



Kimmo Mettälä

Contact:

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Helsinki, Finland

Nationality: Finnish

Professional experience:

Kimmo Mettälä Consulting Ltd., Helsinki, April 2019 to date
Independent legal advisor and arbitrator

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 (EBRD), London, 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 (including six months at **Norton Rose** and Kone's U.K. subsidiary in London, 1983).

Education:

Georgetown University Law Center - LL.M. (Common Law Studies) (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).

Transactions experience:

- 1) Banking and Finance: Decades of experience in representing lenders and borrowers in financial transactions, including sovereign loans, syndicated loans, leveraged acquisition financing, real estate finance, trade and export finance, limited recourse and other project finance transactions. Represented issuers as well as arrangers/dealers in numerous bond financings in the debt capital markets, and parties in derivatives transactions based on ISDA and other master agreements.
- 2) Corporate/M&A: Represented clients (both industrial and private equity) in cross-border and domestic M&A transactions involving private and public companies operating in a vast number of sectors. Acted as board member in companies in Finland.
- 3) Latin America: Both as lawyer for the World Bank and when in private practice, acted as counsel in numerous loan transactions and equity investments in countries including Argentina, Chile, Colombia, Uruguay, Venezuela and Mexico.
- 4) Eastern Europe: Both as lawyer for the EBRD and when in private practice, acted as counsel in loan and equity investment transactions and divestitures in Estonia, Latvia, Lithuania, Poland, the Czech Republic, Romania, Russia and Hungary.

Arbitration experience:

Acted as chair of arbitral tribunal, sole arbitrator and party-appointed member of arbitral tribunal in a number of arbitration proceedings over commercial disputes, both under the Rules of Arbitration of the Finland Arbitration Institute (FAI) and *ad hoc* proceedings. Such disputes have ranged from contractual disputes involving cross-border commercial transactions, power plant financing and shareholder disputes, electricity distribution by a grid company to an industrial customer, as well as arbitration proceedings involving mandatory redemption of minority shareholders (squeeze-out) under the Finnish Companies Act.

Acted as court-appointed ombudsman/trustee representing the interests of minority shareholders in an arbitration proceeding involving redemption for fair value of minority shareholders' shares under the Finnish Companies Act.

Acted as counsel in a number of arbitration proceedings, 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 (PPP) project, and a dispute over alleged breaches of seller's representations and warranties in an M&A transaction.

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.

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 (IBA publication), 2001, author.

Governing-law clauses of Loan Agreements in International Project Financing
The International Lawyer (ABA publication), 1986, author.

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.

Arbitration training and moot arbitrations:

Certificate, Finnish Arbitration Academy, Arbitration Institute of the Finland Chamber of Commerce (FAI), October 6 – November 19, 2020.

New York State Bar Association Commercial Arbitration Training in New York City, June 17 – 19, 2019.

LCIA-LSE London Vis Pre-Moot proceedings in London (2019, 2021, 2022), acted as volunteer arbitrator.

Memberships:

Finnish Arbitration Association

London Court of Arbitration (LCIA) Users Council

Board memberships and positions of trust:

Member of the Board of Directors of polystyrene manufacturer StyroChem Finland Oy and insulation products manufacturer Thermisol Finland Oy (1998 to 2001).

Member, Editorial Board, Business Law International, London (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, 2021, 2022: Recommended 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".