

# 5Gambit Disputes

## Tamir Livschitz

Partner

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Tamir, who is admitted to practice in Switzerland, Israel and in the State of New York, has more than 20 years experience representing corporations, regulated entities, private equity and venture capital funds as well as high net worth individuals on the resolution of complex disputes involving commercial relationships, defamation and regulatory matters, with a particular focus on the banking, post-M&A, commodities, construction, crypto and sports sectors, both in state-court litigation and international arbitration. Further, Tamir has extensive expertise in representing clients in judicial assistance procedures and in the context of regulatory or criminal enforcement proceedings driven by domestic and foreign authorities.

Tamir is consistently ranked as a leading practitioner in litigation and arbitration by Chambers Global and Chambers Europe, Legal500, Who's Who Litigation, Who's Who Arbitration and Best Lawyers.

Tamir was awarded "Litigation Lawyer of the Year 2023" by Legalcommunity Switzerland and he is included in the 2023 list of the top 10 influential litigators in Switzerland published by Business Today.

### Career

- 2023 Partner, 5Gambit Disputes, Zurich, Switzerland
- 2016 Partner, Niederer Kraft Frey, Zurich, Switzerland
- 2009 Associate/Senior Associate in the Dispute Resolution Practice of Niederer Kraft Frey, Zurich, Switzerland
- 2005 Associate in the cross border transactions team of Goldfarb Levy Eran (now Goldfarb Gross Seligman), Tel Aviv, Israel
- 2001 Law clerk in the District Court of Meilen, Canton of Zurich, Switzerland

### Education

- 2010 Admitted to the New York Bar
- 2009 LL.M. New York University School of Law, New York
- 2009 Advanced Professional Certificate in Law & Business, Leonard N. Stern School of Business, New York University, New York
- 2006 Admitted to the Israel Bar
- 2004 Admitted to the Zurich Bar
- 2001 Licence in Law (lic. iur.), University of Fribourg

## Admissions

- Zurich (including all Swiss courts)
- Israel
- New York

## Market Perception

### Rankings in international directories include the following:

- „He has very good legal and tactical skills, is easy to work with and defends the client’s interests very well.“ (Chambers Global 2023)
- „I would always recommend Tamir Livschitz.“ (Chambers Global 2023)
- „Tamir is a genuine specialist in arbitration. He is extremely bright, quick and concise and exceptional at identifying the key points of a case. Tamir is a tenacious but fair advocate that really rolls up his sleeves. He is a true fighter for his clients.“ (Legal 500 2023)
- „Tamir Livschitz is a compelling advocate, extremely tough and always very sharp in his observations. He has an excellent grasp of the issue and is very quick to get to the heart of any case. Tamir has an excellent legal and strategic mind and is analytically on top of legal issues. He is proactive and clear and provides completely on-point advice.“ (Legal 500 2023)
- „Tamir Livschitz is an extremely bright arbitration practitioner, with extensive experience in the fields of international arbitration. He is razor-sharp, focused and unflappable. Tamir has superb judgement and an excellent grasp of the law, and is very thorough in his approach.“ (Legal 500 2023)
- „Tamir Livschitz is firm, super bright and exceptionally efficient. Tamir has an outstanding flair for advocacy and an admirable no-nonsense approach, he always gives very clear advice. He is fantastic to work with.“ (Legal 500 2023)
- „Tamir Livschitz is an extremely bright arbitration practitioner, with extensive experience in the fields of international arbitration. He is razor-sharp, focused and unflappable. Tamir has superb judgement and an excellent grasp of the law, and is very thorough in his approach.“ (Legal 500 2023)
- „The litigation team of NKF benefits from the large and strong client base of the firm which makes it very experienced. The team leader, Tamir Livschitz, is well connected in the Swiss industry and beyond. The team is exceptionally knowledgeable, fast and international.“ (Legal 500 2023)
- „Tamir Livschitz – one of the smartest lawyers ever. Very professional in his attitude, delivers faster than the most demanding client would expect.“ (Legal 500 2023)
- „he is ,a very skilful attorney who knows how to focus on the key facts. He really fights for the interests of his client and has very good international expertise.““ (Chambers Global 2022)
- „Tamir Livschitz has excellent cross-border expertise. His advocacy is absolutely top notch. He speaks seven languages and handles highly complex cases with an impressive ease.“ (Chambers Insight Report 2022)
- „Tamir is always on top of his game. He knows each case inside out, has an extraordinary eye for details and an exceptionally fast and sharp legal and analytical mind. Tamir’s advice is practical and decisive. Tamir has a true fighting spirit and is fierce and straightforward in defending his clients’ interests. He tells you how it is.“ (Legal 500 2022)
- „Tamir is an extraordinarily capable expert in litigation and international arbitration. He has a razor-sharp intellect and is an outstandingly skilful, clear and confident advocate. Tamir has an exceptional sense of priorities in terms of presenting persuasive arguments on the issues. His legal arguments are excellent, his manner is firm and he is a tenacious fighter for his clients. Tamir always delivers.“ (Legal 500 2022)
- „Tamir Livschitz has a ,good judgement and a pragmatic approach,‘ says one source, before adding: ,His advocacy is truly outstanding.““ (Chambers Global 2021)

