

WACH UND MECKES



Maximilian Menz, LL.M. (Edinburgh)

Partner

Qualifications

- Admission to bar in Germany (*Rechtsanwalt*), 2016.
 - LL.M. (Intellectual Property Law), University of Edinburgh, Scotland, 2016.
 - Law studies, University of Munich, Germany.
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Professional

- Partner at WACH UND MECKES since January 2023.
 - Senior Associate at WACH UND MECKES, November 2020 to December 2022.
 - Associate at WACH UND MECKES, June 2018 to October 2020.
 - Associate at SKW Schwarz Rechtsanwälte Steuerberater Wirtschaftsprüfer Partnerschaft mbB, Media Law and Digital Business Group, Munich, Germany, October 2016 to December 2017.
 - Research assistant at the University of Edinburgh, Scotland, Chair for Intellectual Property Law, June to July 2016.
 - Legal clerk (*Rechtsreferendar*) at Noerr Partnerschaftsgesellschaft mbB, Media Law Group, Munich, Germany, January to March 2015.
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Memberships

- German Institution for Arbitration (*Deutsche Institution für Schiedsgerichtsbarkeit e.V., DIS*).
 - German Initiative of Young Arbitrators (*Deutsche Initiative junger Schiedsrechtler, DIS40*).
 - Young International Council for Commercial Arbitration (Young ICCA).
 - Swiss Arbitration Association below 40 (ASA below 40).
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Expertise

- Advising and representing German and international clients in complex commercial disputes, in particular in relation to German and international M&A transactions, in disputes in the technology sector as well as in commercial, corporate and financial disputes.
 - Arbitrator in institutional arbitration.
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Languages

- German
 - English
 - Italian
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Publications

- *Bareiss/Menz, VoD-Rechte im Spannungsverhältnis zwischen Produzenten, Sendern und Vertrieben, in: Zwischen Gestern und Morgen – Medien im Wandel, Festschrift für Mathias Schwarz zum 65. Geburtstag (Video-on-Demand rights in the tension between producers, broadcasters and distributors, in: Between yesterday and tomorrow – Media in transition, Commemorative publication for Mathias Schwarz’s 65th birthday), 2017.*
- *Heyde/Menz, Mic check 1, 2 – CJEU it’s on you!, Lexology, 2 June 2017.*
- *Heyde/Menz, Samplingstreit kommt vor den EuGH (Sampling dispute brought to the ECJ), Lexology, 13 June 2017.*
- *Menz/Sobottka, Linking and making available documents for downloading – can you benefit from the quotation right under German Copyright Law?, Lexology, 3 August 2017.*
- *Menz, Game over for Let’s Play channels?, Lexology, 23 November 2017.*

Recent talks

- „Art. 31 Abs. 2 EuGVVO – effektiver Schutz ausschließlicher Gerichtsstandsvereinbarungen oder italienischer Torpedo 2.0?“ (*Art. 31 (2) Brussels Recast - effective protection of exclusive choice-of-court agreements or Italian Torpedo 2.0?*), Münchener Gesprächskreis Litigation, October 2022.

Recent Matters

Post-M&A Disputes:

- Representing a US-based institutional investor focused on technology, media and communications in an eight-figure Post-M&A dispute with three listed German industry groups relating to profit participation and the assertion of claims for damages.
- Representing the seller of a technology company in a dispute against an international law firm and its tax advisor regarding professional negligence claims in connection with an M&A transaction (appeals proceedings).

Banking, Finance and Capital Market Disputes:

- Representing several Marshall Islands ship holdings in a dispute with Anglo-American hedge funds in connection with a nine-figure financing.
- Advising an English management company relating to claims with regard to a nine-figure convertible bond issued by a German industrial group.
- Advising a US-based investment fund on a nine-figure securities litigation against a listed German automotive group, particularly on specific procedural issues relating to the pending litigation.
- Representing a US broker in its defense against a series of disputes with German investors relating to the allegation of excessive fees in option trading (spearhead cases for a potential larger mass litigation).

Directors & Officers Liability:

- Representing the former chairman of an industrial group in the defense against multi-billion civil claims by international institutional investors with regard to capital market information concerning the takeover of another industrial group.

- Representing a former board member of a bank in the defense against potential two-figure recourse claims towards an international financial group.
- Representing a former board member of Hypo Real Estate Holding AG in the defense against more than 200 parallel investor claims and in proceedings under the German Capital Markets Model Case Act (*KapMuG*) relating to nine-figure damages in connection with the alleged breach of ad hoc notification obligations.

Professional Liability:

- Advising an English litigation-only firm in a dispute of a private equity consultant with an international asset management company and its board members relating to damages due to misleading information during the initiation of a contract.

Commercial and Corporate Disputes:

- Representing a worldwide-operating international airline in its defense against a multi-billion damage claim by the insolvency administrator of a German airline carrier.
- Advising a UK-based portfolio manager in real estate, infrastructure and financial assets in connection with a nine-figure investment in a mass litigation portfolio in the automotive sector.
- Advising a global US asset management investor in connection with the structuring of a nine-figure consumer class action in Germany.
- Representing a globally operating English law firm in its defense against alleged professional negligence in connection with the restructuring of a group of companies.
- Advising a worldwide operating US-based alternative asset management corporation in connection with the structuring of a mass litigation project in Germany.
- Representing a company for the distribution of licenses and rights in the international motorsport sector in a shareholder dispute with several worldwide operating listed automobile corporations relating to the shareholding in a motorsport series.
- Representing a worldwide-operating middle-east corporation in its defense against a series of shareholder and bondholder claims and an attempt to start mass litigation proceedings against our client under the German Capital Markets Model Case Act (*KapMuG*).
- Advising a property developer in relation to a property management contract and potential grounds for termination.
- Representing a property owner in a dispute against a real estate agency relating to a broker's commission under a brokerage agreement.
- Representing an English private equity investor in a shareholder dispute concerning a company in the crypto-currency sector.

Recent
appointments as
arbitrator

- Arbitrator in arbitration proceedings under DIS arbitration rules (corporate law dispute).