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**Piotr Bytnerowicz**

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**Bars and Courts**

Advocate, Regional Bar Chamber in Warsaw, 2011

**Education**

Master's Degree, Faculty of Law and Administration at Warsaw University, 2006

British Centre for English and European Legal Studies, University of Warsaw, (in cooperation with the University of Cambridge), 2004

**Professional Associations**

Chartered Institute of Arbitrators (ACI Arb)

Young Arbitration Practitioners in Poland ICC YAF

Society of Construction Law

**Languages**

Polish

English

**Citizenship**

Poland

**Practice Experience**

Piotr Bytnerowicz has over ten years of experience in various commercial disputes before state and arbitration courts (involving, in particular, construction and real estate-related disputes). He has advised and represented clients in disputes related to M&A and real estate transactions, various construction projects (including motorways, shopping centers, power plants and coke plants), as well as distribution and agency agreements. He also acts as arbitrator in commercial and construction disputes.

He joined the Warsaw office of White & Case in 2011. In 2013, he was seconded for six months to the International Arbitration Department at the London office of White & Case. During his secondment, he also worked with the Construction Team at our London office. Before joining White & Case, Piotr worked at the litigation and dispute resolution departments of two renowned international law firms, including a "magic circle" law firm.

In the 2014 edition of the legal professionals' ranking "Rising Stars", published by WoltersKluwer and Dziennik Gazeta Prawna, Piotr was honored as one of the Rising Stars of the legal community in Poland.

His recent experience in court litigation and arbitration proceedings includes, in particular:

- acting as arbitrator in a construction dispute between a designer and an employer, relating to an office building in Warsaw;
- acting as arbitrator in a commercial dispute between a supermarket chain operator and its supplier;
- representing a municipal company in ICC arbitration against the general contractor of a transportation investment project;
- acting for a contractor in ICC arbitration valued at €27 million relating to one of the biggest and most complicated multi-purpose investments in Poland;
- representing a spirits company (the respondent) in an arbitration dispute over the performance of a distribution agreement;
- advising a client in relation to potential investment arbitration against Poland;
- acting for a real estate investor in connection with an ICC arbitration dispute with a supermarket chain operator, regarding the performance of a supermarket chain purchase agreement;
- representing a power plant and its insurer in a court dispute against the power plant's contractor concerning an accident

caused during the renovation of a power generator, valued at over PLN 30 million; representing the clients in mediation proceedings aimed at settling this dispute;

- representing contractors in numerous disputes relating to the construction of roads, bridges and motorways;
- representing a contractor in negotiations of contracts relating to a power plant project;
- obtaining decisions on security of contractors' claims forbidding payments from bank guarantees;
- advising contractors in disputes based on FIDIC contract conditions as well as ongoing contract advice in the period preceding a court or arbitration dispute;
- representing a foreign coke machinery manufacturer in disputes with its subcontractor and general contractor;
- advising an investor (a Polish coke plant) in connection with court disputes regarding contractors' claims to increase their remuneration due to a change of market conditions (*rebus sic stantibus* clause);
- acting for bondholders in connection with numerous disputes, valued at over €500 million, with companies from a bond issuer's group, including representing the bondholders in the bond underwriter's bankruptcy proceedings; and
- advising insurance companies in connection with claims related to the roof collapse at the Katowice International Exhibition Center (MTK).

#### Publications:

- *The conclusions from the 2015 International Arbitration Survey*, Arbitration Bulletin No. 3-4(22-23)/2015
- *Admissibility of witness preparation in arbitration proceedings – International and Polish perspectives*, Dispute Resolution International Vol 10 No. 1, April 2016
- *Admissibility of witness preparation in arbitration proceedings*, Arbitration Bulletin 22/2015
- *The Period for Giving Notice of Contractor's Claims Set Out in Sub-Clause 20.1 of the FIDIC Conditions in Light of Polish Law*, Arbitration e-Review 1(8)/2012

- *Conditions for bringing new claims to arbitration under FIDIC contracts*, Arbitration e-Review 1/2011
- *Cut-off Time for Introducing a Counterclaim in Arbitration under the ICC Rules*, Arbitration e-Review 2/2010
- *FIDIC Sub-Clause 20.1*, Biuletyn Konsultant 26(9)/2012

Before joining White & Case, Piotr worked at the litigation & dispute resolution departments of two renowned international law firms, including a "magic circle" law firm.

Since 2009 Piotr has served as a judge at Poland round of Willem C. Vis International Commercial Arbitration Moot. He was also involved in establishing the first Polish association of arbitration practitioners under 40 – the Young Arbitration Practitioners in Poland (YAPP) at the "Lewiatan" Court of Arbitration in Warsaw.

Piotr frequently speaks at conferences and seminars relating to construction disputes and international arbitration.