- „Tamir Livschitz is a talented and skilful lawyer who knows how to concentrate on the key facts. He really fights for the interests of his client.“ (Legal 500 2021 - Litigation)
- „Tamir Livschitz is an excellent and forthright arbitration practitioner with a great legal and strategic acumen. He is very precise and outstandingly good at finding creative and pragmatic solutions to problems. He has an excellent knowledge of arbitration law and has been successfully tested in practice many times.“ (Legal 500 2021 - Arbitration)
- „Tamir Livschitz is widely respected as ‚an up-and-coming practitioner‘ who demonstrates ‚a deep knowledge of institutional arbitration rules as counsel‘“. (Who’s Who Legal 2021)
- „Clients underline his ‚good analysis, provision on insights and excellent conduct in hearings.‘“ (Chambers Global 2019)
- „‘Stellar advocate’ Tamir Livschitz is a ‚thoughtful strategist‘ who delivers ‚utmost client care‘“. (Legal 500 2019) „Tamir Livschitz is ‚internationally minded‘ and possesses ‚remarkable advocacy skills‘“. (Legal 500 2018) „Highly capable“ Tamir Livschitz is recommended. (Legal 500 2018)
- „Tamir Livschitz is ‚well experienced in both litigation and arbitration‘ and garners further praise from sources for being ‚quick to come up with a convincing strategy‘ and ‚solution-oriented and effective.“ (Chambers Global 2018)
- „He is described by sources as ‚an energetic lawyer with excellent language skills.‘“ (Chambers Global 2017) „Tamir Livschitz has ‚remarkable advocacy skills‘ and ‚very good tactical skills‘“. (Legal 500 2017)
- „He’s attentive to details, client-oriented and firm when it comes to sensitive issues.“ (Chambers Global 2016)
- „Arbitration counsel Tamir Livschitz wins praise for his ‚outstanding knowledge of the law and thorough and clever representation of the client’s position.‘“ (Chambers Global 2015)

## Experience

### The following is a selection of Tamir’s activity:

- Representation of a globally leading renewable energy provider in an ICC arbitration commenced by its contractual counterparty related to one of the largest European pump storage power plant projects in Europe
- Representation of a listed Belgian foam producer in a Swiss Rules arbitration against its Austrian joint venture partner
- Representation of a Swiss domiciled bank in money laundering enforcement proceedings commenced by the Swiss Financial Market Supervisory Authority (FINMA)
- Representation of a member of the board of directors of a Swiss domiciled entity in relation to proceedings and action taken by the United States Department of Justice
- Representation of an individual in enforcement matters pertaining to IMDB
- Representation of a minority shareholder and former board member in a dispute against a listed European travel agent corporation
- Representation of one of the largest Georgian mining companies in a high-stakes litigation against its Swiss domiciled contractual partner
- Representation of a European energy supply products producer before the Swiss Federal Supreme Court in matters pertaining to the Vienna Convention
- Representation of shareholders of a large Spanish construction company in an ICC arbitration brought by a Turkish counterparty
- Representation of sellers of a Swiss company in a post M&A litigation against the purchaser of the company Representation of top management of a reputable Swiss bank in regulatory proceedings
- vis-a-vis the Swiss Financial Market Supervisory Authority (FINMA)
- President of an arbitral tribunal in ICC proceedings between Finnish and Russian parties seated in Finland



