



Timur Damirovich Aitkulov

Partner, Attorney at law

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Nationality: Russian Federation

Current Position: Partner, Head of Litigation & Dispute Resolution at Clifford Chance, Moscow

Arbitration Experience

- Tenex, one of the world's largest suppliers of uranium products, in a US\$1 billion Stockholm arbitration brought by Global Nuclear Services and Supply (GNSS) Limited, with the final award entirely in favour of our client. Successful defence of the arbitral award in Sweden and enforcement of the arbitral award in the US with respect to court fees and arbitration costs
- OJSC Sevmashe in an arbitration venued in Stockholm and heard under the rules of the Arbitration Institute of the Stockholm Chamber of Commerce, in respect of a claim for more than US\$300 million brought by a Norwegian shipbuilding company in connection with termination of construction contracts for vessels. The majority of the claims were dismissed
- One of Russia's largest metallurgical companies in an international arbitration in Zürich under the ICC rules, in respect of a multi-million-dollar claim brought by an iron ore supplier from Kazakhstan. Injunctive measures were ordered in Australia in relation to the case. The dispute was resolved with the signing of an amicable agreement
- a leading international bank in an LCIA arbitration in respect of a multi-million-dollar claim against a Russian auto manufacturer arising out of a guarantee. In parallel, a claim for invalidation of the guarantee was filed in Russian court by an affiliate of the auto manufacturer, and injunctive measures were ordered by the English High Court of Justice barring the auto manufacturer and its affiliates from taking part in legal proceedings in Russia
- a major US investment fund engaged in projects on implementation of the Kyoto Protocol, in several LCIA arbitrations involving claims of approximately US\$100 million against a Russian company arising out of projects in Russia's natural gas sector (cutting methane emissions). The London arbitration was accompanied by dozens of cases in Russian state courts which were initiated by the Russian party in an attempt to disrupt the arbitration
- a leading Russian property developer in a dispute with a construction company for several hundred million dollars under arbitration venued in London and heard under the ICC rules, relating to the construction of an office building in Moscow. In the framework of the case an application for injunctive measures (a prohibition against transfer of ownership of the building) was filed by the construction company in Russian court
- Tenex in several arbitrations under UNCITRAL rules and the rules of the Arbitration Institute of the Stockholm Chamber of Commerce, in London and Stockholm, in disputes with a US company acting as intermediary in respect of sales of nuclear materials to South Korea. The cases involved applications for arbitral awards to be set aside and for recusal of an arbitrator which were heard by Swedish state courts
- one of the companies of a direct investment fund in an LCIA arbitration against the seller of a Russian company, seeking the enforcement of a put option, and against a Russian individual who provided a guarantee that the put option would be performed
- OJSC Arkhangelskgeoldobycha, a OJSC LUKOIL subsidiary, in an international arbitration in Stockholm under the UNCITRAL rules, and in litigation in Russia and the US in connection with a US\$5 billion dispute over one of Russia's largest diamond deposits. After proceedings that lasted many years, all claims against the Russian parties were dismissed

- a major international bank in an arbitration in Moscow under the ICAC rules in relation to a fraud committed with the use of client-bank payment system. The claim against the bank was dismissed in its entirety
- a Tajik aluminium plant in an arbitration venued in Moscow and heard under the ICAC rules, in a multi-million-dollar dispute with a Swiss trader. In addition to proceedings in Moscow, cases were litigated in the state courts of Tajikistan, including the Supreme Court, and in the English High Court of Justice, in which the Swiss trader sought injunctive measures. Ultimately the trader dropped its claim against our client
- a major Russian natural gas company in a Polish arbitration with respect to a multi-million-dollar dispute against a Polish company over payments for gas supplies
- a Baltic oil trader in several arbitrations in Moscow under ICAC rules, connected with multi-million-dollar claims against a Belarusian state company. The claims were awarded
- a major Russian oil company in a multi-million-dollar arbitration in London under the UNCITRAL rules, with respect to a dispute with an English company over rights to oil fields. In parallel, the Russian company brought an action in Russian state courts. The proceedings concluded with the English company withdrawing its claim
- a major Russian oil company in an international arbitration in Zürich with respect to a dispute arising out of an agreement to finance the development of oil fields
- an auto distributor in Central and Eastern Europe in an arbitration venued in Stockholm and heard under the rules of the Arbitration Institute of the Stockholm Chamber of Commerce, in respect of a multi-million-dollar claim against a leading Russian auto manufacturer. The claim was awarded in full
- a Russian bank in an arbitration venued in Moscow and heard under the ICC rules, in a multi-million-dollar dispute with a Finnish construction company. The dispute was resolved with the conclusion of an amicable agreement
- a major Russian bank in an arbitration venued in Moscow and heard under the ICAC rules, relating to a multi-million-dollar claim by a Yugoslavian construction company. The claim was dismissed
- a major Russian oil refinery in an arbitration venued in Moscow and heard under the ICAC rules, relating to a multi-million-dollar claim by an Irish oil trader. The claim was dismissed in its entirety
- a major Russian oil company in an arbitration venued in Moscow and heard under the ICAC rules, relating to a multi-million-dollar claim by a Ukrainian parts supplier. The claim was dismissed in its entirety
- Nafta Moscow in an arbitration venued in Moscow and heard under the ICAC rules, relating to a claim brought by NOGA for several hundreds of millions of dollars in connection with supply contracts for petroleum products. NOGA's claims were dismissed in their entirety. This was one of very few cases, if not the only case, that NOGA has lost in a dispute with a Russian party
- an Indian pharmaceuticals firm in a dispute heard under the ICAC rules against a Russian wholesaler in connection with non-payment for products supplied.

Education Background

- Candidate of Science (Law), Moscow State Institute of International Relations (MGIMO) (2000)
- LL.M., Russian School of Private Law (Institute) (1999)
- Law degree from Moscow State Institute of International Relations (MGIMO), cum laude (1997)

Expertise

Timur specializes in international arbitration as well as litigation and dispute resolution in Russia and abroad, as well as regulatory and administrative matters related to business operations. He has represented clients in numerous arbitrations in Stockholm, London, Moscow and Zurich in connection with disputes related to nuclear energy, oil & gas, mining and general business operations. Timur regularly acts as an arbitrator.

Practice Location/ Jurisdiction

Russian Federation

Working Languages

- Russian
- English
- German

Other Relevant Experience

- Member of the Moscow Bar;
- Member of the Regional Coordinating Committee of the Europe and Russia Chapter of the International Chamber of Commerce Young Arbitrators Forum (YAF).
- Timur is the author of many publications, including the litigation and arbitration section of the journal *Russian Business Law: The Current Issues*, published by Clifford Chance in conjunction with Wolters Kluwer in June 2009, and *The International Comparative Legal Guide to International Arbitration*, 2006-2014, Chapter 51.