

## TETIANA BERSHEDA

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### Areas of Practice

- o International transactional law
- o International arbitration and dispute resolution
- o Corporate & insolvency law

### PROFESSIONAL EXPERIENCE

*Canonica Valticos de Preux & Associés, Geneva, Switzerland*

Partner and Legal Advisor in Monaco, 2013-2017

Lead Counsel to a client based in Monaco on a multi-billion international trust and family law litigation; Legal advice on various cross-border transactions; Coordination of legal team on a high-profile international fraud case; Acting as Counsel, expert and arbitrator in international arbitration cases; Developing the activities of the Firm in Monaco

*Bersheda Avocats, Geneva, Switzerland*

Founding Partner, 2010-2013

Legal advice to international clients on Swiss law; Acting as Counsel, expert and arbitrator in international arbitration; Representing international clients before Swiss courts; Managing the Firm

*Lévy Kaufmann-Kohler, Geneva, Switzerland*

Associate, 2007-2009

Working on international commercial, investment and sports arbitration cases with Dr. Laurent Levy, Prof. Gabrielle Kaufmann-Kohler and Prof. Antonio Rigozzi; Assisting in establishment and review of corporate governance rules for a major Swiss banking institutio

*Schellenburg Wittmer, Geneva and Zurich, Switzerland*

Avocate-stagiaire, 2005-2007

Legal advice and representation of clients in the areas of M&A, bankruptcy law, international litigation and contract law

*Arbitration Office of Prof. Pierre Tercier, Fribourg, Switzerland*

Trainee, 2004-2005

Assisting Prof. Pierre Tercier, Honorary Chairman of the ICC International Court of Arbitration, in conducting legal research for international arbitration cases in which Prof. Tercier acted as chairman of arbitral tribunals

*International Court of Arbitration of the International Chamber of Commerce (ICC),*

Paris, France

Trainee, 2004

Assisting the staff of the Secretariat of the ICC International Court of Arbitration in managing arbitration proceedings and reviewing of related legal documents

## **EDUCATION**

*University of Fribourg, Switzerland*

PhD (docteur en droit), summa cum laude, June 2007

Awards: First prize of the Swiss SchKG Association, dissertation on “Civil Liability of Company Directors and Creditor Protection in the vicinity of Insolvency,” a comparative analysis based on the Swiss and English legal systems

*Institute of International Relations of Kyiv National Taras Shevchenko University, Ukraine*

Master of Laws, with Concentration in International law, with honours, January 2006

*Cambridge University, United Kingdom*

LL.M., with concentration in Commercial Law: Corporate Finance, Corporate Governance, Corporate Insolvency, International Banking and Financial Law, June 2005

*University of Fribourg, Switzerland*

Law Degree (licence en droit), with concentration in European Law, magna cum laude, June 2004

## **BAR ADMISSIONS**

Bar of the Canton of Vaud, Switzerland

Admitted to practice in Ukraine

## **BOARD MEMBERSHIPS**

AS Monaco FC, Monaco (soccer club of the French first national division), 2011-2018

Glacier3000, Switzerland (company managing a ski resort in the Swiss Alps), 2013 to present

Foundation Les Arts Gstaad, Switzerland (foundation managing a project for construction of a major concert hall with a budget of over \$100 million), 2014 to present

Association of the Friends of the Ballets of Monte-Carlo, 2015 to present

## **PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS**

Vaud Bar Association

Swiss Bar Association

Swiss Arbitration Association (ASA)

London Court of International Arbitration (LCIA)

International Chamber of Commerce (ICC)

Institute of World Business Law

## **LANGUAGES**

Ukrainian (native), Russian (native), English (fluent, legal proficiency), French (fluent, legal proficiency), German (working knowledge), Spanish (basic knowledge), Italian (basic knowledge)

## **ACADEMIC PUBLICATIONS & TEACHING ACTIVITIES**

*Books*

Civil Liability of Company Directors and Creditor Protection in the Vicinity of Insolvency, Comparative Analysis based on the Swiss and English Legal Systems, Schulthess 2007

*Peer-Reviewed Articles*

Recent Swiss Developments on Exclusion Agreements, in International Arbitration and Public Policy (2014), forthcoming (co-author with L. Lévy)