- Representation of a Hang Kong domiciled corporation in its Swiss Rules Arbitration against a Swiss domiciled company listed on the SIX stock exchange
- Representation of an English supply company in its dispute with a reputable Italian fashion company
- Representation of a Taiwanese corporation listed on the Thai Stock Exchange in a dispute against its German supplier
- Representation of an entity with global operations in large scale criminal proceedings conducted in various jurisdictions
- Sole arbitrator in ICC proceedings seated in Israel
- Representation of defendants in multi-party dispute commenced before the Commercial Court in London
- Party appointed arbitrator in ICC proceedings between Liechtenstein, BVI and English parties seated in Switzerland
- Representation of Spanish parties in ICC proceedings seated in Switzerland commenced by their Turkish joint venture party in a hydroelectric plant dispute
- Representation of a globally active entity in a Swiss Rules arbitration proceeding concerning an agency dispute
- Representation of a global market leader in its industry in a Swiss Rules arbitration proceeding relating to a contractual dispute with a marketing company
- Representation of a Georgian commodities company in its dispute with a Swiss domiciled commodities trader
- Representation of a Swiss domiciled entity in its D&O insurance claim against one of the world's largest insurance syndicates
- Representation of Swiss clients in proceedings brought against them before the High Court of Justice, Commercial Court, London
- Representation of a French entity in an ICC arbitration seated in Lugano, Switzerland Party appointed arbitrator in a DIS arbitration seated in Germany
- Representation of shareholders in a large post-M&A litigation in the pharmaceutical industry
- Representation of a Slovenian company and its Swiss subsidiary in their litigation against a Swiss energy provider
- Representation of a global sports entity in numerous domestic and foreign proceedings Sole Arbitrator in a multi-party ICC arbitration proceeding seated in Israel
- Representation of a Swiss association in a Swiss Rules arbitration proceeding against its Guatemaltecan contractor
- Representation of a Russian construction company in a Swiss Rules arbitration proceeding against its German sub-contractor
- Representation of an English company in an ad hoc arbitration proceeding seated in Singapore against its Singapore counterparty
- Representation of a Hang Kong commodities trading company in a Swiss Rules arbitration proceeding against its Swiss supplier
- Representation of a Swiss manufacturer in various ICC arbitration proceedings vis-a-vis its commercial partners
- Representation of a Liechtenstein Foundation in its Swiss Rules arbitration against a Russian lending company
- Representation of a publicly listed Greek entity in its ICC arbitration against a Belarus sub-contractor
- Entrepreneurs in the anti-virus software sector in their sale of their Swiss company to an international software group
- Swiss bank in the context of legal opinions relating to bank financing transactions Continuous advice of Swiss entity in its global high value licensing activity
- Advice of Swiss non-profit organisation in the bidding process connected with the hosting of major sports events.



