



**Kimmo Mettälä**

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Based in: Helsinki, Finland

**Summary:**

Independent legal advisor and arbitrator with extensive experience in international financial, corporate and business law. Has decades of experience from handling cross-border and domestic financings and M&A transactions. Has acted as arbitrator and chair of the arbitral tribunal in international and domestic proceedings both under the FAI Rules and *ad hoc* proceedings under the Finnish Arbitration Act, as well as in squeeze-out proceedings under the Companies Act. Listed on the panel of arbitrators by London Court of International Arbitration (LCIA).

**Top Legal Skills:**

Corporate/M&A, Private Equity, Banking & Finance, Acquisition Finance, Real Estate Development Banks, Cross-border Transactions, Arbitration.

**Positions held:**

**Kimmo Mettälä Consulting Ltd.**

**Owner, independent legal advisor and arbitrator:** April 2019 to date

**Krogerus Attorneys Ltd., Helsinki, 2011 – 2019**

**Partner** until April 2018, then of Counsel until April 2019

**LMR Attorneys Ltd., Helsinki, 1997 – 2011**

**Founding Partner**

**European Bank for Reconstruction and Development, London, UK, 1993 – 1996**  
**Counsel**

**Heikki Haapaniemi Law Offices, Helsinki, 1990 – 1993**

**Senior Associate** until 1991, then **Partner** until 1993

**The World Bank, Washington, D.C., U.S.A. 1988 – 1990**

**Counsel** (Latin America and the Caribbean Region)

**Cadwalader, Wickersham & Taft, Washington, D.C., U.S.A. 1985-1987**

**Associate attorney** (Corporate practice group)

**Kone Corporation**, Helsinki, 1980 - 1984  
**Legal Counsel, International Operations**

**Education:**

Georgetown University Law Center - LL.M. (1984-1985)  
University of Helsinki - Master of Laws (1980)

**Bar Admissions:**

Finnish Bar Association: 1990 – 2019  
Member of the Bar of the State of New York: 2005 to present

**Languages:**

English (fully fluent), Finnish (native), Swedish (professional working), Spanish (fluent conversational)

**Publications:**

Viewpoints on the drafting of an arbitral award (original article published in Finnish), published in *Defensor Legis*, legal review of the Finnish Bar Association, November 2020 (co-author)

Enforcement of an arbitral award and *ordre public* in light of the *Stati* case – and 500 million dollars (original article published in Finnish), published in *Defensor Legis*, legal review of the Finnish Bar Association, February 2019 (co-author)

The *Bernard Tapie* case and *fraus omnia corrumpit* as basis for annulment of an arbitral award (original article published in Finnish), published in *Defensor Legis*, legal review of the Finnish Bar Association, June 2018 (co-author)

International Banking Law and Regulation, Westlaw 2015 and successive annual updates, co-author of chapter on Finland

ABA International Stock Purchase Acquisitions  
Chapter on Finland, co-author, 2006

ABA Model Asset Purchase Agreement with Commentary  
Chapter on Finland, co-author, 2001

Public-Private-Partnerships, Issues from a Finnish Perspective  
*Business Law International*, 2001

Free Trade Agreements between Finland and Central and Eastern European Countries  
*The International Lawyer*, 1994 (co-author)

Governing-law clauses of Loan Agreements in International Project Financing  
*The International Lawyer*, 1986

Välimiesmenettelyn valinnasta (“On the choice of arbitration”), an article in *Kansainvälisestä kaupasta II*, a Finnish textbook on international trade, 1982

*Liikejuridiikka 1 -2*, two textbooks on Finnish business law, co-author, 1983

Numerous other smaller articles and legal briefings in various legal newsletters on corporate and financial law topics.

### **Transactional experience:**

Kimmo Mettälä has decades of experience from advising clients on banking and finance transactions, mergers and acquisitions and investments by private equity funds. He has extensive experience in acquisition and secured finance, corporate finance, debt capital markets, debt restructurings, public and private company acquisitions and divestitures, investments in emerging markets, representation of growth companies and operations of multilateral financial institutions.

Selected transactional experience includes:

- 1) **Banking and Finance:** Several decades of experience in advising lenders and borrowers in financial transactions, including lending to sovereign borrowers, infrastructure finance, leveraged buy-out acquisition financing, trade and export finance, as well as limited recourse and other project finance transactions for purposes of investments in real estate, renewable energy projects and other productive purposes. Represented issuers as well as arrangers/dealers in numerous bond financings in the debt capital markets.
- 2) **Corporate/M&A:** Advised clients (both industrial and private equity) in cross-border and domestic M&A transactions involving private and public companies in a vast number of sectors including pulp and paper, chemical, engineering, industrial manufacturing, automobile manufacturing and distribution, healthcare, retail, energy, renewable energy, gasoline distribution, IT and telecommunications, logistical services, banking and financial services and consumer goods and services.
- 3) **Latin American experience:** Handled financing transactions and equity investments in countries including Argentina, Chile, Colombia, Uruguay, Venezuela and Mexico in a number of sectors including infrastructure, industrial sector, financial sector and forestry.
- 4) **Eastern European experience:** Handled loan and equity investment transactions in the Baltic States, Poland, the Czech Republic, Romania, Hungary and Russia in a number of sectors including telecommunications, banking and financial services, pulp and paper, shipping, consumer goods, real estate and road and rail transport infrastructure.

### **Arbitration experience:**

Acted as chair of arbitral tribunal, sole arbitrator and member of arbitral tribunal in a number of arbitration proceedings in a range of matters, including contractual disputes over design and supply of equipment and machinery; alleged breaches by a grid company of its electricity supply obligations to an industrial customer; as well as squeeze-out proceedings under the Finnish Companies Act over the fair purchase price of shares of public and private companies. These proceedings have included both *ad hoc* arbitration as well as proceedings administered by the Finland Arbitration Institute (FAI).

Acted as counsel to one of the parties in a number of disputes submitted to arbitration or similar alternative dispute resolution, including a dispute over the purchase price of a large office and shopping center, a dispute over alleged delays and breaches of contract by a project company/contractor in a large-scale transportation infrastructure project, and a dispute over breaches of seller's representations and warranties in a share purchase agreement.

In addition to above, involvement in a number of other domestic and international arbitration and dispute resolution proceedings, including both in the role of in-house counsel and external counsel to a party.

**Arbitration training and moot arbitrations:**

Finnish Arbitration Academy organized by Finnish Arbitration Institute (FAI), October-November 2020

New York State Bar Association Commercial Arbitration Training in New York City (25 hours), June 2019.

LCIA-LSE London Vis Pre-Moot proceedings in London (March 2019), acted as chair of three-member arbitration panel.

**Board memberships and positions of trust:**

Member of the Board of Directors of chemical/construction materials sector companies StyroChem Finland Oy and Thermisol Finland Oy (1998 to 2001).

Member, Editorial Board, Business Law International (legal review published by the International Bar Association) for several years until 2018.

**Rankings by legal surveys:**

Highly ranked in leading international legal surveys including the following:

Who's Who Legal 2019, 2020: Listed as Global Leader (Banking-Finance)

Best Lawyers 2019: Listed in Banking and Finance Law and Corporate Law

Chambers Global 2017 (Banking and Finance): Kimmo Mettälä is "service-minded, clear, concise and to-the-point".

Chambers Global 2016 (Banking and Finance): Kimmo Mettälä receives praise from clients for his financing practice: "He is very capable, he finds answers and knows the industry very well". "He has notable strength on US-related mandates, particularly as he is dual-qualified in Finland and the USA".