Quelques questions de droit international privé en relation avec la reconnaissance de trusts en Suisse, PJA, Vol. 22 (2013), n° 1, p. 45 (Free translation into English : Some Questions of Private International Law in Relation to Recognition of Trusts in Switzerland)

Document Production in Arbitration: A Civil Law Viewpoint - Chapter 7 - Search for Truth in Arbitration: Is Finding the Truth what Dispute Resolution is About - ASA Special Series No. 35 (2011), p. 77 (co-author with P. Tercier)

Recent decision of the Swiss Federal Administrative Court and its implications for the future of trusts in Switzerland, Trusts and Trustees, 17(8), (2011), p. 766

The Law of Trusts in Russia: To Be or Not to Be?, Trusts & Trustees (2010), Volume 16, N° 3, p. 195

Les clauses d'arbitrage statutaires en droit suisse, ASA Bulletin (2009), Volume 27, N° 4, p. 691 (Free translation into English : Arbitration Clauses in Company's Articles of Association under Swiss law)

Observations on the Decisions of the Swiss Federal Court of 6 March 2008 (DFC 134 III 260) and 21 August 2008 (4A\_194/2008) (co-author with Laurent Lévy), Stockholm International Arbitration Review (2008), Vol 3, p. 67

50th Anniversary of the New York Convention: Any Progress in Recognition and Enforcement of Foreign Arbitral Awards in Ukraine?, International Arbitration Law Review (IALR) (2008), Vol. 5, pp. 165-76

La saisie des fonds de la Banque Centrale de Russie auprès des établissements bancaires suisses : Commentaire de l'arrêt 5A\_618/2007 du 10 janvier 2008, AJP/PJA (2008), Vol. 7, pp. 919-27 (Free translation into English : The Freeze of Assets of the Central Bank of the Russian Federation in Swiss banks : Commentary to the Court Decision 5A\_618/2007 of 10 January 2008)

"Avis obligatoires et faillite" dans la révision du droit de la société anonyme: Le nouveau système d'alarme de la santé financière des sociétés anonymes: surprotection des actionnaires aux dépens des créanciers ou ignorance de la réalité économique, GesKR (2008), Vol. 3, pp. 235-53 (Free translation into English : « The Duty to Inform the Judge and Bankruptcy » in the Reform of the Company Law : The New Alert System for Financial Standing of Public Companies, Overprotection of Shareholders to the detriment of Creditors or Ignorance of Economic Reality)

Civil Liability of Company Directors and Creditor Protection in the vicinity of insolvency, Comparative Analysis based on the Swiss and English Legal Systems [Overview in German], GesKR (2008), Vol. 1, p. 67

Convergence et concurrence des réglementations nationales dans le domaine des marchés financiers, in L'harmonisation internationale du droit, C. Chappuis/B. Foëx/T. Kadner Graziano (eds), Schulthess 2007, pp. 239-59 (Free translation into English : Convergence and Competition of National Regulations of Financial Markets)

New SWX segmentation Concept in the Light of the Recent EU Developments in the Regulation and Supervision of Securities Markets, in Schweizerische Zeitschrift für Wirtschaftsrecht (SZR/RSDA) (2006), Vol. 78, N° 3, pp. 188-99

Insolvency Act 1986, Section 214: A Model for the European Initiative on Wrongful Trading, in Cambridge Students Law Review (2005), pp. 63-73

### **Teaching Activities**

Geneva School of Economics and Management (GSEM), University of Geneva, Geneva, Switzerland

Lecturer (Chargée de cours) in Corporate Law, 2015-2017

Law Faculty, University of Fribourg, Switzerland

Appeal in Swiss international arbitration law, Prof. Pierre Tercier's Masters course on arbitration, 2008 (updated and repeated in 2009)

Law Faculty, University of Neuchatel, Switzerland

Arbitration and company law, Dr. Antonio Rigozzi's Masters course on arbitration, University of 2008 (updated and repeated in 2009)

Law Faculty, University of Fribourg, Switzerland

Arbitration and company law, Prof. Pierre Tercier's Masers course on arbitration, 2007 (updated and repeated in 2009)

Law Faculty, University of Geneva

Convergence and competition of national regulations of financial markets, Journées du 3ème cycle, Cartigny 2006