Crisis Affecting Industry Today” - September 2024 - IBA Business

Law International Vol 25 No 3

- “The Development of Investor-State Mediation and its Future in Supporting Energy Transition” - 2022

Chartered Institute of Arbitrators

- The Use of Conflict Avoidance Boards in Green Projects: A Conflict Avoidance Blueprint for Global

Environmental Sustainability” - October 2021

Investor State Mediation and the Singapore Convention, March 2021;

The Time for Investor State Mediation has Come: A Concept Paper, June 2020;

GC Insider: Aviation and Aerospace Supply Chains, At the Tipping Point, June 2020;

Mediations in an Emergency, GC Magazine, March 2020;

Investor-State Dispute Settlement, Pepperdine Dispute Resolution Law Journal, Volume 18/Issue 3, 2018;

The Energy Charter Treaty and ADR, ADR & Arbitration review, Volume 1:Issue 2, April 2016;

Enabling Early Settlement in State Investor Arbitration, The time to introduce Mediation Has Come, ICSID Review, 24 June 2014;

Law Society Gazette, London as a Seat of Arbitration, April 2015;

How Mediation can help Resolve Disputes both Before and After Transactional Due Diligence, Corporate Financier, March 2011;

Global Law and Business, Legal Risk Management Governance and Compliance Guide;

Making Mediation Mainstream, IMI;

A Perfect Storm is Gathering, IMI.

Locations Where Parties Cases on the East Coast of the USA. Will Not be Charged for Travel Expenses

Citizenship

Canada; Germany

Compensation

Hourly Rate: $650.00

Daily Rate: Not provided Study Rate: $6,000.00/hr Cancellation: $2,500.00/Day Cancellation Period: 7 Days Comment: Cancellation: No fee if cancelled 7 days before scheduled hearing. $2500.00 if cancelled less than 7 days before hearing.

Languages

English; German