## Professional Memberships

Swiss Bar Association

Zurich Bar Association

Israel Bar Association

New York State Bar Association

New York City Bar Association

Swiss Arbitration Association

ASA below 40

International Bar Association

## Publications

- Daniel Eisele, Tamir Livschitz, Anja Vogt, The Dispute Resolution Review: Chapter on Switzerland, in: Law Business Research, 13th edition 2021, P. 361 - 444
- Valerie Meyer Bahar, Daniel Eisele, Tamir Livschitz, Brigitte Knecht, The Legal 500 Country Comparative Guide: Switzerland: Litigation, in: The Legal 500 Country Comparative, 2020
- Daniel Eisele, Tamir Livschitz, Anja Vogt, The Dispute Resolution Review: Switzerland, in: The Dispute Resolution Review, 12th Edition 2020, Law Business Research, P. 420-438
- Daniel Eisele, Tamir Livschitz, Anja Vogt, Global Guide to Arbitration: Switzerland, in: The Legal 500 & The In-House Lawyer Comparative Legal Guide, 2019
- Valerie Meyer Bahar, Daniel Eisele, Tamir Livschitz, Brigitte Knecht, Global Guide to Arbitration: Switzerland, in: The Legal 500 & The In-House Lawyer Comparative Legal Guide, 2019
- Daniel Eisele, Tamir Livschitz, Anja Vogt, The Dispute Resolution Review: Switzerland, in: The Dispute Resolution Review, 11th Edition 2019, Law Business Research, P. 460-479
- Tamir Livschitz, Third Party Funding in Arbitration, in: Arbitration in Switzerland - the Practitioner's Guide, 2nd ed., Zurich 2018
- Daniel Eisele, Tamir Livschitz, Anja Vogt, The Dispute Resolution Review: Switzerland, in: The Dispute Resolution Review, 10th edition 2018, Law Business Research, P. 471-488
- Daniel Eisele, Tamir Livschitz, Anja Vogt, Global Guide to Arbitration: Switzerland, in: The Legal 500 & The In-House Lawyer Comparative Legal Guide, 2017
- Daniel Eisele, Tamir Livschitz, Anja Vogt, The Dispute Resolution Review: Switzerland, in: The Dispute Resolution Review, 9th edition 2017, Law Business Research, P. 529-630
- Daniel Eisele, Tamir Livschitz, Identity crisis, in: IFLR Dispute Resolution Guide 2016, P. 34-36
- Andras Gurovits, Tamir Livschitz, Litigation or arbitration in cross-border outsourcing: what is the better fit?. in: Practical Law Global Guide 2016/17 Outsourcing, Thomson Reuters
- Tamir Livschitz, Arbitration in Switzerland: Much ado about nothing?, in: The American Lawyer: Focus Europe, July 2016, P. 58SS-59SS
- Ernst Felix Schmid, Peter C. Honegger, Andras Gurovits, Daniel Eisele, Valerie Meyer Bahar, Tamir Livschitz, Daniele Müller, Christa Sommer, Andreas D. Blattmann, Andreas Lehmann, Martina Madonna-Quadri, Eva Viola Bohnenblust, Swiss Arbitration - Practical Aspects and New Developments, NKF Schriftenreihe Publikation #19

- Peter C. Honegger, Daniel Eisele, Tamir Livschitz, The Dispute Resolution Review, in: Law Business Research, 7th edition 2015, P. 631-648
- Tamir Livschitz, Andreas D. Blattmann, „The Non-Signatory Problem“ - An Overview of Recent Developments, in: Singapore Institute of Arbitrators Newsletter, December 2014
- Ernst Felix Schmid, Daniel Eisele, Tamir Livschitz, Chambers Legal Practice Guides Litigation Switzerland 2014, Trends & Developments, in: Chambers & Partners, P. 1262-1266
- Peter C. Honegger, Daniel Eisele, Tamir Livschitz, The Dispute Resolution Review, in: Law Business Research, 6th edition 2014, P. 737-754
- Daniel Eisele, Tamir Livschitz, The Impact of Cross-border Insolvency on International Arbitration: A Swiss View, in: Expert Guide Litigation & Dispute Resolution 2013, Corporate LiveWire, P. 34-37
- Andras Gurovits, Tamir Livschitz, Daniela Frenkel, ADMISSIBILITY OF ILLEGALLY PROCURED EVIDENCE IN CAS PROCEEDINGS - SOME COMMENTS TO THE ADAMU DECISION, Online Publication, <http://www.sportslawcircle.com>, 14. January 2013

