

CURRICULUM VITAE OF DR. DANIELA FRENKEL

Dr. Daniela Frenkel LL.M.
Gabriel Arbitration AG
Rämistrasse 6
CH-8001 Zurich

Phone +41 44 206 20 80
Fax +41 44 206 20 81

d.frenkel@gabriel-arbitration.ch



Professional Experience

| | |
|--------------|---|
| 2023–present | Attorney at Law at Gabriel Arbitration. |
| 2014–2023 | Member of the litigation and arbitration team of Pestalozzi Attorneys at Law. |
| 2011–2014 | Member of the dispute resolution and corporate teams of Niederer Kraft & Frey AG. |
| 2009-2010 | Research assistant of Prof. Peter Hettich, University of St. Gallen (public business law). |
| 2008–2010 | Lawyer at VISCHER AG. |
| 2006-2010 | Research assistant of Prof. Karin Müller, University of Lucerne (commercial law). |
| 2006-2008 | Research and teaching assistant of Prof. Isaak Meier, University of Zurich (litigation, arbitration, debt enforcement, bankruptcy). |

Education

| | |
|-----------|---|
| 2013-2014 | LL.M. program with specialization in Business and Corporate Law at University of San Diego. |
| 2010-2012 | Ph.D. at University of Zurich (Attachment of Assets, Dr. iur.). |
| 2008-2010 | Mandatory legal clerkship and Swiss bar exam (attorney at law, admitted to all Swiss courts). |
| 2002-2007 | Legal studies at University of Zurich (lic. iur.). |

**Arbitration and
Dispute Resolution
Experience**

Counsel for parties in arbitration proceedings under Swiss Rules, ICC Rules, and *ad hoc* arbitration rules.

Arbitrator and administrative secretary in arbitration proceedings under the Swiss and ICC Rules.

Counsel for parties in state court proceedings in Switzerland, including arbitration-related proceedings (setting aside of awards, enforcement of awards, interim measures, attachment of assets).

Counsel for creditors in numerous debt enforcement and bankruptcy proceedings.

Distinctions

2022: Future Leader in Commercial Litigation (Who's Who Legal).

2020, 2021, and 2022: Rising Star in Litigation (Euromoney's Expert Guide).

2014: Walther Hug Award for doctoral thesis on attachment law.

Publications and speaking engagements

Commentary on Articles 229-236 of the Swiss Code of Obligations, in: Kren Kostkiewicz/Wolf/Amstutz/Fankhauser (eds.), *Kommentar zum Schweizerischen Obligationenrecht*, Orell Füssli Kommentar (OFK), Zurich 2023.

COVID-19: Neue Verordnung über den landesweiten Rechtsstillstand im Betreibungswesen, online publication, 20 March 2020 (with Thomas Rohner).

„*The winner takes it all*“: *cost allocation*, panel moderation, ASA below 40 Seminar, „Money, money, money: tackling costs in international arbitration“, 9 November 2018.

Internationale Konkursverfahren in der Schweiz, in: IWRZ 2018, p. 218 et seq. (with Thomas Rohner).

Admissibility of illegally procured evidence in CAS proceedings – some comments to the Adamu decision, online publication, 14 January 2013 (with Andrés Gurovits/Tamir Livschitz).

Informationsbeschaffung zur Glaubhaftmachung der Arrestvoraussetzungen sowie Auskunftspflichten im Arrestvollzug, unter besonderer Berücksichtigung der Arrestrevision 2011, Diss. Zurich 2012 (summa cum laude; distinguished with Walter Hug Award 2014).

Anfechtung eines Generalversammlungsbeschlusses, Besprechung von BGer 4A_10/2012 vom 2. Oktober 2012, ius.focus 2012, no. 283.

Zweckförderungs- und Treuepflicht bei einer einfachen Gesellschaft, Besprechung von BGer 4A_619/2011 vom 20. März 2012, ius.focus 2012, no. 136.

Aktienrechtliche Verantwortlichkeit: Treuepflicht des Verwaltungsrats, Besprechung von BGer 4A_524/2011 vom 16. Februar 2012, ius.focus 2012, no. 85.

Mängel in der Organisation einer Aktiengesellschaft, Besprechung von BGer 4A_522/2011 vom 13. Januar 2012, ius.focus 2012, no. 62.

Commentary on Articles 22 no. 1 und 3 of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Lugano Convention), in: Dasser/Oberhammer (eds.), *Kommentar zum Lugano-Übereinkommen (LugÜ)*, 2nd ed., Berne 2011 (collaboration under Karin Müller).

Aktivlegitimation bei einer Verantwortlichkeitsklage gemäss Art. 754 OR, Besprechung von BGer 4A_231/2011 vom 20. September 2011, ius.focus 2011, no. 296.

Schweizerisches Zivilprozessrecht, Zurich/Basel/Geneva 2010 (collaboration under Isaak Meier).

Telekommunikationsrecht – Recht der audiovisuellen Medien – Stromversorgungsrecht, Entwicklungen 2009, Berne 2010 (collaboration under Peter Hettich et al.).

Gesellschaftsrechtliche Aspekte der Umstrukturierung von Unternehmen, in: Simonek/Eitel/Müller/Girsberger (eds.), Unternehmensrecht II, Nachfolge und Umstrukturierung, Zurich/Basel/Geneva 2009, p. 223–270 (with Karin Müller and Daniel Girsberger).

Telekommunikationsrecht – Recht der audiovisuellen Medien – Stromversorgungsrecht, Entwicklungen 2008, Berne 2009 (collaboration under Peter Hettich et al.).

Die dogmatische Situation des Vollstreckungsrechts aus der Sicht des schweizerischen Rechts, ZZP 2008, p. 295–350 und p. 427–474 (collaboration under Isaak Meier).

Languages

German (native speaker).
English (fluent).
French (advanced knowledge).

Memberships

Swiss and Zurich Bar Associations, ASA, ICC YAF.

Hobbies

Sporting activities and travelling.